

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 23rd May 2017

Subject: Application for the Grant of a Premises Licence for Cloth Hall Court, Leeds Beckett University, Quebec Street, Leeds, LS1 2HA

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 Leeds Beckett University for Cloth Hall Court, Quebec Street, Leeds, LS1 2HA.

The application is made for a premises operating as a conference centre mostly hosting training events and conferences. There is however the proposal on occasions to provide drinks, canapé receptions and minimal ad hoc buffet dinners.

Members should note that these premises reside within the 'Amber Zone' of the Leeds City Centre Cumulative Impact Area. Further information on the policy in place for this area is included within this report.

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

The application has attracted one representation submitted by a solicitor acting on behalf of a client with business interests in the vicinity.

It should also be noted that the operating schedule has been amended to include additional measures to promote the Protection of Public Nuisance objective.

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 a representation.

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 application is made on behalf of Leeds Beckett University.
- 3.2 The proposed designated premises supervisor is Miss Clare Jane Vidler.
- 3.3 In summary the application is for:

*Sale by Retail of Alcohol
Monday to Sunday 12:00 until 00:00 hours*

*Performance of Plays
Exhibition of Films
Live Music
Recorded Music
Performance of Dance
Entertainment of a Similar Description
Monday to Sunday 08:00 until 00:00*

*Non standard timings
If there is a requirement for an event to exceed 00:00 hours i.e. until 02:00 hours, the University will provide written notice to West Yorkshire Police and Leeds City Council 10 days prior to the event.*

*Opening Hours
The premises propose to open to the public; Monday to Sunday 08:00 until 00:00 hours.*

4 The operating schedule

- 4.1 In order to provide members with as much information as possible a full copy of the operating schedule has been attached at Appendix A. This includes a general description of the premises, all licensable activities/hours applied for including further details on each activity and the steps identified in Section M of the application form to promote the licensing objectives.
- 4.2 Additional documentation accompanied the application including a risk assessment, safeguarding policies, a security assessment along with others. Such documents will be circulated to all parties at the hearing.

4.3 Although a formal representation has not been submitted, discussions between the Environmental Protection Team and the applicant have taken place and resulted in the operating schedule being amended to include further measures aimed at tackling noise nuisance. In order to assist Member's deliberation the thread of e-mails and a copy of the agreed measures has been included at Appendix B of this report.

5 Location

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

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 There have been no representations from responsible authorities.

Other representations

6.3 The application has attracted representation from a solicitor acting on behalf of a freehold owner with business interests in the area (described as 'other persons' in the legislation).

6.4 The representation highlights concerns that could have a potential impact on each of the four licensing aims. However the letter concludes by inviting the applicant to provide further information and/or measures in attempt to appease the client's concerns.

6.5 Following expiry of the application's consultation period numerous e-mails have been exchanged between the solicitor acting on behalf of the objector and the applicant aspiring to reach an agreement. However at the time of writing this report discussions remain on-going and no agreement has yet materialised.

6.6 In order to protect personal data, a redacted copy of the representation and the exchange of e-mails can be found at Appendix D. An copy of the original representation will be available at the hearing for Member's consideration.

7 Cumulative Impact Policy

7.1 The premises are located within the 'Amber Zone' cumulative impact area for Leeds City Centre.

7.2 Cumulative impact means the potential impact on the promotion of the licensing objectives due to the significant number of licensed premises concentrated in one area.

7.3 An applicant wishing to obtain a new licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process

and/or the operating schedule, the steps they intend to take so that the council and responsible authorities can be satisfied that granting a new licence would not add to the impact already being experienced.

7.4 Details of the cumulative impact policy specific to Leeds City Centre and an outline of the evidence behind the reason for setting this policy is attached at Appendix E.

7.5 Members are directed to paragraphs 7.51 to 7.54 of the Statement of Licensing Policy which provides examples of how an application may be considered exceptional and the matters that the council would not normally take into consideration.

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 F.

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