

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

**Report to the Licensing Sub Committee**

**Date: 16th June 2015**

**Subject: Application for the grant of a premises licence for LS20, 91-97 Otley Road, Guiseley, Leeds, LS20 8PS**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Guiseley & Rawdon	
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 Twisted Bars Ltd, for LS20, 91-97 Otley Road, Guiseley, Leeds, LS20 8PS.

The application is for the following licensable activities, sale by retail of alcohol, regulated entertainment and films. Please find the hours of licensable activities noted in 3.3.

Responsible authorities and ward members have been notified of this application.

The application has received representations from responsible authorities and other persons.

## **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.
- 2.2 There was a previous licence held by Kingsley Harrogate Business Services Ltd for 93-97 Otley Road. The licence was revoked on the 4<sup>th</sup> February 2014. The premises were licensed for the following activities

Sale by retail of alcohol	Mon-Thurs	10:00 - 00:00
	Fri & Sat	10:00 - 01:00
	Sun	11:00 – 23:00
Regulated Entertainment	Mon-Thurs	10:00 – 00:00
	Fri & Sat	10:00 – 01:00
	Sun	11:00 – 23:00
Performance recorded music	Mon-Thurs	08:00 – 00:00
	Fri & Sat	08:00 – 01:00
	Sun	08:00 – 23:00

## **3.0 The Application**

- 3.1 The applicant is Twisted Bars Ltd,
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for:

Supply of alcohol	Everyday 10:00 – 01:00
Provision of live music	Everyday 10:00 – 01:00
Provision of recorded music	Everyday 10:00 – 01:00
Performance of dance	Everyday 10:00 – 01:00
Films	Everyday 10:00 – 01:00
Late night refreshment	Everyday 10:00 – 01:00
Opening hours of the premises	Everyday 10:00 – 01:30

### Non Standard Timings

On New Year's Eve and New Year's Day from the permitted hours on New Year's Eve to the start of the permitted hours on the following day.

A further additional hour into the morning every Friday, Saturday and Sunday preceding every bank holiday.

#### **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 specific steps to promote the licensing objectives identified in section "P" of the application form.

#### **6.0 Proposed Designated Premises Supervisor**

6.1 Adam Lewis 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 F.

#### **8.0 Location**

8.1 A map which identifies the location of this premises is attached at Appendix B.

#### **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

9.3 There have been two representations made by responsible authorities.

9.4 Representations have been made by West Yorkshire Police and Environmental Health.

- 9.5 The representation submitted by West Yorkshire Police remains as a matter for Members consideration. A copy of the same may be found at Appendix C.
- 9.6 The representation submitted by Environmental Health remains as a matter for Members consideration. A copy of the same may be found at Appendix D.
- 9.7 Other representations
- 9.8 A representation was also received by a member of the public.
- 9.9 The representation was based on the grounds of prevention of crime and disorder and the prevention of public nuisance.
- 9.10 A copy of the representation are provided in Appendix E.

## **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 subcommittee 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 Statement of Licensing Policy
- Representations received from other persons
- Local Licensing Guidance (if relevant)