
REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

REPORT TO LICENSING SUB COMMITTEE

DATE: 6th November 2006

SUBJECT: APPLICATION FOR THE GRANT OF A PREMISES LICENCE: The Spice Box, 152 High Street, Boston Spa, Wetherby, LS3 6BW

Electoral Wards Affected:

Wetherby

Specific Implications For:

Ethnic minorities

Women

Disabled people

EXECUTIVE SUMMARY

This report informs Members of an application for the grant of a Premises Licence for The Spice Box, 152 High Street, Boston Spa, Wetherby, LS23 6BW. The Licensing Authority is under a duty to determine this application.

1.0 PURPOSE OF REPORT

1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of The Spice Box, 152 High Street, Boston Spa, Wetherby, LS23 6BW.

2.0 HISTORY OF PREMISES

This is the First application for the grant of a premise licence.

3.0 THE APPLICATION

3.1 The applicant is Mr Khalid Alusta. The premises are located at 152 High Street, Boston Spa, Wetherby, LS23 6BW. The location and the proximity to neighbouring premises can be seen on the map provided, members attention is drawn to **Appendix A**.

3.2 A copy of the application and operating schedule are attached as **Appendix B** to this report. For the assistance of Members, the Operating Schedule shows:

Proposed Licensable Activities:

- **Recorded Music**
- **Late Night Refreshment**
- **Supply of Alcohol**

The applicant proposes to carry out those licensable activities at the premises identified at boxes:

F - Recorded Music
L - Late night refreshment
M - Sale of alcohol

Proposed hours of licensable activities:

The applicant proposes to provide licensable activities Recorded Music and the Supply of Alcohol from 12:00 to 01:00am Everyday of the week and Late Night Refreshment from 23:00 – 01:00 Everyday of the week.

Times when the premises is open to the public.

If the application is granted the applicant proposes to open the premises as described in box “O”.

Designated Premises Supervisor

Mr P Gascoigne

Steps to promote licensing objectives

The applicant proposes to take the steps to promote the licensing objectives identified section “P” of the operating schedule.

4.0 RELEVANT REPRESENTATIONS

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Responsible authorities have made the following representations:-

- **Interested Party Representations**

Local residents Representations

Members attention is drawn to Appendix “C”

5.0 MATTERS RELEVANT TO THE APPLICATION

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.2 In making its decision Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.
- 5.3 Members will find attached at appendix **D** a table which acts as an aide memoir of relevant sections of the Guidance and the Council's Licensing Policy which will be of assistance when considering the application and the representations.

6.0 OPTIONS AVAILABLE TO MEMBERS

- 6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
- Grant the application while imposing new conditions or altering in any way the existing the operating schedule.
 - Exclude any licensable activities to which the application relates
 - Refuse to specify a person as the premises supervisor
 - Reject the application
- 6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

BACKGROUND PAPERS

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

Aide Memoir to relevant sections of the Guidance and Licensing Policy

Representation	Guidance page(s)	Licensing Policy page(s)
Overall approach to licensing		4
Vicinity of premises		5
Monitoring and review of licensing policy		5
Integration of other strategies, policies and initiatives		7
Importance of cultural activities		8
Commercial and community applicants		9
Licensing Hours	23-24	12
Planning	29	10
Human Rights		10
Binge drinking	94	11
Discounted Sales promotions of alcohol	94	11
supermarkets	72	12
Sunday trading	72	12
Bank holidays	74	12
Drinking up time	74	13
Cumulative impact	19	13-19
Large capacity vertical drinking in city centre	95	15
Late night takeaways in the city centre	19	16
New premises in Headingley	19	16
Large capacity vertical drinking in Headingley	19	16
Takeaways in Headingley	19	16
Extended hours in Headingley	19	16
High capacity premises in Woodhouse and Hyde Park	19	17
Licence conditions	148-171	18
Staff Training	93	19
Events in the open air or temporary structures	96-100	19
Operating schedules - contents of		21
Risk assessments		22 and Appendix 1
Crime and disorder	80-83	26 and Appendix 1
Public safety	83-85	27 and Appendix 1
Fire safety	154-157	27-28 and Appendix 1
Public Nuisance	85-87	28 and appendix 1
Children	87-90	29 and appendix 1
Operating Schedule	51-52	21-22 appendix 1

