



## LICENSING SUB-COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 27TH MAY, 2014 AT 10.00 AM

(A pre-meeting will take place for the Members of the Licensing Sub-Committee, at 9.30 a.m.)

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### MEMBERSHIP

#### Councillors

B Gettings

Morley North;

R Downes

Otley and Yeadon;

M Harland

Kippax and Methley;

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**Agenda compiled by:  
Debbie Oldham  
Governance Services  
Civic Hall  
LEEDS LS1 1UR  
Tel No: 3951712**

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>CONFIDENTIAL AND EXEMPT ITEMS</b></p> <p><b><u>PRELIMINARY PROCEDURES</u></b></p>	9 - 10
2			<p><b>ELECTION OF THE CHAIR</b></p>	
3			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
4			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
5			<p><b>LATE ITEMS</b></p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
6			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><b><u>HEARINGS</u></b></p>	
7	City and Hunslet	10.4(7)	<p><b>APPLICATION TO TRANSFER A PREMISES LICENCE FOR TAILS AND SPIRITS, 4 SOVEREIGN PLACE, LEEDS, LS1 4SP</b></p> <p>To consider the report of the Head of Licensing and Registration on an application to transfer a premises licence held by Tails and Spirits, 4 Sovereign Place, Leeds, LS1 4SP to specify Miss Joanna Tomlins as the licence holder.</p>	11 - 26
8	City and Hunslet	10.4(7)	<p><b>APPLICATION TO VARY A PREMISES LICENCE HELD BY TAILS AND SPIRITS, 4 SOVEREIGN PLACE, LEEDS, LS1 4SP TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR</b></p> <p>To consider the report of the Head of Licensing and Registration on an application to vary a premises licence held by Tails and Spirits 4 Sovereign Place, Leeds LS1 4SP to specify Mr Ryan Tate as the designated premises supervisor.</p>	27 - 38

Item No	Ward	Item Not Open		Page No
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### **Third Party Recording**

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

#### **Use of Recordings by Third Parties– code of practice**

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

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## **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

- 9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.
- 9.2 Confidential information means
- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
  - (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

- 10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:
- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
  - (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
  - (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.
- 10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.
- 10.4 Exempt information means information falling within the following categories (subject to any condition):
- 1 Information relating to any individual
  - 2 Information which is likely to reveal the identity of an individual.
  - 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
  - 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.

- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime





**Report author: Victoria Radford**

Tel: 0113 2474095

**Report of the head of licensing and registration**

**Report to the licensing sub committee**

**Date: 27th May 2014**

**Subject: Application to transfer a premises licence for Tails And Spirits, 4 Sovereign Place, Leeds, LS1 4SP**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City & Hunslet		
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: Appendix B is considered exempt under the provision of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)		

**Summary of main issues**

1. This is an application to transfer a premises licence held by Tails And Spirits, 4 Sovereign Place, Leeds, LS1 4SP
  
2. This application was originally heard by members on the 12<sup>th</sup> May 2014. Members made a decision to adjourn the hearing until the 27<sup>th</sup> May 2014 to allow sufficient time to view the CCTV provided by the applicant. Members further asked for additional CCTV from the applicant and witness statements from both West Yorkshire Police and Leeds City Council Licensing Enforcement. Please note at the time of writing this report the statements were not available and consequently they will follow as a late item.
  
3. The application is to specify Miss Joanna Tomlins as the licence holder
  
4. West Yorkshire Police have been served a copy of this application

## **Recommendations**

The committee is asked to:

5. to consider the application and the representation made by West Yorkshire Police.
6. Take any of the steps detailed at 4.2, if any, they consider necessary for the promotion of the licensing objectives.

### **Purpose of this report**

- 1.0 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 Miss Joanna Tomlins as the licence holder.
- 1.1 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 Main Issues**

- 2.0 The applicant is Miss Joanna Tomlins
- 2.1 A copy of the application is attached at **Appendix A** of this report.

