

**Report of the Chief Officer Elections and Regulatory**

**Report to the Licensing Sub Committee**

**Date: 20th June 2023**

**Subject: Application for the Grant of a Premises Licence for Caribbean Cricket Club Scott Hall Road, Leeds, LS7 2HH**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Chapel Allerton		
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 The Caribbean Cricket Club, for The Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2HH.

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

The application proposes the sale by retail of alcohol, late night refreshment and the performance of recorded music, performance of live music and entertainment of similar description.

Following receipt of the application agreements have been reached between the applicant, Leeds City Council's Environmental Protection Team and West Yorkshire Police. Measures suggested by those authorities have been accepted by the Applicant and as a result the representations have been withdrawn.

Representations have been received from a number of local residents on the grounds of crime & disorder and public nuisance, which remain a matter outstanding for the Licensing Sub Committee's consideration.

## 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 Although this is application is for the grant of a new premises licence the venue does benefit from a premises license granted in 2021.
- 2.2 The hours of the premises licence are:

*Sale by retail of alcohol*

<i>Saturday</i>	<i>12:00 - 00:00</i>
<i>Sunday to Friday</i>	<i>12:00 - 23:00</i>

*Provision of late night refreshment*

<i>Saturday</i>	<i>23:00 - 00:00</i>
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*Performance of recorded music*

<i>Saturday</i>	<i>12:00 - 00:00</i>
<i>Sunday to Friday</i>	<i>12:00 - 23:00</i>

*Entertainment similar to live music, recorded music or dance*

<i>Every Day</i>	<i>12:00 - 23:00</i>
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- 2.3 A copy of the licence details for the existing premises licence can be viewed at **Appendix A**.

## 3 The Application

- 3.1 The applicant's name is The Caribbean Cricket Club.
- 3.2 The proposed designated premises supervisor is Mr Larry Gumbs.
- 3.3 In summary the application is for:

*Sale by retail of alcohol*

<i>Sunday to Thursday</i>	<i>12:00 - 23:30</i>
<i>Friday &amp; Saturday</i>	<i>12:00 - 01:30</i>

*Provision of late night refreshment*

<i>Sunday to Thursday</i>	<i>23:00 - 00:00</i>
<i>Friday &amp; Saturday</i>	<i>23:00 - 02:00</i>

*Performance of live music*

*Sunday to Thursday 12:00 - 00:00*

*Friday & Saturday 12:00 - 02:00*

*Live music played outside only until 22:00, Friday, Saturday & Sunday.*

*Performance of recorded music*

*Sunday to Thursday 12:00 - 00:00*

*Friday & Saturday 12:00 - 02:00*

*Entertainment similar to live music, recorded music or dance*

*Every Day 12:00 - 00:00*

*Non Standard Timings*

*The day before and after any official Bank Holiday - An extension on permitted hours until 02:00am.*

- 3.4 A redacted version of the application is attached at **Appendix B**.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified under Section M of the application form.

#### **4 Location**

- 4.1 A map which identifies the location of these 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 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include additional measures suggested by Leeds City Council's Environmental Protection Team & West Yorkshire Police, as agreed by the applicant.
- 5.3 A copy of the representation and agreement by the Environmental Protection Team can be found at **Appendix D**.
- 5.4 A copy of the representation and agreement by West Yorkshire Police can be found at **Appendix E**.

##### Other Representations

- 5.5 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.6 The licensing authority is in receipt of nine letters of objections which oppose the application mainly on the grounds of public nuisance.

- 5.7 Some author has expressed concern that they may be at risk of retribution should their details be made public and as such, their personal details have been redacted throughout the full application process to remain anonymous. For this reason they do not intend to attend the hearing and are satisfied with their written submission being taken in to consideration.
- 5.8 Member's attention is drawn to a redacted copy of the representations attached at **Appendix F** and original copies will be provided to the committee members in advance of the hearing.

## **6 Licensing Hours**

- 6.1 Members are directed to paragraphs 6.8 to 6.15 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 6.14 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 It should be noted that the Licensing Authority has not identified any other licensed premises that is considered within the immediate vicinity.

## **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 Sub Committee 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 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 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