

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

**Report to the Licensing Sub Committee**

**Date: 8th May 2012**

**Subject: Application to vary a premises licence held by OK Karaoke 9 East Parade, Leeds, LS1 2AJ**

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 held by OK Karaoke 9 East Parade, Leeds, LS1 2AJ.

The variation is to extend the hours for regulated entertainment and sale by retail of alcohol, as detailed in 3.3 of this report.

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

The application has attracted representations from responsible authorities.

The premises are located within an area covered by a Cumulative Impact Policy.

## 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 representations.

## 2.0 History of Premises

- 2.1 The premises currently hold a premises licence, under the Licensing Act 2003, applied for on 11<sup>th</sup> October 2007. Objections to the application were received from responsible authorities, but agreements were reached between the applicant and the responsible authority, therefore the premises licence was duly granted on 8<sup>th</sup> November 2007.

The current activities and times are:

Provision of facilities for dancing  
Performance of dance  
Exhibition of a film  
Performance of live music  
Performance of recorded music  
Provision of facilities for making music  
**Every day 10:00 until 03:30**

Late night refreshment  
**Every day 23:00 until 04:00**

Sale by retail of alcohol for consumption on and off the premises  
**Every day 11:00 to 03:00**

Non-standard timings: New Years Eve, from the end of permitted hours on New Years Eve, to the start of permitted hours on New Years Day.

A copy of the existing licence is attached at Appendix A

## 3.0 The Application

- 3.1 The applicant is OK Karaoke Limited
- 3.2 The application form may be found at Appendix B to this report.

3.3 In summary the application is for:

Performance of live music  
Performance of recorded music  
Performance of dance  
Provision of facilities for making music  
Provision of facilities for dancing  
Sale by retail of alcohol for consumption on and off the premises  
**Every day 00:01 until 00:00**

The premises will be open to the public:  
00:01 to 00:00.

3.4 Equality and Diversity / Cohesion and Integration

3.5 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.

#### **4.0 Steps to promote the Licensing Objectives**

4.1 The applicant proposes to take specific steps to promote the licensing objectives, identified in section 19 of 20, of the application form.

#### **5.0 Location**

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

#### **6.0 Cumulative Impact Policy**

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

6.2 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.

6.3 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 intend 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.

6.4 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.

## **7.0 Representations**

7.1 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.

### **7.2 Representations from Responsible Authorities**

7.2.1 Representations have been received from West Yorkshire Police, Environmental Protection Team and Health and Safety Service, in their capacity as a responsible authority.

7.2.2 Any representations submitted may be agreed prior to a hearing. In this instance, the operating schedule has been amended to include measures agreed with Health and Safety Service. A copy of which may be found at Appendix E.

7.2.3 The representation submitted by West Yorkshire Police remains as a matter for Members consideration. A copy of the same may be found at Appendix F.

7.3 The representation submitted by Environmental Protection Team remains as a matter for Members consideration. A copy of the same may be found at Appendix G.

### **7.4 Representations from Interested parties**

7.4.1 There are no representations from interested parties.

## **8.0 Options Available to Members**

8.1 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.

8.2 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.

## **9.0 Background Papers**

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