

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 14th April 2014

**Subject: Application to vary a premises licence held by Harewood House Trust
(Grounds) Harewood, Leeds, LS17 9LG**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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 to vary a premises licence, made by Harewood House Trust, for Harewood House Trust (Grounds) Harewood, Leeds LS17 9LG.

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

The application has attracted representations from other persons.

Please refer to paragraph 3.3 for details of the proposed variation.

Purpose of this Report

- 1.1 To advise Members of an application made under section 34 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 representations.

2.0 History of Premises

- 2.1 A copy of the existing licence is attached at Appendix A

3.0 The Application

- 3.1 The applicant is Harewood House Trust.
- 3.2 The application form may be found at Appendix B to this report.
- 3.3 The proposed variation is mainly to accommodate road closures and the early start of the Grand Depart.

The application is to vary the non-standard timings of the premises from:

The provision to have 12 events per year involving more than 5000 people in the grounds at the following times:

Friday 12:00 - 01:00, Saturday 12:00 - 01:00 and Sunday 12:00 - 23:00

to the varied terms of:

The provision to have 12 events per year involving more than 3000 people in the grounds at the following times:

Friday 12:00 - 01:00, Saturday 08:00 - 01:00 and Sunday 12:00 - 23:00

Please note any events with an expected attendance of more than 3000 persons be subject to a multi-agency meeting with LCC and relevant authorities.

All licensable activities and timings are to remain as per the existing licence.

4.0 Steps to promote the Licensing Objectives

- 4.1 The applicant proposed to take specific steps to promote the licensing objectives identified in the Pro Forma Risk Assessment for Outdoor Events, a copy of which may be found at Appendix C.

5.0 Licensing Hours

- 5.1 Members are directed to paragraphs 6.8 to 6.15 for 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.

5.2 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. 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 impact on the licensing objectives, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.

5.3 A list of premises in the local area and their licensed hours and activities is provided at appendix D.

6.0 Location

6.1 A map which identifies the location of the premises is attached at Appendix E.

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 There have been no representations from responsible authorities.

7.3 Other representations

7.3.1 The application has attracted two representations from other persons both of which are opposed to the application on the grounds of public nuisance. Copies of which may be found at Appendix F.

8.0 Other matters relevant to the application

8.1 The variation application has been submitted to facilitate activities connected to the Tour de France 2014 in an effort to minimise disruption to the local community and road network. The applicants consulted with this department prior to the submission of the application in order to obtain advice on changes to the current licence that would have the least impact and best support the licensing objectives. The current licence allows major events involving more than 5000 people be limited to 12 times per year. In an effort to reduce the number of large events at the site, this figure has been reduced to 3000. The advantage sought by the extension of the hours has been restricted to Saturday from 1200hrs to 0800hrs only and all other times currently on the licence remain. All large events are overseen by a Safety Advisory Group (SAG) which consists of representatives from various departments of Leeds City Council, Emergency Services and other relevant bodies. The purpose of the SAG is to provide independent advice to event organisers to ensure the safety of the event and minimise disruption to the local community

8.2 A meeting has been scheduled for the 9th April 2014 at 10:30am for parties including the applicant, Leeds City Council Entertainment Licensing, Councillor Castle and residents to discuss issues and outstanding concerns. At the time of writing this report the meeting has not taken place however, any minutes or agreements reached at the meeting will be supplied as a late item to this report for members to consider.

8.3 Equality and Diversity / Cohesion and Integration

8.4 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.

9.0 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 variation as requested.
- Grant the variation 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 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.

10.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Other persons