### **2.2 Relevant Representations**

- 2.2.1 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**.

It should be noted that the contents of this appendix are potentially exempt information under Access to Information Procedure Rule 10.4(7) as these include information relating to any particular person and it may contain information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

### **2.3 Matters relevant to the application**

- 2.3.1 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

## **3 Corporate Considerations**

### **3.0 Consultation and engagement**

- 3.1 The application was subject to a 14 days consultation period with West Yorkshire Police in accordance with the Licensing Act 2003.

## 3.2 Equality and Diversity / Cohesion and Integration

3.2.1 The council has adopted a Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003 and in which care has been taken in matters of equality, diversity and human rights. This policy is reviewed every three years. The council has completed equality, diversity, cohesion and integration screening and impact assessments with regards to the consultation process undertaken during the review of the policy.

## 3.3 Council Policies and City Priorities

3.3.1 When determining an application the licensing sub committee must have regard for the Licensing Act 2003 Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the council will refer to the policy when making its decisions.

3.3.2 The licensing regime contributes to the following aims:

### **By 2030, Leeds will be fair, open and welcoming**

- Local people have the power to make decisions that affect them
- There is a culture of responsibility, respect for each other and the environment
- Our services meet the diverse needs of our changing population
- Everyone is proud to live and work

### **By 2030, Leeds' economy will be prosperous and sustainable**

- Opportunities to work with secure, flexible employment and good wages

### **By 2030, all Leeds' communities will be successful**

- Communities are safe and people feel safe

3.3.3 The licensing regime contributes to the following city priorities:

### **Best city... for communities:**

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

## 3.4 Resources and Value for Money

3.4.1 The licensing process, including the licensing sub committee, generates a cost to the council. The majority of these costs are covered by the application fee. The fees are set by Statute, and there is little option to increase the fee to cover all the cost. However, the Police Reform and Social Responsibility Bill, due to receive Royal assent in November 2011, may allow local authorities to set their own fees in the future based on full cost recovery.

## 3.5 Legal Implications, Access to Information and Call In

3.5.1 Applicants and people making representations are able to challenge the licensing sub-committee's decision by appealing to the Magistrates Court. Legal advice is provided during the sub committee hearing and during deliberations to mitigate the risk to the council.

### 3.6 Risk Management

3.6.1 Full training and legal advice is provided to members sitting on Licensing Sub Committee in order to mitigate the risk of legal challenge.

## 4 **Conclusions**

4.0 An application has been received under the Licensing Act 2003 which is brought before a licensing sub committee for determination.

4.1 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 **Recommendations**

The committee is asked to:

- Consider the application and the representation from West Yorkshire Police
- Take any of the steps detailed at 4.2, if any, they consider necessary for the promotion of the licensing objectives.

## 6 **Background Papers**

6.0 Guidance issued under s182 Licensing Act 2003

6.1 Leeds City Council Licensing Policy

2162/003<sup>7</sup>

Appendix A



**PREM4**

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**Application to transfer premises licence  
to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We Joanna Tomlins..... (insert name(s) of applicant)  
apply to transfer the premises licence under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PREM/02162/004

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description	
4 Sovereign Place	
Post town <u>LEEDS</u>	Post code <u>LS1 4SP</u>
Telephone number at premises (if any)	

Please give a brief description of the premises <u>Late Night Cocktail bar over 2 floors</u> <u>Situated in Leeds city centre</u>	<div style="border: 2px solid black; padding: 10px;"> <p><b>ENTERTAINMENT LICENSING</b></p> <p><b>28 MAR 2014</b></p> <p><b>RECEIVED</b></p> </div>
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Name of current premises licence holder
<u>MR Andrew Steven Jones</u>

## Part 2 – Applicant Details

In what capacity are you applying for the premises licence to be transferred to you?

