

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 20th September 2016

Subject: Application for the grant of a premises licence for Wetherspoons 37 Main Street, Garforth, Leeds, LS25 1DS

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Garforth & Swillington	
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 JD Wetherspoon Plc, for Wetherspoons, 37 Main Street, Garforth, Leeds, LS25 1DS.

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

The application has attracted representations from 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

The premises currently benefit from a premises licence issued under the Licensing Act 2003. J D Wetherspoon acquired these premises in April 2015 and transferred the licence into their name at that time. This application is to supersede the current licence due to a change of the operating style of the premises.

- 2.1 The applicant's name is JD Wetherspoon Plc.
- 2.2 The proposed designated premises supervisor is Deborah Hay
- 2.3 In summary the application is for:
- 2.4 Supply of Alcohol for consumption Both On and Off the Premise:

Everyday: 09:00 – 00:00

Late Night Refreshment:

Everyday: 23:00 – 00:00

No non-standard timings for Bank Holidays or special occasions are proposed

Opening Hours

Everyday: 07:00 – 00:30

3 The operating schedule

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

4 Location

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

5 Representations

- 5.1 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

- 5.2 Representations have been received from Environmental Protection Team in their capacity as a responsible authority which may be found at **Appendix C**.

Other representations

- 5.3 There are no other representations.

6 Licensing hours

- 6.1 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.
- 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.
- 6.3 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.
- 6.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix D**.

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 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.

8.2 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.

9 Background papers

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