

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 21 January 2025

Subject: Application for the Grant of a Premises Licence for Otley Road Convenience Store, 80 Otley Road, Headingley, Leeds, LS6 4BA

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Weetwood		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of Main Issues

This is an application for the grant of a premises licence made by Khabat Ahmad, for Otley Road Convenience Store, 80 Otley Road, Headingley, Leeds, LS6 4BA.

The application explains that the premises is a small grocery store proposing to sell alcohol alongside fresh/chilled foods and household goods.

Responsible authorities and Ward Members have been notified of this application.

The application has attracted representations from other persons and responsible authorities.

The premises are located within an area covered by a cumulative impact policy.

1 Purpose of this Report

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a new premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

2 History of the Premises

- 2.1 This is the first application for a premises licence for these premises.

3 The Application

- 3.1 The applicant's name is Khabat Ahmad.
- 3.2 The proposed designated premises supervisor is Khabat Ahmad.
- 3.3 In summary, the application is for:

Sale by retail of alcohol (for consumption off the premises only)

<i>Monday to Friday</i>	<i>08:00 - 20:00</i>
<i>Saturday</i>	<i>09:00 - 20:00</i>
<i>Sunday</i>	<i>09:00 - 17:00</i>

Non standard timings

No non-standard timings for bank holidays or special occasions are proposed.

- 3.4 A redacted version of the application is attached at Appendix A.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified in the document which is attached at Appendix B.

4 Location

- 4.1 A map which identifies the location of the premises is attached at Appendix C.

5 Representations

- 5.1 Under the Act representations can be received from anyone but they must be relevant and, in the case of a member of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 5.2 Representations have been received from the Environmental Protection Team, West Yorkshire Police and Entertainment Licensing, in their capacity as Responsible Authorities.
- 5.3 A copy of the representations by the Responsible Authorities can be found at Appendix D, and all three remain outstanding for the Members' consideration.

Other Representations

- 5.4 The application has attracted representations from Ward Councillors, a Member of Parliament, members of the public and local residents' associations (described as 'other persons' in the legislation).
- 5.5 In further detail, objections have been received from a Headingley & Hyde Park Ward Councillor, all three Weetwood Ward Councillors, an objection from the Member of Parliament for Leeds Central & Headingley and forty-four individual objections from members of the public and local residents' associations. The representations express concerns in relation to all four licensing objectives.
- 5.6 In addition, the Licensing Authority has received one representation expressing support for the application.
- 5.7 In order to protect personal data copies of the representations by other persons have been redacted and they can be found at:
- Appendix E - Ward Councillors and Member of Parliament in opposition
 - Appendix F - Members of the public and resident groups in opposition
 - Appendix G - Member of the public in support of the application
- 5.8 It should be noted that a number of representations have been received from members of the public who have expressed concern that they may be at risk of retribution should their details be made public. As such, their personal details have been withheld from the Applicant, and despite their strength of feeling they will not be attending the hearing and would like their representations to be considered fully in their absence.
- 5.9 The original versions of all representations by other persons will be provided to the Licensing Sub Committee in advance of the hearing.

6 Cumulative Impact Policy

- 6.1 The premises are located within the Cumulative Impact Area for Headingley.
- 6.2 Cumulative impact means the potential impact on the promotion of the licensing objectives due to the significant number of licensed premises concentrated in one area.
- 6.3 An applicant wishing to obtain a new licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process and/or the operating schedule, the steps they intend to take so that the council and responsible authorities can be satisfied that granting a new licence would not add to the impact already being experienced.
- 6.4 Details of the cumulative impact policy specific to Headingley and an outline of the evidence behind the reason for setting this policy is attached at Appendix H.
- 6.5 Members are directed to paragraph 7.44 of the Statement of Licensing Policy which provides examples of how an application may demonstrate there will be no

impact and paragraph 7.45 which provides examples of the matters that the council would not normally take into consideration.

- 6.6 A map showing the location of licensed premises within the cumulative impact area for Headingley can be found at Appendix I.

7 Licensing Hours

- 7.1 Members are directed to paragraphs 6.8 to 6.15 of the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.
- 7.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so.
- 7.3 The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not adversely impact on the licensing objectives.
- 7.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix J.

8 Equality and Diversity Implications

- 8.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

9 Options Available to Members

- 9.1 The Licensing Sub Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- Grant the application as requested.
 - Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
 - Refuse to specify the said person as the designated premises supervisor.
 - Reject the whole or part of the application.
- 9.2 Members of the Licensing Sub Committee are asked to note that they may not reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

10 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy