

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 8th October 2012

Subject: Application to vary a premises licence for Spring Close 3A Spring Close Street, Leeds, LS9 8RT

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Burmantofts and Richmond Hill		
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 for Spring Close 3A Spring Close Street, Leeds, LS9 8RT

The variation application is to vary the hours of Recorded music and Sale by retail of alcohol to 10:00 to 00:00 Monday to Friday, 11:00 to 00:00 Saturday, 12:00 to 23:30 Sunday. To vary the opening hours to 10:00 to 00:30 Monday to Friday, 11:00 to 00:30 Saturday, 12:00 to 00:00 Sunday. To add Live music, the provision of facilities of dancing and karaoke for the same hours as applied for in respect of recorded music and sale by retail of alcohol as noted in 3.3

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") to vary 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 An application to convert an existing licence was received on the 29th July 2005. The application received representations from the responsible authorities and subsequently went to a hearing. The conditions were agreed with the responsible authorities at this hearing and imposed on the Premises Licence.
- 2.2 A copy of the existing licence is attached at Appendix A

3.0 The Application

- 3.1 The applicant is Punch Taverns Plc,
- 3.2 The application form may be found at Appendix B to this report.
- 3.3 In summary the application is to vary :-

Sale by retail of alcohol, Recorded music,

10:00 – 00:00 Monday to Friday

11:00 – 00:00 Saturday

12:00 – 23:30 Sunday

And to add :-

Live Music, the provision of facilities for dancing and karaoke

10:00 – 00:00 Monday to Friday

11:00 – 00:00 Saturday

12:00 – 23:30 Sunday

To vary the opening hours :-

10:00 – 00:30 Monday to Friday

11:00 – 00:30 Saturday

12:00 – 00:00 Sunday

Non standard timings to remain as per existing Premises Licence :-

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing day.

To reflect existing New Year's Eve/Day hours

4.0 Designated Premises Supervisor

Michael Andrew is the Designated Premises Supervisor.

5.0 Other matters relevant to the application

5.1 Equality and Diversity / Cohesion and Integration

5.2 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.

6.0 Location

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

7.0 Representations

7.1 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.

7.2 Representations from Responsible Authorities

7.3 Representations have been received from Health & Safety and Environmental Noise Protection team

7.4 The representations submitted by Health & Safety remains as a matter for members consideration. A copy of the same may be found at Appendix D

7.5 The representations submitted by Environmental Noise Protection team remains as a matter for members consideration. A copy of the same may be found at Appendix E

7.6 Other representations

7.7 There are no other representations.

8.0 Options Available to Members

8.1 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.

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 appropriate in order to promote the licensing objectives.

9.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy