

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

**Report to the Licensing Sub Committee**

**Date: 25th August 2015**

**Subject: Application to vary a premises licence held by The Griffin 31 Boar Lane, Leeds, LS1 5DF**

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

**Summary of main issues**

This is an application to vary a premises licence, made by Spirit Pub Company (Services) Limited, for The Griffin 31 Boar Lane, Leeds, LS1 5DF

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

The application has attracted representation from a responsible authority.

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 34 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 premises currently has the benefit of a premises licence.
- 2.2 A copy of the existing licence is attached at Appendix A

## **3.0 The Application**

- 3.1 The applicant is Spirit Pub Company (Services) Limited,
- 3.2 The application form may be found at Appendix B to this report.
- 3.3 In summary the application is for:

Supply of alcohol both on and off the premises

10:00 until 02:00 hrs Monday to Saturday  
10:00 until 00:30 hrs Sunday

The existing non standard timings and opening times remain as existing.

## **4.0 Other matters relevant to the application**

- 4.1 Equality and Diversity / Cohesion and Integration
- 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 applicant wishes to continue promoting the licensing objectives as per the existing premises licence.

## **6.0 Licensing Hours**

- 6.1 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.

6.2 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.

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

## **7.0 Location**

7.1 A map which identifies the location of this premises is attached at Appendix D.

## **8.0 Cumulative Impact Policy**

8.1 The premises are located within the Cumulative Impact Area 1 – Leeds City Centre.

8.2 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.

8.3 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.

8.4 Details of the Cumulative Impact Policy specific to Area 1 – Leeds City Centre and an outline of the evidence behind the reason for setting this Policy is attached at Appendix E.

## **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 Representation has been from the West Yorkshire Police in their capacity as a responsible authority.

9.3 The representation submitted by West Yorkshire Police remains as a matter for members consideration. A copy of the same may be found at Appendix F.

#### 9.4 Other representations

9.4.1 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 variation as requested.
- Grant the variation 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.

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
- Statement of Licensing Policy
- Representations received from responsible authorities