



Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: 3rd November 2008

Subject: Application for the Variation of a Premises Licence for Fellmonger, North Parkway, Seacroft, Leeds LS14 6QS

Electoral Wards Affected:

Seacroft

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the variation of a Premises Licence for premises situated at Fellmonger, North Parkway, Seacroft, Leeds LS14 6QS

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

1.0 Purpose of this Report

To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") for a variation to a Premises Licence in respect of The Fellmonger, North Parkway, Seacroft, Leeds LS14 6QS. The Licensing Sub-Committee is required to consider this application due to the receipt of representations.

2.0 History of Premises

2.1 The premises currently have the benefit of a Premises Licence issued under the Licensing Act 2003 for the following activities:-

F - Recorded Music

M - Sale of Alcohol

2.2 The hours of operation are as follows:

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

2.3 The hours that the premises are open to the public are:-

Monday to Saturday	11:00 - 23:30
Sunday	12:00 - 23:00

2.4 A copy of the existing licence (including all conditions) is attached at Appendix “A”

2.3 A map showing the location of the premises is attached as Appendix “B”

3.0 The Application

3.1 The applicant is Classic Bar Holdings Ltd

A copy of the application and operating schedule are attached as Appendix “C” to this report. For the assistance of members, the Operating Schedule shows:

i) Proposed new licensable activities

The applicant proposes to list new activities

- B** - Films
- E** - Live Music
- I** - Provision of facilities for making music

Proposed hours of new licensable activities

Thursday to Sunday 11:00 – 00:00

The existing activities will remain the same.

ii) Times when the premises is open to the public

Monday to Wednesday	11:00 - 23:30
Thursday to Saturday	11:00 - 00:30
Sunday	12:00 - 00:30

iii) Designated Premises Supervisor

Heidi Jayne Thistlewood intends to be the Designated Premises Supervisor

4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Responsible authorities have made the following representations:-

➤ **Environmental Protection Team have made representation**

Member's are invited to consider Appendix "D" of this report

➤ **Agreement has been reached with Environmental Health and Safety Team**

Member's are invited to consider Appendix "E"

5.0 Matters Relevant to the Application

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.2 In making of their decision Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

6.0 Options Available to Members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation while imposing new conditions or altering in any way the existing operating schedule.
- Reject whole or part of the variation application

6.2 Members of the Licensing sub committee 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 necessary in order to promote the licensing objectives.

Background Papers

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