

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 13th April 2015

Subject: Application for the grant of a premises licence for Mint Festival, Wetherby Racecourse York Road, Wetherby, LS22 5EJ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Wetherby		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: 10.4 (3 & 7)		
Appendix number: Appendix C		

Summary of main issues

This is an application for the grant of a time limited premises licence, made by Mint Festival Ltd, for Wetherby Racecourse, York Road, Wetherby, LS22 5EJ.

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

This application has attracted a representation from a Ward Councillor.

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 representation.

History of Premises

Wetherby Racecourse is currently licensed under the Licensing Act 2003 but does not cater for the proposed activities.

- 2.1 The Mint Festival was previously held at Lotherton Hall, albeit this was a one day event with no camping facilities. The last event held in Leeds was in 2013. A decision was taken to find an alternative site as the topography of Lotherton Hall was unsuitable for the event, and in particular the road infrastructure created problems for vehicle access and egress.

2.0 The Application

- 2.1 The applicant is Mint Festival Ltd.
- 3.2 This is an application for a time limited Premise Licence, to be held on an annual basis to cover a four day period to facilitate one event, the Mint Festival. The event will usually be held on the third weekend of September each year.
- 2.3 The application form may be found at **Appendix A** to this report.
- 2.4 In summary the application is for:
- Supply of Alcohol for consumption **On** the Premise
 - Plays
 - Films
 - Live Music
 - Recorded Music
 - Performance of Dance
 - Anything of a similar description

Friday to Monday: 00:01 – 00:00 and

- Late Night Refreshment

Friday to Monday: 23:00 – 00:00

- 2.5 The Festival will take place on Saturday 19th and Sunday 20th September, with the event arena open both days from 10:00hrs until 23:00hrs.
- 2.6 The Premises Licence is required for additional days and hours for the purpose of the campsites where low key entertainment and bars will be provided.

3.0 Other matters relevant to the application

- 4.1 It is brought to Members attention that a Pro-forma risk assessment for Outdoor Events has been completed and submitted with the application. This may be found at **Appendix B**.
- 3.2 The applicant has supplied the Event Management Plan and Transport Management Plan which are presently in draft format and subject to discussion

between the relevant members of the Safety Advisory Group and responsible authorities. These together with additional information supplied by the applicant may be found at **Appendix C** of this report. It should be noted that the contents of these documents are potentially exempt information under Access to Information Procedure Rule 10.4(3) and (7) as it includes information relating to the financial or business affairs of 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.

- 3.3 Members are asked to consider exclusion of the press and public from the hearing if the matters contained within Appendix C are to be discussed.
- 3.4 Subject to the approval of this application meetings of the Safety Advisory Group will continue in order to finalise the content of the Event and Transport Management Plans to agency satisfaction.
- 4.5 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.

4.0 Steps to promote the Licensing Objectives

The applicant proposes to take specific steps to promote the licensing objectives identified in section P of the application form and as previously mentioned by way of pro-forma risk assessment and the Event /Transport Management Plan.

4.1 Proposed Designated Premise Supervisor

Valerie Constance Rose is to be the Designated Premise Supervisor. Ms Rose is in possession of a Personal Licence issued by Leeds City Council. In addition there will be a number of personal licence holders on duty at the bars during operational times of the event.

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 this premise 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

- 7.3 In their capacity as a Responsible Authority a representation has been received from West Yorkshire Police.

- 7.4 Any representations submitted may be agreed prior to a hearing. In this instance the operating schedule has been amended to include measures agreed. A copy of which may be found at **Appendix F**

7.5 Other representations

- 7.6 A representation has been received from a Ward Councillor. A copy of which may be found at **Appendix G**. Concerns are raised surrounding possible crime and public disorder, noise nuisance and public transport to and from the event.

8.0 Options Available to Members

- 8.1 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.
 - Reject the whole or part of the application.
- 8.2 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.

9.0 Background Papers

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