

NOT FOR PUBLICATION

Exempt under Regulation 14 of the Licensing Act 2003 Hearings Regulations 2005

(SI 2005 No. 44)

All Accompanying Appendices

Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: Monday 7th March 2011

**Subject: Application for a licence transfer for The Starlight Bar, Shaftesbury Parade,
Harehills Lane, Leeds, LS9 6TA**

Electoral Wards Affected:

Burmantofts & Richmond Hill

N/A

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 received on the 27th January 2011, to transfer a Premises Licence for The Starlight Bar, Shaftesbury Parade, Harehills Lane, Leeds, LS9 6TA. The application is to specify Mr Gavin Mackay Ferguson and Mr Honar Jafar Rafik as the licence holder in accordance with Section 42 of the Licensing Act 2003 ("the Act"). The applicant requested that the application takes immediate effect.

1.0 Purpose of this Report

To advise Members of an application made under section 42 of the Licensing Act 2003 ("the Act") for the transfer of a Premise Licence in order to specify Mr Gavin Mackay Ferguson and Mr Honar Jafar Rafik as the licence holder.

The Licensing Sub-Committee is required to consider this application due to the receipt of a representation from West Yorkshire Police. This is submitted in accordance with Sections 42(6) and 42(7) of the Licensing Act 2003.

2.0 The Application

2.1 The Applicant is Mr Gavin Mackay Ferguson and Mr Honar Jafar Rafik.

2.2 A copy of the application is attached at **Appendix A** of this report.

3.0 Relevant Representation

- 3.1 Under the Act, representations can be received from West Yorkshire Police and must be relevant to the prevention of crime and disorder. Please find attached a copy of the representation at **Appendix B**.

West Yorkshire Police have submitted additional documents in support of their representation. These include an objection lodged against the Variation of the Premises Licence received on 10th November 2010, which was refused in its entirety at hearing. A copy of that representation is attached at **Appendix C**.

The other supporting document is a representation submitted by West Yorkshire Police in respect a Temporary Event Notice to be held on 12th February 2011. The application was withdrawn prior to reaching the hearing. A copy of this representation is attached at **Appendix D** of this report.

4.0 Matters Relevant to the Application

- 4.1 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

5.0 Options Available to Members

- 5.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant as requested; or
- Reject the application.

- 5.2 Members of the Licensing sub committee are asked to note that they may not reject this application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objective.

Background Papers

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