
Report of the Head of Elections, Licensing and Registration**Report to the Licensing Sub Committee****Date: Tuesday 29th November 2016****Subject: Application to Vary a Premises Licence held by Editor's Draught, 88
Wellington Street, Leeds, LS1 4LT**

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 to vary a premises licence, held by Stonegate Pub Company Limited in respect of Editor's Draught, 88 Wellington Street, Leeds, LS1 4LT.

The application is made to extend the hours for all licensable activities including the sale by retail of alcohol, extend the opening hours to allow the premises to open from 07:00 hours 7 days a week and to add non-standard timings as detailed in the application.

The application also proposes to remove all conditions under Annex 2 of the operating schedule to replace them with the measures suggested in the application form.

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

The application has attracted one representation from West Yorkshire Police suggesting measures in order to promote the prevention of crime and disorder licensing objective. No agreement with West Yorkshire Police has yet been reached and the matter remains outstanding for Member's consideration.

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 one representation.

2 History of Premises

- 3 The premises are currently licensed under the Licensing Act 2003 for the sale by retail of alcohol, provision of late night refreshment, live music and recorded music.
- 4 The permitted hours for the above activities are shown in a copy of the premises licence details attached at Appendix A of this report.

5 The Application

- 5.1 The applicant is Stonegate Pub Company Limited.
- 5.2 Briefly the application is to:
 - Extend the opening hours of the premises from 07:00 hours;
 - To extend the terminal hour for all licensable activities to 02:00 hours the following day.
 - To add non-standard timings; and
 - To remove all conditions under Annex 2 of the operating schedule to replace them with the measures suggested in the application form.

6 The Operating Schedule

- 6.1 The applicant proposes to promote the licensing objectives by taking the additional steps identified in the operating schedule attached at Appendix B of this report.

7 Location

- 7.1 A map which identifies the location of these premises is attached at Appendix C.

8 Representations

- 8.1 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

- 8.2 The application has attracted representation from West Yorkshire Police in their capacity as a responsible authority. The representation remains outstanding and a matter for Member's consideration, a copy of which can be found at Appendix D.

9 Licensing Hours

- 9.1 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.
- 9.2 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.
- 9.3 A list of premises in the local area and their licensed hours and activities is provided at appendix E.

10 Equality and Diversity Implications

- 10.1 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.

11 Options Available to Members

- 11.1 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.
- 11.2 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.

12 Background Papers

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