

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 12th April 2016

Subject: Application to vary a premises licence held by Slip Inn Albion Street, Morley, Leeds, LS27 8DT

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Morley South	
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 to vary a premises licence, made by Admiral Taverns Piccadilly Limited, for Slip Inn Albion Street, Morley, Leeds, LS27 8DT

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

The application has attracted representation from a responsible authority.

1 Purpose of this report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary 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 History of premises

- 2.1 These premises converted and varied its Justices on licence which was issued on 28th August 2005.

The West Yorkshire Police have submitted review applications under section 51 of the Licensing Act 2003 on these premises on two occasions as the premises were operating in a manner which undermined the four licensable objectives.

The first review was brought before Members of the Licensing Sub Committee on 1st March 2012. The committee carefully deliberated over the evidence put before them and felt that they had no option but to revoke the premises licence.

The premises licence holder lodged an appeal with the Magistrates Court on the basis that he felt that the steps taken by the Sub Committee were neither necessary nor proportionate in promoting the licensing objectives.

During the time of the appeal a premises licence transfer application was submitted and accepted into the name of Scottish and Newcastle Pub Company Limited.

In light of the change of management the police made an offer for the matter to be referred back to the Licensing Sub Committee with a view for further measures being imposed as opposed to revocation of the licence.

On the 30th July 2012 a further Licensing Sub Committee took place where agreements were made as per the consent order from the Magistrates following the appeal. A further condition relating to SIA registered door staff was placed onto the licence. A copy of the consent order and notice of decision is attached at Appendix A.

A further review of the premises licence was submitted by the West Yorkshire Police the following year as the premises continue to operate in a manner which contravened the licensing objectives.

The review was brought before Members of the Licensing Sub Committee on 23rd January 2013. The committee carefully deliberated over the evidence and decided that the premises licence should be revoked. This decision was based on the history of issues at the premises and members highlighted two problems faced at the premises which were poor management by the tenant and the failure of the premises licence holder to get to grips with the problems at the premises. A copy of the notice of decision can be found at Appendix B.

The premises licence holder Star Pubs and Bar Limited lodged an appeal with the Magistrates Court on the basis that he felt that the steps taken by the Sub Committee were neither necessary nor proportionate in promoting the licensing objectives.

Agreements were made prior to the date of the hearing and as such the hearing was dispensed with and the revocation of the premises licence was rescinded

Since the last review the premises licence has been transferred. Barock Inns Ltd became the premises licence holder on 4th March 2014 and Admiral Taverns Piccadilly Limited became the premises licence holder on 20th November 2015.

The current premises licence holder Admiral Taverns Piccadilly Limited submitted a minor variation on 3rd December 2015 to remove two conditions from the premises licence relating to supervisors duties on Fridays and Saturday evenings and the use of SIA registered door staff on weekends and Bank Holidays. These conditions were placed on the premises licence by members following the Licensing Sub Committee on 30th July 2012.

This application was considered by the Entertainment Licensing Section along with comments received from the West Yorkshire Police and the minor variation was rejected.

2.2 A copy of the existing licence is attached at Appendix C.

3 The application

3.1 The applicant is Admiral Taverns Piccadilly Limited

3.2 Briefly the application is to:

- Remove the following conditions:
 - On each Friday and Saturday evening between the hours of 5pm and closing the supervisor must be present in the public area of the premises and must oversee the operation of the premises. That supervisor must not carry out additional duties such as serving behind the bar during that time.
 - An SIA registered door staff member to be employed at the premises acting in the sole capacity as door security staff between the hours of 8:00pm and closing Friday's, Saturdays and Sundays, public holidays and Christmas Eve and New Year's Eve.

4 The operating schedule

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

5 Location

5.1 A map which identifies the location of this premises is attached at Appendix E.

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 the West Yorkshire Police in their capacity as a responsible authority. A copy of the representation may be found at Appendix F.

Other representations

6.3 There are no other representations.

7 Equality and diversity implications

7.1 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.

8 Options available to Members

8.1 The licensing subcommittee 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.
- Reject the whole or part of the application.

8.2 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.

9 Background papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy