

**Report of the Head of Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date: 11th March 2013**

**Subject: Application for the grant of a premises licence in respect of Venus Foods Leeds Ltd 67 Domestic Street, Holbeck, Leeds, LS11 9NS**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Beeston & Holbeck	
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: 10.4(1)		
Appendix number: C		
These Appendices are regarded as exempt under provision of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)		

**Summary of main issues**

This is an application for the grant of a premises licence in respect of Venus Foods Leeds Ltd, 67 Domestic Street, Holbeck, Leeds, LS11 9NS.

The premises are a supermarket supplying international European foods including wines and spirits. The application is for retail by sale of alcohol for consumption off the premises as noted in 2.8.

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

The application has attracted a representation from West Yorkshire Police.

**1.0 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 premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of the representation from West Yorkshire Police.

## **2.0 History of Premises**

2.1 These premises previously a Kwik Save supermarket had the benefit of a premises licence for sale by retail of alcohol Monday to Saturday 08:00 – 23:00 and Sunday 10:00 – 22:30. Due to the branch going into receivership and no licence transfer being received within the allocated time period the premises licence lapsed on the 7<sup>th</sup> September 2007.

## **2.2 Enforcement issues**

There is currently a complaint open regarding these premises following reports that alcohol was on sale. The premises were visited by a Senior Liaison & Enforcement officer and the applicant was advised at the time to remove the display of alcohol. No prices were displayed it was claimed that no sales were/had taken place, the alcohol was there for display purposes to fill the shelves.

The Enforcement officer's initial dealing with the applicant resulted in the applicant becoming quite obstructive bordering aggressive. However he did calm down enough for a constructive conversation to follow.

## **2.5 The Application**

2.6 The applicant is Mr Caglar Esengul,

2.7 The application form may be found at **Appendix A** to this report.

2.8 In summary the application is for

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

Everyday            09:00 – 23:00

Non Standard Timings are not proposed.

## **3.0 Other matters relevant to the application**

3.1 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.

## **4.0 Steps to promote the Licensing Objectives**

4.1 The applicant proposes to take specific steps to promote the licensing objectives identified in the Pro-forma Risk Assessment ; a copy which can be found at **Appendix A**.

## **5.0 Proposed Designated Premises Supervisor**

5.1 Aziz Davutoglu intends to be the Designated Premises Supervisor.

## **6.0 Location**

6.1 A map which identifies the location of this premise is attached at **Appendix B**.

## **7.0 Representations**

7.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

### 7.2 Representations from Responsible Authorities

7.2.1 A representation has been received from West Yorkshire Police.

7.2.2 The representation submitted by West Yorkshire Police is a full objection and remains as a matter for members consideration. A copy of the same may be found at **Appendix C**.

### 7.3 Other representations

7.3.1 There are no other representations.

## **8.0 Options Available to Members**

8.1 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.

8.2 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 appropriate in order to promote the licensing objectives.

## **9.0 Background Papers**

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