

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday 23 April 2024

Subject: Application for the Grant of a Premises Licence for Rileys, Unit 1, 123 Albion Street, Leeds, LS2 8ER

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| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): Little London & Woodhouse | | |
| 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 WPC7 Ltd., for Rileys, Unit 1, 123 Albion Street, Leeds, LS2 8ER.

The application explains the premises will operate as a sports and entertainment venue authorising the sale by retail of alcohol, late night refreshment and the exhibition of films. The hours applied for can be noted at 3.3 of the report.

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

The application has attracted representations from other persons and responsible authorities, with agreements being reached in relation to a number of suggested measures.

The premises are located within the Leeds City Centre Cumulative Impact Area, albeit not in either of the two designated red zones.

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 Although this is an application for the grant of a new premises licence, Members may wish to note Units 1 & 2 have previously had the benefit of a premises licence when the premises were trading as Luda Bingo. The licence holder for Luda Bingo surrendered the premises licence in March 2021.
- 2.2 An application made recently for Glee Club, Unit 2, was granted by the Licensing Sub Committee at hearing on the 26 March 2024.

3 The Application

- 3.1 The applicant's name is WPC7 Ltd.
- 3.2 The applicant has yet to appoint a Designated Premises Supervisor(DPS). If the licence is granted, an application to appoint a DPS will be submitted prior to the premises opening.
- 3.3 In summary the application is for:

Sale by retail of alcohol every day 10:00 – 03:00 (for consumption both on and off the premises)

Late night refreshment every day 23:00 – 03:00

Exhibition of a film every day 10:00 – 03:00

Non-standard timings: Licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

- 3.4 A copy of the application form can be found at Appendix A.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified in the document attached at Appendix B.

4 Location

- 4.1 A map which identifies the location of this 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 Environmental Health in their capacity as a responsible authority. The applicant has agreed to incorporate the conditions suggested by Environmental Health, but at the time of writing the Licensing Authority are yet to receive written confirmation withdrawing the representation. A copy of the representation is available at Appendix D.
- 5.3 West Yorkshire Police and the applicant have agreed that additional conditions will form part of the licence should the application be granted. The document providing these conditions can be found at Appendix E.

Other representations

- 5.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.5 The licensing authority is in receipt of eight individual letters of objection which oppose the application primarily on the grounds of public nuisance.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at Appendix F and original copies will be provided to the Licensing Sub Committee Members in advance of the hearing.

6 Cumulative Impact Policy

- 6.1 The premises are located within the cumulative impact area for Leeds City Centre, albeit not in either of the two areas of special concerns designated as red zones.
- 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 Leeds City Centre and an outline of the evidence behind the reason for setting this policy is attached at Appendix G.
- 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.

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 H.

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 subcommittee 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.
 - Exclude any licensable activities to which the application relates.
 - 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