- Please tick  yes
- a) an individual or individuals\*  please complete section (A)
- b) a person other than an individual\*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) The proprietor of an educational establishment  please complete section (B)
- f) A health service body  please complete section (B)
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of the Part) in an independent hospital in England  please complete section (B)
- h) The chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

- Please tick  yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
  - I am making the application pursuant to a 
    - Statutory function; or
    - A function discharged by virtue of Her Majesty's prerogative

(A) **INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title (for example, Rev)   
Surname First names

TOMLINS

JOANNA

Please tick  Yes

I am 18 years old or over

Current postal address if different from premises address

57 BOUVETIC COULE  
Leeds  
L

Post Town

Leeds

Postcode

LS9 8LB

Daytime contact telephone number

07834539955

Email address (optional)

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)   
Surname First names

Please tick  Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3**

Please tick  yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above, please give the reasons why not. What steps have you taken to try and obtain consent?

No.

*I have been trying to contact him for 2 months but have had no response.*

*As a result I enclose a affidavit signed by a lawyer*



Please tick  yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

I have enclosed the premises licence

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5,000) UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 – Signatures** (please read guidance note 2)

**Signature of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 3. If signing on behalf of the applicant please state in what capacity.

Signature:  .....

Date 28/03/2014 .....

Capacity Business owner + applicant .....

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature .....

Date .....

Capacity if not the applicant .....

**Contact Name (where not previously given) and address for correspondence associated with this application** (please read guidance note 5)

Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

## Notes for guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

28 MAR 2014

RECEIVED

STATUTORY DECLARATION**DEFINITIONS**

**Property:** means Arch No. 4 Sovereign Place off Neville Street, Leeds, LS1 4SP

**Lease:** means a lease dated 18 March 2014 made between (1) Network Rail Infrastructure Limited and (2) Millan Enkam Shalo and Joanna Susan Tomlins t/a Tails & Spirits

**Licence:** means the licence relating to Groucho Club Leeds, 4 Sovereign Place, Leeds, LS1 4SP registered under licence number PREM/02161/004

**Current Licence Holder:** means Mr Andrew Steven Jones, 45 Oakdene Way, Alwoodley, Leeds, LS17 8XR

I JOANNA TOMLINS of 57 Bouverie Court, Leeds, LS9 8LB DO SOLEMNLY AND SINCERELY DECLARE as follows:-

1. I am a party to the Lease and a tenant of the Property.
2. I am applying to Leeds City Council to have the Licence transferred from the Current Licence Holder to myself.
3. Prior to our occupation, the Property has, to the best of my knowledge, been vacant for approximately two and a half years.
4. I have attempted to contact the Current Licence Holder, who previously occupied the Property, but I have been unable to locate him over the last 2 months using his last known contact details.
5. I am aware that Graham McKay, from National Rail Infrastructure Limited ("the Landlord"), has also attempted to contact the Current Licence Holder but again has been unable to locate him.
6. I have done everything possible to obtain the consent of the Current Licence Holder but have been unable to do so.

AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING THE SAME TO BE TRUE AND BY VIRTUE OF THE PROVISIONS OF THE STATUTORY DECLARATIONS ACT 1835.

Declared at

*S. Tomlins*

This 28<sup>th</sup> day of March 2014

MILNERS SOLICITORS  
CROWN HOUSE

Before me,

*[Signature]*

Page 19 85/89 GREAT GEORGE STREET  
LEEDS LS1 3BR

A Solicitor/~~barrister/Commissioner~~ for Oaths

Document is Restricted

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**Report author: Mrs Victoria Radford**

Tel: 0113 2474095

**Report of the head of licensing and registration**

**Report to the licensing sub committee**

**Date: 27th May 2014**

**Subject: Application to vary a premises licence held by Tails And Spirits, 4 Sovereign Place, Leeds, LS1 4SP to specify an individual as designated premises supervisor**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City & Hunslet		
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: Appendix B is considered exempt under the provision of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)		

**Summary of main issues**

1. This is an application to vary a premises licence held by Tails And Spirits, 4 Sovereign Place, Leeds, LS1 4SP to specify an individual as designated premises supervisor.
  
