

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 19th January 2015

Subject: Application for the grant of a premises licence for Slam Dunk Festival, Rose Bowl Car Park, Portland Crescent, Portland Gate And Cookridge Street, Leeds

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 Mr Richard Todd, for Slam Dunk Festival, Rose Bowl Car Park, Portland Crescent, Portland Gate And Cookridge Street, Leeds.

The application is made for two outdoor stages playing live music, one located on the Rose Bowl car park and one on Cookridge Street. Bars will in situ around the stages providing alcoholic and soft drinks.

The application explains that the event will take place on one day only. The 3 dates applied for are to allow flexibility for future years but the event will always remain as a one day event. The Monday applied for will only be utilised if the event was to fall on a Bank Holiday weekend.

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

The application has attracted representation from the West Yorkshire Police and Health & Safety Team. Both representations offer suggested measures, which at the time of writing this report, remain outstanding and a matter for Member's consideration.

Members should also note that these premises are located within the Amber Zone of Leeds City Council's Cumulative Impact Policy, detailed further at 9.0 of this report.

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 for this site.

3.0 The Application

- 3.1 The applicant is Mr Richard Todd.
- 3.2 The application form can be found at Appendix A to this report.
- 3.3 In summary the application is for:

Supply of Alcohol for consumption both on and off the premises
12:00 until 23:00 hrs Saturday, Sunday and Monday

Live Music

Recorded Music

Performance of Dance

Entertainment Similar to the above provisions

09:00 until 23:00 hrs Saturday, Sunday and Monday

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 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 specified in Section 18 of the application form in order to promote the licensing objectives.

6.0 Proposed Designated Premises Supervisor

- 6.1 Mr Richard Todd 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.

9.0 Cumulative Impact Policy

- 9.1 These premises are located within the Amber Zone of Leeds City Centre Cumulative Impact Area (Area 1).
- 9.2 Cumulative impact means the potential impact on the promotion of the licensing objectives here there are a significant number of licensed premises concentrated in one area.
- 9.3 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 operating schedule the steps that they intends 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.
- 9.4 Details of the Cumulative Impact Policy specific to Area 1, and an outline of the evidence behind the reason for setting the policy is attached at Appendix D of this report.

10.0 Representations

- 10.1 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.
- 10.2 Representations from Responsible Authorities
- 10.3 Representation has been received from West Yorkshire Police offering measures to uphold the prevention of crime and disorder licensing objective. At the time of

writing this report, this representation remains outstanding and a matter for Member's consideration. A copy of this representation can be viewed at Appendix E.

10.4 The application has also attracted representation from the Health & Safety Team. In this instance the measures suggested are in order to promote the Public Safety licensing objective and subject to no agreement being reached, are attached at Appendix F for Members to consider.

10.5 Other representations

10.5.1 No other representations have been received in respect of this application.

11.0 Options Available to Members

11.1 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.

11.2 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.

12.0 Background Papers

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