
Report of the Head of Elections, Licensing and Registration**Report to the Licensing Sub Committee****Date: 2nd August 2016****Subject: Application to vary a premises licence held by The Thomas Osbourne
Street Lane, Roundhay, Leeds, LS8 1AP.**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Roundhay		
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 The Craft Union Pub Company Ltd, for The Thomas Osbourne Street Lane, Roundhay, Leeds, LS8 1AP.

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 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 6th May 2011 an application for a premises licence was applied for. The application attracted representations from the Health and Safety, West Yorkshire Police, Environmental Protection Team, Ward Councillor and member of the public. The application was scheduled for a hearing on the 27th June 2011 and was granted subject to conditions agreed.

25th October 2011 a minor variation application was applied for structural alterations. This was granted as applied for.

13th November 2012 a minor variation application was applied for to change a condition relating to door men. This was granted as applied for.

8th January 2016 a minor variation was applied for structural alterations. This was granted as applied for.

There have been various Dps and licence transfer applications submitted.

15th June 2016 a variation application was submitted to extend the hours for sale by retail of alcohol, films, live and recorded music, late night refreshment. To remove and add conditions

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

3 The application

- 3.1 The applicant is The Craft Union Pub Company Ltd, .

- 3.2 Briefly the application is to:

To extend the hours for sale by retail of alcohol, films, live and recorded music to 10:00 to 00:00 Sundays to Thursdays and 10:00 to 01:00 Fridays and Saturdays. Late night refreshment 23:00-00:00 Sundays to Thursdays and 23:00-01:00 on Fridays and Saturdays. To remove and add certain conditions.

4 The operating schedule.

- 4.1 The applicant considers that the existing measures are sufficient to promote the licensing objectives and no further measures are necessary.

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 Health and Safety , Environmental Protection Team and West Yorkshire Police in their capacity as a responsible authority.
- 6.3 The representation submitted by Health and Safety remains as a matter for Members consideration. A copy of the representation may be found at **Appendix C**.
- 6.4 The representation submitted by Environmental Protection Team remains as a matter for Members consideration. A copy of the representation may be found at **Appendix D**.
- 6.5 Any representation may be negotiated prior to hearing. In this instance the operating schedule has been amended to include the measures agreed with West Yorkshire Police A copy of the agreement may be found at **Appendix E**

Other representations

- 6.6 There are no other representations.

7 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 Equality and diversity implications

- 8.1 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.

Options available to Members

- 9.1 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.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

- 9.2 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.

10 Background papers

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