

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

**Report to the Licensing Sub Committee**

**Date: 9th July 2012**

**Subject: Application to vary a premises licence held by Miss Browns Coffee House  
152 Chapeltown Road, Chapeltown, Leeds, LS7 4EE**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Chapel Allerton	
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 Miss Browns Coffee House 152 Chapeltown Road, Chapeltown, Leeds, LS7 4EE.

The application is to vary the hours for the sale of alcohol and hours open to the public, in line with the grant of full planning permission. Also to include non standard timings for the sale of alcohol and opening hours. Full details of the activities and hours applied for can be seen at 3.3 of this report.

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

The application has attracted representations from responsible authorities.

## **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 representations.

## **2.0 History of Premises**

- 2.1 The applicant originally applied for a premises licence in September 2010. The application was for regulated entertainment and the sale of alcohol between the hours of 10:00 am and 22:30, with additional non-standard timings. Representations were received from Responsible Authorities but were withdrawn subject to agreements being reached between them and the applicant. The premises licence was duly granted, with reduced opening hours, the hours being 7:30 am until 18:00 Monday to Friday and 08:00 am until 13:00 hours Saturday and no opening hours for Sunday. In January 2011, an application was received to vary the premises licence to bring the hours in line with the current planning permissions.

The application was to increase the hours of licensable activities Monday to Sunday to 07:00 hours until 22:30 with an extra hour during all bank holidays. Representations to the application were received from a Responsible Authority and Members of the Public. The sub committee decided to grant the application but limit the times of the licensable activities until 22:00 hrs with the premises closing at 22:30 hrs Monday to Saturday and 22:00 hrs Sunday, with no extensions for bank holidays.

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

## **3.0 The Application**

- 3.1 The applicant is Miss Amanda Brown,
- 3.2 The application form may be found at Appendix B to this report.
- 3.3 In summary the application is to:

Vary the hours for the sale of alcohol on the premises

Sale by retail of alcohol on the premises  
7:30 until 23:00 Sunday to Friday  
7:30 until 23:30 Saturday

Times when the premises will be open to the public:

7:30 until 23:00 Sunday to Friday

7:30 until 23:30 Saturday

Non Standard Timings:

An additional hour into the morning following every Friday, Saturday, Sunday and Monday for each, May Day, Spring/Whitsun and August Bank Holiday weekends

An additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for each, Easter Bank Holiday weekends.

An additional hour into the morning following every Christmas Eve, Boxing Day and from the start of business on New Years Eve to the start of business on New Years Day.

#### **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 applicant proposes to take specific steps to promote the licensing objectives identified in section "P" of the application form.

#### **6.0 Location**

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

#### **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 Environmental Protection Team and Planning Services in their capacity as a responsible authority.

7.2.2 The representation submitted by Environmental Protection Team, remains as a matter for Members consideration. A copy of which may be found at Appendix D.

7.2.3 The representation submitted by Planning Services, remains as a matter for Members consideration. A copy of which may be found at Appendix E.

## 7.3 Representations from Other Persons

7.3.1 There are no representations from Other Persons.

## 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