



Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: Monday 19th October 2009

Subject: Application for the Grant of a Premises Licence for Hazel's Café/Bistro,
Shop 2, 429 Otley Road, Adel, Leeds, LS16 6AJ

Electoral Wards Affected:

Adel & Wharfedale

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the grant of a Premises Licence for a premises situated at Shop 2, 429 Otley Road, Adel, Leeds, LS16 6AJ, trading as Hazel's Café/Bistro.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

1.0 Purpose of this Report

To advise Members of an application made under section 17. of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of Hazel's Café/Bistro, Shop 2, 429 Otley Road, Adel, Leeds, LS16 6AJ. The Licensing Sub-Committee is required to consider this application due to the receipt of representations.

2.0 History of Premises

2.1 This is the first application for a Premises Licence for these premises.

3.0 The Application

3.1 The applicant is Ms. Hazel Hinchcliffe.

- 3.2 The location and the proximity to neighboring premises can be seen on the map provided; Members attention is drawn to **Appendix A**.
- 3.3 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:

i) Proposed licensable activities

- E** Live Music
- F** Recorded Music
- G** Performance of Dance
- M** Supply of Alcohol for consumption 'ON' the Premises

ii) Proposed hours of licensable activities

The proposed hours for all licensable activities are as follows:

Monday to Saturday	09:00 – 23:00
Sunday	10:00 – 22:30

iii) Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours:

Monday to Saturday	09:00 – 23:30
Sunday	10:00 – 23:00

iv) Proposed Designated Premises Supervisor

Ms. Hazel Hinchcliffe intends to be the Designated Premises Supervisor.

v) Steps to promote licensing objectives

The applicant intends to promote the licensing objectives by taking specific steps identified in section "P" of the application form. Furthermore, the applicant has volunteered conditions consistent with the Pro-Forma Risk Assessment; a copy of which is attached as **Appendix C** of this report.

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 Representations have been received from the following Responsible Authorities:

- **West Yorkshire Police**

Member's are invited to consider **Appendix D** of this report.

4.3 Interested Parties have made the following representations:

- **Members of the Public**

Members are invited to consider **Appendix E** of this report.

Members should note that a resident has requested his/her local ward Councillor to represent their views at the hearing. The representation and request is attached for Members interest, at **Appendix F**.

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 their 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.

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 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 whole or part of 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