

**Report of the Head of Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date: Monday 20th April 2015**

**Subject: Application for the Grant of a Premises Licence for 82 North Street, Sheepscar, Leeds, LS2 7PN**

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 Jon Pell-Ilderton for 82 North Street, Sheepscar, Leeds, LS2 7PN.

The proposal is for a premises with a back of house kitchen and public toilets located in the basement, a ground floor trading area and an overflow seating area on the first floor.

The application also explains that the operation of the premises is primarily food led with comedy, musical performances and private hires taking place on the first floor.

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

The application had attracted representations from the West Yorkshire Police, the Health & Safety Team and the Environmental Protection Team, all of which offered suggested measures that have been agreed by the applicant.

There are however representations from other persons which remain outstanding.

## **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 for these premises.

## **3.0 The Application**

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

Sale by Retail of Alcohol (for consumption both on and off the premises)

Exhibition of a Film

Performance of Live Music

Performance of Recorded Music

Performance of Dance

11:00 until 00:00 hours Sunday to Wednesday

11:00 until 01:00 hours Thursday

11:00 until 02:00 hours Friday and Saturday

Late Night Refreshment

23:00 until 00:00 hours Sunday to Wednesday

23:00 until 01:00 hours Thursday

23:00 until 02:00 hours Friday and Saturday

Times when the premises will be open to the public:

11:00 until 00:00 hours Sunday to Wednesday

11:00 until 01:00 hours Thursday

11:00 until 02:00 hours Friday and Saturday

Non-standard Timings:

No non-standard timings for Bank Holidays or special occasions are proposed in this application.

## **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 identified in Section 18 of the application form to promote the licensing objectives.

## **6.0 Proposed Designated Premises Supervisor**

6.1 Mr Jon Pell-Ilderton 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 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 This application has attracted representations from three responsible authorities.

9.2.2 The above authorities have offered suggested measures which have all been agreed to by the applicant prior to the hearing. Details of these are as follows:

9.2.3 Measures agreed with West Yorkshire Police are attached at Appendix D of this report for Member's perusal.

9.2.4 Measures offered by the Environmental Protection Team have been accepted by the applicant and are attached at Appendix E of this report.

### 9.3 Other representations

9.3.1 The Licensing Authority is in receipt of seven representations from other persons whose primary concerns are in relation to live and recorded music causing a public nuisance to residents and businesses in the nearby area. There are also concerns over the potential increase in crime and disorder that a licensed premises may bring. Copies are attached Appendix F for Member's consideration.

### **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