

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 20th August 2012

**Subject: Application for the grant of a premises licence for Outlaws Yacht Club 38
New York Street, Leeds, LS2 7DY**

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

This is an application for the grant of a premises licence for Outlaws Yacht Club 38 New York Street, Leeds, LS2 7DY.

The applicant has applied for recorded music and sale by retail of alcohol. Full details of activities and hours can be found at 3.3 of this report.

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

The application has attracted representations from other persons and responsible authorities.

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

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 This is the first application for a premises licence.

3.0 The Application

- 3.1 The applicant is Mr Joseph Fraser Gill
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for

Sale by retail of alcohol on the premises
11:00 until 23:00 every day

Recorded music
09:00 until 23:00 every day

Non standard timings for bank holidays or special occasion are not proposed for this application.

- 3.4 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 has not proposed any specific steps to promote the licensing objectives.

5.0 Proposed Designated Premises Supervisor

Mr Joseph Fraser Gill intends to be the Designated Premises Supervisor

6.0 Location

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

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 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.

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 C.

8.0 Representations

8.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

8.2 Representations from Responsible Authorities

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

8.3 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 D.

8.4 The operating schedule has also been amended to include measures agreed with West Yorkshire Police. A copy of which may be found at Appendix E.

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

8.5 Other representations

8.5.1 The application has attracted representations from other persons.

8.5.2 There has been one representation received. The grounds for the objection are: that the granting of this application, for music and the sale of alcohol daily from 9

am to 11 pm, will mean a substantial change in the nature of the residential arrangements of the objector and other tenants of the building.

8.5.3 A copy of the representation will be available at the hearing for Members consideration.

9.0 Options Available to Members

9.1 The Licensing sub-committee must take such of the following steps as it considers appropriate 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.

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 appropriate 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 other persons