

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 26th March 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):	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

1. This is an application for the grant of a Premises Licence for Beat Bar, 66 Merrion Street, Leeds, LS2 8LW.
2. The application is made in respect of a former nightclub whose Premises Licence was surrendered on 7th June 2010.
3. Various provisions of Regulated Entertainment, Late Night Refreshment and the Sale of Alcohol are proposed in this application. The hours applied for are noted at 3.3 of this report.
4. These premises are located within Cumulative Impact Area 1 – City Centre.
5. Responsible Authorities and Ward Members have been notified of this application.

Recommendations

The Committee is asked to:

1. consider the application and any relevant representations; and
2. take any of the steps detailed at 10.1 they consider necessary for the promotion of the Licensing Objectives.

1.0 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 Premises Licence issued under the Licensing Act 2003. The premises originally traded as Bassment but later changed the name to Subculture following an application to transfer the licence in September 2006.

The licence holder for Subculture surrendered the Premises Licence on 7th June 2010. No application to transfer the licence was made within the statutory period and the licence subsequently lapsed.

These premises are now under new management, as per the application, and Members should note that there is no connection to the previous operator.

It should also be noted that a similar application for the grant of a Premises Licence was previously received by these applicants and considered at hearing on 3rd January 2012.

Members resolved to refuse this application entirely.

3.0 The Application

- 3.1 The applicants are 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:
 - 3.3.1 Supply of Alcohol (for consumption on the premises)
12:00 until 04:00 hrs Monday to Sunday
 - 3.3.2 Late Night Refreshment
23:00 until 04:00 hrs Monday to Sunday
 - 3.3.3 Regulated Entertainment
12:00 until 04:00 hrs Monday to Sunday
 - 3.3.4 Time when the premises will be open to the public:
12:00 until 04:00 hrs Monday to Sunday
 - 3.3.5 Non Standard Timings:
From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.

At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.

4.0 Other Matters Relevant to the Application

4.0 It is brought to Members attention that all forms of regulated entertainment are to take place indoors only.

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

5.0 The application proposes to take the steps identified in section “P” of the application form to promote the licensing objectives.

6.0 Designated Premises Supervisor

6.0 Mr Ravinder Rathore intends to be the Designated Premises Supervisor.

7.0 Location

7.0 A map identifying the location of this premise is attached at Appendix B of this report.

8.0 Cumulative Impact Policy

8.0 These premises are located within the City Centre Cumulative Impact Area 1.

8.1 Cumulative impact represents the potential impact on the promotion of the licensing objectives due to the high concentration of licensed premises within a designated area.

8.2 An applicant wishing to obtain a new licence for a 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 Licensing Authority and Responsible Authorities can be satisfied that the granting of a new licence will not add to the impact already being experienced.

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

9.0 Representations

9.0 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.

9.1 Representations from Responsible Authorities

9.1.1 An outright representation has been received from West Yorkshire Police in their capacity as a Responsible Authority. Member's attention is drawn to Appendix D of this report.

9.1.2 A further outright representation has been submitted by Environmental Health in their capacity as a Responsible Authority. A copy of which can be found at Appendix E.

9.2 Representations from Interested Parties

9.2.1 The application has not attracted any representations from Interested Parties.

10.0 **Options Available to Members**

10.0 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 whole or part of the application.

10.1 Members of the Licensing Sub Committee are asked to note that they may not modify the conditions or reject 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
- Representations received from Interested Parties