2. This application was originally heard by members on the 12<sup>th</sup> May 2014. Members made a decision to adjourn the hearing until the 27<sup>th</sup> May 2014 to allow sufficient time to view the CCTV provided by the applicant. Members further asked for additional CCTV from the applicant and witness statements from both West Yorkshire Police and Leeds City Council Licensing Enforcement. Please note at the time of writing this report the statements were not available and consequently they will follow as a late item.
  
3. The application is to specify Mr Ryan Tate as the designated premises supervisor.
  
4. West Yorkshire Police have been served a copy of this application

## Recommendations

The committee is asked to:

5. To consider the application and the representation made by West Yorkshire Police.
6. Take any of the steps detailed at 4.2, if any, they consider necessary for the promotion of the licensing objectives.

## Purpose of this report

- 1.1 To advise Members of an application made under section 37 of the Licensing Act 2003 (“the Act”) to vary a premises licence in order to specify Mr Ryan Tate as the designated premises supervisor.
- 1.2 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 Section 37 of the Licensing Act 2003.

## 2 Main Issues

- 2.1 The proposed designated premises supervisor is Mr Ryan Tate.
- 2.2 A copy of the application is attached at **Appendix A** of this report.

### 2.3 Relevant Representations

- 2.3.1 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**.

It should be noted that the contents of this appendix are potentially exempt information under Access to Information Procedure Rule 10.4(7) as these include information relating to any particular person and it may contain information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

### 2.4 Matters relevant to the application

- 2.4.1 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

## 3 Corporate Considerations

### 3.1 Consultation and engagement

- 3.1.1 The application was subject to a 14 days consultation period with West Yorkshire Police in accordance with the Licensing Act 2003.



## 3.2 Equality and Diversity / Cohesion and Integration

3.2.1 The council has adopted a Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003 and in which care has been taken in matters of equality, diversity and human rights. This policy is reviewed every three years. The council has completed equality, diversity, cohesion and integration screening and impact assessments with regards to the consultation process undertaken during the review of the policy.

## 3.3 Council Policies and City Priorities

3.3.1 When determining an application the licensing sub committee must have regard for the Licensing Act 2003 Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the council will refer to the policy when making its decisions.

3.3.2 The licensing regime contributes to the following aims:

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### **By 2030, Leeds' economy will be prosperous and sustainable**

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- Effectively tackle and reduce anti-social behaviour in communities

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3.4.1 The licensing process, including the licensing sub committee, generates a cost to the council. The majority of these costs are covered by the application fee. The fees are set by Statute, and there is little option to increase the fee to cover all the cost. However, the Police Reform and Social Responsibility Act may allow local authorities to set their own fees in the future based on full cost recovery.

### 3.5 Legal Implications, Access to Information and Call In

3.5.1 Applicants and people making representations are able to challenge the licensing sub-committee's decision by appealing to the Magistrates Court. Legal advice is provided during the sub committee hearing and during deliberations to mitigate the risk to the council.

### 3.6 Risk Management

3.6.1 Full training and legal advice is provided to members sitting on Licensing Sub Committee in order to mitigate the risk of legal challenge.

## 4 **Conclusions**

4.1 An application has been received under the Licensing Act 2003 which is brought before a licensing sub committee for determination.

4.2 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 **Recommendations**

The committee is asked to:

- Consider the application and the representation from West Yorkshire Police
- Take any of the steps detailed at 4.2, if any, they consider necessary for the promotion of the licensing objectives.

## 6 **Background Papers**

6.1 Guidance issued under s182 Licensing Act 2003

6.2 Leeds City Council Licensing Policy



**PREM3**

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

Application to vary a premises license to specify an individual as designated premises supervisor under the Licensing Act 2003.

