

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 1st October 2024

Subject: Application for the grant of a premises licence for Blayds Bar 3 - 5 Blayds Yard, Leeds, LS1 4AD

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hunslet & Riverside		
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 Duncan McCallum, for Blayds Bar 3 - 5 Blayds Yard, Leeds, LS1 4AD.

The premises previously held a licence which lapsed. This application is to replace the previous premises licence and proposes the same licensable activities and hours.

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

The application has attracted representations from other persons and a responsible authority.

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.
- 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 by retail of alcohol and regulated entertainment.

<i>Monday - Saturday</i>	<i>11:00 - 01:00</i>
<i>Sunday</i>	<i>12:00 - 00:30</i>

- 2.2 The licence was lapsed due to the dissolution of the company that held the premises licence.

3 The application

- 3.1 The applicant's name is Duncan McCallum.
- 3.2 The proposed designated premises supervisor is Duncan McCallum
- 3.3 In summary the application is for:

Sale by retail of alcohol, performance of live and recorded music, performance of dance and anything of a similar description

<i>Monday - Saturday</i>	<i>11:00 - 01:00</i>
<i>Sunday</i>	<i>12:00 - 00:30</i>

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 the proforma risk assessment which is 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 A representation has been received from the Licensing Authority in their capacity as a responsible authority which may be found at **Appendix D**.
- 5.3 The representation submitted by the Licensing Authority remains as a matter for Members consideration.

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 forty-seven individual letters of support and one individual letter of objection, which is opposed to this application on the grounds of public nuisance.
- 5.6 In order to protect personal data, redacted copies of the representations in support are attached at **Appendix E** and a redacted copy of the representation in objection is attached at **Appendix F**. 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 the City Centre.
- 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 the City Centre and an outline of the evidence behind the reason for setting this policy is attached at **Appendix G**.
- 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 H**.

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