

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 19th March 2024

Subject: Application for the grant of a premises licence for Thorp Arch and Boston Spa Cricket Club, Cricket Ground, The Village, Thorp Arch, Wetherby, LS23 7AR

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Wetherby		
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, made by Thorp Arch and Boston Spa Cricket Club, for Thorp Arch and Boston Spa Cricket Club, Cricket Ground, The Village, Thorp Arch, Wetherby, LS23 7AR.

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

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

1 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 new 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 History of the premises

- 2.1 This is the first application for a premises licence for these premises.

3 The application

- 3.1 The applicant's name is Thorp Arch and Boston Spa Cricket Club.
- 3.2 The proposed designated premises supervisor is Adam Gough.
- 3.3 In summary the application is for:

*Sale by retail of alcohol
Every day 11:00 – 23:30*

*Non standard timings
No non-standard timings for bank holidays or special occasions are proposed.*

*Performance of live and recorded music
Every day 11:00 – 23:00*

*Non standard timings
No non-standard timings for bank holidays or special occasions are proposed.*

- 3.4 The clubhouse will be used for all licensable activities. The yellow outfield area shown on the plan will be used for no more than 5 events per year.
- 3.5 A copy of the site plan has been attached at **Appendix A**
- 3.6 A redacted version of the application has been attached at **Appendix B**.

4 Location

- 4.1 A map which identifies the location of this premises is attached at **Appendix C**.

5 Representations

- 5.1 Under the Act representations can be received from anyone but they must be relevant and, in the case of a member of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 5.2 Representations have been received from West Yorkshire Police and the Environmental Protection Team in their capacity as a responsible authority which may be found at **Appendixes D** and **E** respectively. These remain outstanding for Members' consideration.

Other representations

- 5.3 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.4 The licensing authority is in receipt of twenty individual letters of objection, two letters from ward councilors and a letter from the parish council, all of which are opposed to this application on the grounds of all licensing objectives.
- 5.5 The licensing authority is in receipt of twenty individual letters of support.
- 5.6 Four representations have been received from members of the public who have expressed concern that they may be at risk of retribution should their details be made public. As such their personal details have been redacted and they will remain anonymous. For this reason, despite their strength of feeling they will not be attending the hearing and would like their representations to be considered fully in their absence.
- 5.7 In order to protect personal data, redacted copies of the letters of objection are attached at **Appendix F** and letters of support are attached at **Appendix G**. Unredacted copies will be available at the hearing for Members' consideration.

6 Licensing hours

- 6.1 Members are directed to paragraphs 6.6 to 6.13 of the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.
- 6.2 In brief the Policy states at 6.12 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so.
- 6.3 The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not adversely impact on the licensing objectives.
- 6.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix H**.

7 Equality and diversity implications

- 7.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the licensing subcommittee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

8 Options available to Members

8.1 The licensing subcommittee 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 subcommittee are asked to note that they may not reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

9 Background papers

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