

**Report of the Head of Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date:**

**Subject: Application to vary a premises licence held by The Rock Bar Ibiza Leeds  
52 Call Lane, Leeds, LS1 6DT**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City and 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 for The Rock Bar Ibiza Leeds 52 Call Lane, Leeds, LS1 6DT

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

The proposed variation is to seek approval for the amending of condition 65 on the premises licence so that it reads: There will be a minimum of 50 seats in the premises at all times when licensable activities are taking place. This condition can be seen on the premises licence noted at 2.2 of this report.

The application has attracted a representation from West Yorkshire Police.

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

## **1.0 Purpose of this Report**

- 1.1 To advise Members of an application made under section 34 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 a representation.

## **2.0 History of Premises**

- 2.1 The premises currently have the benefit of a premises licence, granted on 24th August 2009.

When submitted in July 2009, the application attracted representations from responsible authorities and interested parties. The application was heard before a sub-committee on 24<sup>th</sup> August 2009 and subsequently granted as requested, subject to the conditions proposed by the applicant and the conditions proposed by responsible authorities being incorporated into the operating schedule.

The sub-committee also imposed two further conditions:

- 1. that the capacity of the premises be restricted to 130 and;
- 2. that there be a minimum of 80 seats in the premises at all times when licensable activities are taking place.

- 2.2 A copy of the existing licence is attached at Appendix A

## **3.0 The Application**

- 3.1 The applicant is Salinas Entertainment Ltd,
- 3.2 The application form may be found at Appendix B of this report.
- 3.3 In summary the application is to seek the approval for the amending of condition 65 on the premises licence so that it reads: There will be a minimum of 50 seats in the premises at all times when licensable activities are taking place.

The activities and hours are to remain as existing and are detailed on the premises licence shown at appendix A of this report.

## **4.0 Other matters relevant to the application**

### **4.1 Equality and Diversity / Cohesion and Integration**

- 4.2 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 steps taken to promote the licensing objectives are to remain as existing and are detailed in Annex 2 of the premises licence shown at appendix A.

## **6.0 Location**

6.1 A map which identifies the location of this premise is attached at Appendix C.

## **7.0 Cumulative Impact Policy**

7.1 The premises are located within the Cumulative Impact Area 1.

7.2 Cumulative impact means the potential impact on the promotion of the licensing objectives here there are a 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 operating schedule the steps that they intends to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

7.4 Details of the Cumulative Impact Policy specific to Area 1 and an outline of the evidence behind the reason for setting this Policy is attached at Appendix D.

## **8.0 Representations**

8.1 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.

### **8.2 Representations from Responsible Authorities**

8.2.1 A representation has been received from West Yorkshire Police in their capacity as a responsible authority and remains as a matter for Member's consideration. A copy of which is located at Appendix E.

### **8.3 Representations from Interested parties**

8.3.1 There are no representations from interested parties.

## **9.0 Options Available to Members**

9.1 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 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.

9.2 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.

## **10.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Interested Parties