

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 3rd January 2012

Subject: Application for the Grant of a Premises Licence for Beat Bar 66 Merrion Street, Leeds, LS2 8LW

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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 for Beat Bar 66 Merrion Street, Leeds, LS2 8LW.

The application is made in respect of a former nightclub whose Premises Licence was surrendered and subsequently lapsed. This application is therefore for the grant of a Premises Licence proposing various provisions of Regulated Entertainment, Late Night Refreshment and the Sale of Alcohol. Each provision and the hours applied for are noted at 3.3 of this report.

The premises are located within an area covered by the Cumulative Impact Policy – Area 1.

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

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 premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

2.0 History of Premises

- 2.1 These premises previously had the benefit of a licensed issued under the Licensing Act 2003. The premises originally traded as Bassment, but changed the name to Subculture following an application to transfer the premises licence in September 2006.
- 2.2 The licence holder for Subculture was approaching administration proceedings and surrendered the Premises Licence 7th June 2010. No transfer application licence was made in the within the statutory period.

These premises are now under new management that has no connection to the previous user.

3.0 The Application

- 3.1 The applicant is Mr Ravinder Rathore and Mr Gurmail Rathore.
- 3.2 The application form can be found at Appendix A to this report.
- 3.3 In summary the application is for:

Films
Live Music
Recorded Music
Performance of Dance
Facilities for Making Music
Supply of Alcohol on the Premises
00:00 until 23:59 hrs Monday to Sunday

Late Night Refreshment
23:00 until 05:00 hrs Monday to Sunday

- 3.4 There are no non-standard timings, bank holidays or special occasions proposed in this application.

4.0 Other matters relevant to the application

- 4.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

5.0 Steps to promote the Licensing Objectives

- 5.1 The application proposes to the steps identified in section "P" of the application form to promote the licensing objectives.

6.0 Proposed Designated Premises Supervisor

- 6.1 Mr Ravinder Rathore intends to be the Designated Premises Supervisor.

7.0 Location

7.1 A map which identifies the location of this premise is attached at Appendix B.

8.0 Cumulative Impact Policy

8.1 The premises are located with the Cumulative Impact Area 1 – City Centre.

8.2 Cumulative impact means the potential impact on the promotion of the licensing objectives where there are a significant number of licensed premises concentrated in one area.

8.3 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 operating schedule the steps they intend to take, so that the council and responsible authorities can be satisfied that granting the licence will not add to the impact already being experienced.

8.4 Details of the Cumulative Impact Policy specific to Area 1 – City Centre, and an outline of the evidence behind the reason for setting this policy is attached at Appendix C.

9.0 Representations

9.1 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.

9.2 Representations from Responsible Authorities

9.2.1 Representations have been received from West Yorkshire Police, Environmental Protection Team and Health & Safety in their capacity as responsible authorities.

9.2.2 Any representation submitted may be agreed prior to a hearing. In this instance, the operating schedule has been amended to include measures agreed with the Health and Safety Service which can be found at Appendix D.

9.2.3 The representation submitted by West Yorkshire Police remains as a matter for Member's consideration. A copy of which is located at Appendix E.

9.2.4 The representation submitted by Environmental Protection Team also remains as a matter for Member's consideration. Member's attention is drawn to Appendix F of this report.

9.3 Representations from Interested parties

9.3.1 There are no representations from interested parties.

10.0 Options Available to Members

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

- Grant the 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 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.

11.0 Background Papers

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