

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 27th October 2014

**Subject: Application for the grant of a premises licence for Cafe@Lamberts Yard
Second Floor, 162 - 163 Briggate, Leeds, LS1 6LY**

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:		

Summary of main issues

This is an application for the grant of a premises licence, made by Lamberts Yard Limited, for Cafe@Lamberts Yard, Second Floor, 162 - 163 Briggate, Leeds, LS1 6LY.

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

The application has attracted representations from responsible authorities.

Please refer to paragraph 3.3 of this report for proposed licensable activities and timings.

The premises are located within an area covered by a Cumulative Impact Policy.

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 representations.

2.0 History of Premises

2.1 This is the first application for a premises licence.

3.0 The Application

3.1 The applicant is Lamberts Yard Limited.

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

3.3 In summary the application is for;

- Exhibition of Films
- Recorded Music
- Performance of Dance
- Anything of a similar description
- Sale of Alcohol
Every Day 09:00 – 00:00
- Late Night Refreshment
Every Day 23:00 – 00:30

Times when the premises will be open to the public

Every Day 09:00 – 00:30

4.0 Other matters relevant to the application

4.1 It is brought to member's attention that the premises is located above an already licensed premises known as 'Rare' The premises Rare is licensed for regulated entertainment and sale of alcohol between the hours of 11:00 – 23:30 on Sundays to Wednesdays and 11:00 – 0:00 on Thursdays to Saturday.

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 application proposed to take specific steps to promote the licensing objectives identified in section "M" of the application form.

6.0 Proposed Designated Premises Supervisor

6.1 Mr. Matthew Welburn Firth intends to be the Designated Premises Supervisor.

7.0 Licensing Hours

7.1 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.

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. 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.

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

8.0 Location

8.1 A map which identifies the location of this premise is attached at Appendix C.

8.2 The premises are located within the Cumulative Impact City Centre red area.

8.3 Cumulative Impact means the potential impact on the promotion of the licensing objectives where there are a significant number of licensed premises concentrated in one area.

8.4 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/operating schedule the steps that they intend to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

8.5 Details of the Cumulative Impact Policy specific to the City Centre and an outline of the evidence behind the reason for setting this Policy is attached at Appendix D.

9.0 Representations

9.1 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.

9.2 Representations from Responsible Authorities

9.2.1 Representations have been received from Leeds City Council Entertainment Licensing, Leeds City Council Environmental Health, Leeds City Council Health and Safety and West Yorkshire Police.

9.2.2 The representations from all agencies remain as a matter for member's consideration.

9.2.3 A copy of the Leeds City Council Licensing representation may be found at Appendix E.

9.2.4 A copy of the Leeds City Council Environmental Health representation may be found at Appendix F.

9.3 A copy of the Leeds City Council Health and Safety representation may be found at Appendix G.

9.4 A copy of the West Yorkshire Police representation may be found at Appendix H.

9.5 Other representations

9.5.1 There are no other representations.

10.0 **Options Available to Members**

10.1 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.
- Refuse to specify the said person as the designated premises supervisor.
- Reject the whole or part of the application.

10.2 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.

11.0 **Background Papers**

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