
REPORT OF THE ASSISTANT CHIEF EXECUTIVE (CORPORATE GOVERNANCE)

REPORT TO LICENSING SUB COMMITTEE

DATE: 25th JUNE 2007

SUBJECT: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE: PODGER HOTEL, NINELANDS LANE, GARFORTH, LEEDS, LS25 1NT

Electoral Wards Affected:

GARFORTH AND SWILLINGTON

Specific Implications For:

Ethnic minorities

Women

Disabled people

EXECUTIVE SUMMARY

This report informs Members of an application for the variation of a Premises Licence for Podger Hotel, Ninelands Lane, Garforth, Leeds, LS25 1NT. The Licensing Authority is under a duty to determine this application.

1.0 PURPOSE OF REPORT

1.1 To advise Members of an application made under the Licensing Act 2003 ("the Act") for a Premises Licence in respect of Podger Hotel, Ninelands Lane, Garforth, Leeds, LS25 1NT.

2.0 HISTORY OF PREMISES

2.1 The premises currently have the benefit of:

- A Premise Licence issued under the Licensing Act 2003.
- The existing hours of operation are:

Monday to Wednesday 10.00hrs to 23.00hrs
Thursday to Saturday 10.00hrs to 00.00hrs
Sunday 10.00hrs to 22.30hrs

3.0 THE APPLICATION

- 3.1 The applicant is Orchid Pubs Operations Limited. The premises are located at Ninelands Lane, Garforth, Leeds, LS25 1NT. The location and the proximity to neighbouring premises can be seen on the map provided, members attention is drawn to **Appendix A**.
- 3.2 A copy of the application and operating schedule are attached as **Appendix B** to this report. For the assistance of Members, the Operating Schedule shows:

Proposed Licensable Activities:

The proposed licensable activities are to remain the same as the current licensable activities which are:

- B - Films
- E - Live Music
- F - Recorded Music
- H - Anything of a similar description to that falling within (e) (f) or (g)
- J - Provision of facilities for Dancing
- L - Late night refreshment
- M - Sale of alcohol

This is an application to remove the condition attached to the Premise Licence which states 'Patrons shall not be allowed to use the beer garden or external drinking area after 23.20 hours'.

Proposed hours of licensable activities:

The hours of the licensable activities are to remain the same as the current hours recorded above.

Times when the premises is open to the public.

The opening hours of the premises are to remain the same as the current opening hours which are:

- Monday to Wednesday 09.00hrs to 23.30hrs
- Thursday to Saturday 09.00hrs to 00.30hrs
- Sunday 09.00hrs to 23.00hrs

Designated Premises Supervisor

Mark Quarmby

Steps to promote licensing objectives

The applicant proposes to take the steps to promote the licensing objectives identified section "P" of the operating schedule.

4.0 RELEVANT REPRESENTATIONS

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Responsible authorities have made the following representations:-

- **West Yorkshire Police** made representation but this was later withdrawn as an agreement was reached between West Yorkshire Police and the applicant on 9th May 2007.

Interested Party representations

- **Local residents have made representation**

Members attention is drawn to Appendix “C”

5.0 MATTERS RELEVANT TO THE APPLICATION

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.2 In making their decision, Members are obliged to have regard to the national Guidance and the Council’s Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

5.3 Members will find attached at appendix ‘D’ a table which acts as an aide memoir of relevant sections of the Guidance and the Council’s Licensing Policy which will be of assistance when considering the application and the representations.

6.0 OPTIONS AVAILABLE TO MEMBERS

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation while imposing new conditions or altering in any way the existing the operating schedule.
- Reject whole or part of the variation application

6.2 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 necessary in order to promote the licensing objectives.

BACKGROUND PAPERS

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

Aide Memoir to relevant sections of the Guidance and Licensing Policy

Representation	Guidance page(s)	Licensing Policy page(s)
Overall approach to licensing		4
Vicinity of premises		5
Monitoring and review of licensing policy		5
Integration of other strategies, policies and initiatives		7
Importance of cultural activities		8
Commercial and community applicants		9
Licensing Hours	23-24	12
Planning	29	10
Human Rights		10
Binge drinking	94	11
Discounted Sales promotions of alcohol	94	11
supermarkets	72	12
Sunday trading	72	12
Bank holidays	74	12
Drinking up time	74	13
Cumulative impact	19	13-19
Large capacity vertical drinking in city centre	95	15
Late night takeaways in the city centre	19	16
New premises in Headingley	19	16
Large capacity vertical drinking in Headingley	19	16
Takeaways in Headingley	19	16
Extended hours in Headingley	19	16
High capacity premises in Woodhouse and Hyde Park	19	17
Licence conditions	148-171	18
Staff Training	93	19
Events in the open air or temporary structures	96-100	19
Operating schedules - contents of		21
Risk assessments		22 and Appendix 1
Crime and disorder	80-83	26 and Appendix 1
Public safety	83-85	27 and Appendix 1
Fire safety	154-157	27-28 and Appendix 1
Public Nuisance	85-87	28 and appendix 1
Children	87-90	29 and appendix 1
Operating Schedule	51-52	21-22 appendix 1

