

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

**Report to the Licensing Sub Committee**

**Date: 26th November 2012**

**Subject: Application for the Grant of a Premises Licence for the Land Within The Grounds of and Adjacent to the Village Hotel, Capitol Boulevard (Marquee) Leeds LS27 0TS**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Morley South	
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 De Vere Village Trading, Village Hotel South Leeds, Capitol Boulevard, Tingley, Leeds, LS27 0TS

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

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

**1.0** Purpose of this Report 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.

1.1 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 the grounds of the Village Hotel to be licensed.

2.2 The Village Hotel has the benefit of a premises licence. The applicants wish to erect a marquee within the grounds of the hotel which will be utilised for functions from time to time including Christmas and New Year activities.

### **3.0 The Application**

3.1 The applicant is De Vere Village Trading No 1 Ltd,

3.2 The application form may be found at Appendix **A** to this report.

3.3 In summary the application is for:-

**Live Music**

**Recorded Music**

**Performance of Dance**

**Provision of facilities for making music**

**Provision of facilities for dancing**

**Sale of Alcohol**

Every Day 11:00 to 00:30

**Late Night Refreshment**

Every Day 23:00 – 00:30

**The premises will be open from:**

Every Day 11:00 – 01:00

The operational hours and closing times have been reduced from the original application due to an agreement reached with the Environmental Health Noise Protection Team.

**Non Standard Timings**

The applicants have applied for New Years Eve from

23:00 hours to 02:00 New Years Day.

### **4.0 Other matters relevant to the application**

4.1 The application is to allow the Hotel to run temporary functions..

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.

The applicant has also provided a Noise Impact Assessment for the members consideration. A copy can be found at Appendix **B**

## **5.2 Proposed Designated Premises Supervisor**

5.3 Christopher Hartley 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 **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

7.2.1 There has been a representation from a Responsible Authority

7.2.2 Representation has been received from Environmental Heath Noise Protection Team in their capacity as a responsible authority. A copy can be found at Appendix **D**

7.2.3 Any representations submitted may be agreed prior to a hearing. In this instance the operating schedule has been amended to include measures agreed with Environmental Heath Noise Protection Team. A copy of which may be found at Appendix **E**

### 7.3 Other representations

7.3.1 The application has attracted representations from other persons.

7.3.2 The Licensing Section has received 3 letters and 7 emails from other persons these persons being local residents. They are objecting on the grounds of the potential noise nuisance. Copies of the representations will be available at the hearing for Members consideration.

## **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 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.

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
- Representations received from other persons