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We JOANNA TOMLINS

*(Insert name of applicant)*

being the premises license holder, apply to vary a premises license to specify the individual named in this application as the premises supervisor under Section 37 of the Licensing Act 2003

Premises licence number

PREM/02162/004

**Part 1 - Premises details**

<b>Name of Premises TAILS AND SPIRITS</b>	
Postal address of premises or, if none, ordnance survey map reference or description <b>4 SOVEREIGN PLACE</b>	
Post Town <b>LEEDS</b>	Postcode <b>LS1 4SP</b>
Telephone number (if any)	
E-mail address (optional)	

Description of premises (please read guidance note 1)

**LATE NIGHT COCKTAIL BAR SET OVER 2 FLOORS**

**ENTERTAINMENT LICENSING**

3 1 MAR 2014

**RECEIVED**

Part 2

Full name of proposed designated premises supervisor

RYAN IAN TATE

Personal license number of proposed designated premises supervisor and issuing authority of that license (if any)

LEEDS/PERL/07152/13

Full name of existing designated premises supervisor (if any)

JANE FOSTER

Please tick  Yes

I would like this application to have immediate effect under Section 38 of the Licensing Act 2003

I have enclosed the premises license or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

CAN NOT GET HOLD OF EXISTING PREMESIS LICENCE HOLDER.

Please tick  Yes

I have made or enclosed payment of the fee

I will give a copy of this application to the chief officer of police

I have enclosed the consent form completed by the proposed premises supervisor

I have enclosed the premises licence, or the relevant part of it or explanation

I will give a copy of this form to the existing premises supervisor, if any

I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [ £5000 ], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**PART 3 - SIGNATURES** (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 3) If signing on behalf of the applicant please state in what capacity.

Signature  \_\_\_\_\_

Date 31/3/2014 \_\_\_\_\_

Capacity PREMISES LICENCE HOLDER \_\_\_\_\_

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (Please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature \_\_\_\_\_

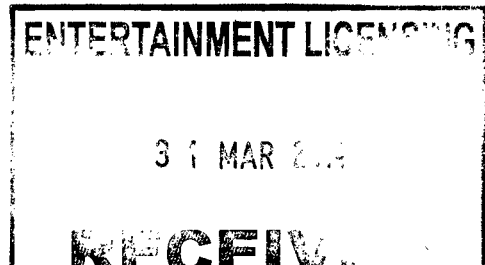
Date \_\_\_\_\_

Capacity \_\_\_\_\_

<b>Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)</b>	
<b>PLEASE USE 4 SOVEREIGN PLACE AS CONTACT ADDRESS</b>	
Post Town	Postcode
Telephone number (if any) 07834539955	
E-mail address (optional)	

**Guidance notes**

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.



Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR.

**Consent of individual to being specified as premises supervisor**

I, RYAN TATE ] of  
*full name of prospective premises supervisor*

[ 95 TYNWALD DRIVE ]  
*home address of prospective premises supervisor*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[.....] by [ RYAN TATE ]  
*type of application* *name of applicant*

relating to a premises licence [ PREM/02162/004 ] for  
*number of existing licence, if any*

[ 4 SOVEREIGN PLACE ] and any  
*name and address of premises to which the application relates*  
premises licence to be granted or varied in respect of this application made by

[ RYAN IAN TATE ] concerning the supply of alcohol at  
*name of applicant*

[ 4 SOVEREIGN PLACE ]. I also  
*name and address of premises to which application relates*  
confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number [ LEEDS/PERL/07152/13 ]  
*insert personal licence number, if any*

Personal licence issuing authority

[ LEEDS CITY COUNCIL ]  
*insert name and address and telephone number of personal licence issuing authority, if any*

 signed

RYAN IAN TATE name (please print)

28-3-14 dated

ENTERTAINMENT LICENSING

28 MAR 14

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Document is Restricted

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