

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 14th May 2024

Subject: Application for the grant of a premises licence for Catch Headingley 9 Weetwood Lane, Weetwood, Leeds, LS16 5LT

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Weetwood		
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 Mason & Co Ltd, for Catch Headingley, 9 Weetwood Lane, Weetwood, Leeds, LS16 5LT.

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 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. The hearing was originally scheduled for the 16th April 2024, but an adjournment was requested by the applicants agent.
- 1.2 Members are required to consider this application due to the receipt of representations.

2 History of the premises

- 2.1 This premises was previously licensed under the Licensing Act 2005 for:

The sale of alcohol – Monday to Saturday 11:00 until midnight and Sunday 12:00 until 23:30.

Recorded music – everyday 00:00 until 23:59.

The licence lapsed due to the company’s insolvency and an application to transfer the premises licence not being received within the allotted timescale.

3 The application

- 3.1 The applicant’s name is Mason & Co Ltd
- 3.2 The proposed designated premises supervisor is Edward Mason.
- 3.3 In summary the application is for:

Sale of alcohol both on and off the premises and Recorded music
Monday to Saturday – 10:00 until 00:30
Sunday – 10:00 until 00:00

Late night refreshment
Monday to Saturday – 23:00 until 00:30
Sunday – 23:00 until 00:00

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

- 3.4 A redacted version of the application has been attached at **Appendix A**.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified in section M of the application form.

4 Location

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

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 A representation has been received from West Yorkshire Police in their capacity as a responsible authority. Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with West Yorkshire Police which may be found at **Appendix C**.
- 5.3 A representation has been received from Leeds City Council Environmental Protection Team. This representation was negotiated prior to the hearing. A copy of the agreement may be found at **Appendix D**.

Other representations

- 5.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.5 The licensing authority is in receipt of ten individual letters of objection and one from a Ward Councillor, all opposed to this application on the grounds of public nuisance, noise nuisance and protection of children from harm.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at **Appendix E**. Unredacted copies will be available at the hearing for Members consideration.

6 Cumulative Impact Policy

- 6.1 The premises are located within the cumulative impact area for Headingley & Hyde Park.
- 6.2 Cumulative impact means the potential impact on the promotion of the licensing objectives due to the significant number of licensed premises concentrated in one area.
- 6.3 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 the operating schedule, the steps they intend to take so that the council and responsible authorities can be satisfied that granting a new licence would not add to the impact already being experienced.
- 6.4 Details of the cumulative impact policy specific to Headingley & Hyde Park and an outline of the evidence behind the reason for setting this policy is attached at **Appendix F**.
- 6.5 Members are directed to paragraph 7.37 of the Statement of Licensing Policy which provides examples of how an application may demonstrate there will be no impact and paragraph 7.38 which provides examples of the matters that the council would not normally take into consideration.

7 Licensing hours

- 7.1 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.
- 7.2 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.
- 7.3 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.
- 7.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix G**.

8 Equality and diversity implications

- 8.1 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.

9 Options available to Members

- 9.1 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.
- 9.2 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.

10 Background papers

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