

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

**Report to the Licensing Sub Committee**

**Date: Monday 1<sup>st</sup> October 2012**

**Subject: Application to vary a club premises certificate in respect of Churwell Working Men's Club, Diamond House, Old Road, Churwell, Morley, Leeds, LS27 7RR**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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 club premises certificate held by Churwell Working Men's Club Diamond House, Old Road, Churwell, Morley, Leeds, LS27 7RR

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

The application has attracted representations from other persons.

Please refer to section 3.3 of the report for proposed timings and licensable activities applied for.

## **1.0 Purpose of this Report**

- 1.1 To advise Members of an application made under section 84 of the Licensing Act 2003 ("the Act") for a club premises certificate 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 club previously held a Club Registration Certificate under Section 40 of the Licensing Act 1964. In June 2005 the club applied to convert this certificate to a Club Premise Certificate in accordance with the Licensing Act 2003, no objections were received to this application and a club premise certificate was duly granted in August 2005
- 2.2 The premises applied to vary the existing club certificate in August 2007 to amend a condition relating to the beer garden. All activities and timings were to remain as existing. The application was granted as applied for.
- 2.3 A copy of the existing club certificate is attached at Appendix A

## **3.0 The Application**

- 3.1 The applicant is Churwell Working Mens Club,
- 3.2 The application form may be found at Appendix B to this report.
- 3.3 In summary the application is for;

- Plays
- Live Music
- Recorded Music
- Dancing
- Entertainment of a similar description  
**Every Day 10:00 – 00:00**

The following licensable activities and timings will remain as existing;

- Films  
**Mon – Sat 11:00 – 00:00**  
**Sunday 12:00 – 23:30**
- Indoor Sporting Event  
**Monday 18:00 – 23:30**
- Sale of Alcohol  
**Mon – Sat 11:00 – 00:00**  
**Sunday 12:00 – 23:30**

**Non Standard Timings:**

Christmas Eve 10:00 – 00:30

New Years Eve 10:00 – 02:00

**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 no further steps to promote the licensing objectives.

**5.0 Location**

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

**6.0 Representations**

6.1 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.

**6.2 Representations from Responsible Authorities**

6.2.1 There have been no representations from responsible authorities.

**6.3 Other representations**

6.3.1 The application has attracted representations from other persons.

6.3.2 In summary the grounds for objection are that the nature of the application would have an adverse effect on public nuisance and that noise will emanate from the premises. The licensing section is in receipt of one representation from a individual who has requested that Councillor Finnigan act on their behalf.

**7.0 Options Available to Members**

7.1 The Licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the 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.

7.2 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.

## **8.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Other persons