

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 2nd February 2016

**Subject: Application for the Grant of a Premises Licence for Unit 29, Leeds Dock 1
The Boulevard, Hunslet, Leeds, LS10 1PZ**

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 Clarence Dock LLP, for Unit 29 - Leeds Dock 1 The Boulevard, Hunslet, Leeds, LS10 1PZ, The application was first heard on the 22nd December 2015. The licensing Sub- Committee resolved to adjourn the hearing until 2nd February 2016 to allow for further information to be provided by the applicant regarding noise attenuation to allow members of the Sub-Committee to undertake a site visit to consider further the number of complaints raised in relation to a number of Temporary Events and to consider the change of use application 15/01900/FU

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

The application has attracted representations from other persons and/or responsible authorities.

1 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 new 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 History of the premises

- 2.1 This is the first application for a premises licence for these premises.

3 The application

- 3.1 The applicant's name is Clarence Dock LLP, .
- 3.2 The proposed designated premises supervisor is Colin Hill.
- 3.3 In summary the application is for films, live music, recorded music and the sale of alcohol every day 09:00 to 23:30. Late night refreshment 23:00 to 23:30 every day.
- 3.4 The application has requested non-standard timings for licensable activities from the beginning of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day and an additional hour on the evenings proceeding a Bank Holiday.

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule which is attached at Appendix **A**.

5 Location

- 5.1 A map which identifies the location of this premises is attached at Appendix **B**.

6 Representations

- 6.1 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.

Representations from Responsible Authorities

- 6.2 Representations have been received from Environmental Noise Nuisance Team in their capacity as a responsible authority which may be found at Appendix **C**.
- 6.3 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with Environmental Health. A copy of the agreement may be found at Appendix **D**.

Other representations

- 6.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 6.5 We have received 2 letters of objection from local residents both of which are opposed to this application on the grounds of public nuisance.
- 6.6 In order to protect personal data, redacted copies of the representations are attached at Appendix E. Unredacted copies will be available at the hearing for Members consideration.

7 Local Licensing Guidance

- 7.1 This application is in an area where the council has put in place Local Licensing Guidance. This means that the area in which this premises is situated have been identified by the Community Committees as vulnerable to problem drinking and there are additional issues that directly impact the promotion of the licensing objectives. The applicant has been sent the Local Licensing Guidance during the application process and has not volunteered conditions to mitigate these concerns. The Local Licensing Guidance is attached at Appendix F.
- 7.2 Members should note that although the area covered by this local licensing guidance is LS10 and LS11, it was developed regarding concerns around the licensing of off licences on Dewsbury Road, in Beeston, Holbeck etc.

8 Licensing hours

- 8.1 Members are directed to paragraphs 6.8 to 6.15 of 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.
- 8.2 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.
- 8.3 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.
- 8.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix G

9 Equality and diversity implications

- 9.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the licensing subcommittee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

10 Options available to Members

10.1 The licensing subcommittee 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 reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

11 Background papers

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