

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 21st July 2014

Subject: Application to vary a premises licence held by Carnegie Sports Centre University Sport, Carnegie Facility, Headingley Campus, Leeds, LS6 3QS

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Weetwood	
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, held by Leeds Metropolitan University, for Carnegie Sports Centre University Sport, Carnegie Facility, Headingley Campus, Leeds, LS6 3QS.

A full description of the variation can be seen at 3.3 of this report.

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

The application has attracted representations from other persons.

1.0 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 The premises currently have the benefit of a premises licence which was applied for in February 2006. The application was for Indoor sporting events, recorded music, anything of a similar description, from 08:00 to 23:00 Monday to Friday and 09:00 to 20:00 Saturday and Sunday.
- 2.2 This application was deemed granted as no representations were received.
- 2.3 A copy of the existing licence is attached at Appendix A.

3.0 The Application

- 3.1 The applicant is Leeds Metropolitan University,
- 3.2 The application form may be found at Appendix B to this report.
- 3.3 In summary the application is:

To include the Sale of alcohol on the premises every day from 12:00 until 22:00, and to extend the regulated entertainment as above from 09:00 – 20:00 to 09:00 to 22:00 on a Saturday and Sunday.

Non Standard Timings:

No non-standard timings for bank holidays or special occasions are proposed.

4.0 Other matters relevant to the application

4.1 Equality and Diversity / Cohesion and Integration

- 4.2 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.

5.0 Steps to promote the Licensing Objectives

5.1 The applicant proposes to take the steps already conditioned on the current premises licence.

6.0 Licensing Hours

6.1 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.

6.2 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.

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

7.0 Location

7.1 A map which identifies the location of this premises is attached at Appendix D.

8.0 Representations

8.1 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.

8.2 Representations from Responsible Authorities

8.2.1 There have been no representations from responsible authorities.

8.3 Other representations

8.3.1 The application has attracted representations from other persons.

8.3.2 The Licensing Section is in receipt of one individual letter and a petition containing eight signatures, all of which are opposed to this application on the grounds of noise nuisance.

8.3.3 Copies of the representations are at Appendix E.

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