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Democratic Services

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Our Ref: A61/JG
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26 July 2007

Dear Sir

APPLICATION FOR THE VARIATION OF A PREMISES LICENCE AT “GARFORTH COMMUNITY COLLEGE”, LIDGETT LANE, GARFORTH, LEEDS LS25 1LJ

On 4th June 2007 the Licensing Sub Committee heard an application by representatives of Garforth Community College for the variation of a premises licence at Garforth Community College, Lidgett Lane, Garforth, Leeds LS25 1LJ

The applicant sought the following:

Supply of alcohol:

Monday to Saturday 18:00 hours until 23:00 hours

Hours premises are to be open to the public:

Monday to Friday 08:00 hours until 23:00 hours

Saturday 08:00 hours until 18:00 hours

This letter represents the formal decision of the Sub Committee in respect of the application.

Preliminary Procedural Issues

The Sub Committee considered preliminary matters of a purely procedural nature. There were no declarations of interest made.

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Prior to the hearing the Sub Committee had considered the Licensing Officers Report and the written representations received from two local residents

With no objectors in attendance the Sub Committee permitted the applicant(s) 10 minutes in which to make their case. This time limit was imposed having regard to the relevant Regulations and in the interests of consistency and the efficiency of business.

The Sub Committee then went on to consider the application.

The Hearing

The Sub Committee considered the verbal submissions of the applicant(s), which addressed the application and the comments of the interested parties.

In determining the application the Sub Committee took into account written submissions from local residents as contained within the report and the Notices of Hearing. These had been circulated to the Parties prior to the hearing.

After considering the evidence and submissions the Sub Committee needed to satisfy itself that granting the licence would promote the licensing objectives.

In reaching this decision the Sub Committee had regard to the provisions of the Licensing Act 2003, guidance under Section 182 of that Act and the Council's own Licensing Policy.

In particular the Sub Committee took into account Sections 34 & 35 of the Act because these were the most relevant to the application and Chapter 7 of the Guidance relating to the prevention of crime and disorder, public nuisance and public safety

The Sub Committee then went on to consider the following paragraphs of the Licensing Policy as the Sub Committee took the view these paragraphs had bearing on the application.

11:05 to 11:10	Crime & Disorder
11:11 to 11:22	Public Safety
11:23 to 11:28	Public Nuisance

Reasons for the decision

Members began by noting the following information provided by the Legal Adviser to the Sub Committee:

- The current permitted hours of operation of the premises were:

Monday to Friday	08:00 hours until 23:00 hours
Saturday	08:00 hours until 18:00 hours
- Planning permission for the premises with the above hours conditioned had been granted in 2003

The Sub Committee began by considering the verbal representations made on behalf of the college, who were speaking in support of the application. Mr Whittle said that the

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purpose of the application was to obtain a licence to sell alcohol on the premises for consumption on the premises. The proposed supply of alcohol was 18:00 hours to 23:00 hours everyday, Mr Whittle explained that it was only intended that alcohol would be supplied on 2 events per month indoors, and up to 2 outdoor events per year (14:30 and 23:00) during the Garforth Arts Festival in July. The everyday use allowed flexibility to serve alcohol if required. Mr Sagoo (Events Committee, Garforth College) commenting on the Garforth Arts Festival said alcohol would always be served inside the premises, there would be no outside bars, and fencing would be in place throughout the duration of the event.

In addressing the objections Mr Whittle said that all responsible authorities had been consulted with no adverse comments. The only objections to be received were from two local residents who complained about disturbance to the neighbouring community and that in permitting two events per month, how would requests for further events be controlled. Mr Whittle said that the college was only wishing to stage two events per month and he would have no objections to having the number of events specified within any licensing agreement

The Decision

The Sub Committee having regard to the written submissions from two local residents were minded to grant the application on the grounds that the request to supply alcohol on 2 occasions per month indoors, and 2 outdoor events per year was not excessive

The application to vary the Premises Licence was therefore granted as requested. The terms of the application as agreed with responsible authorities be incorporated within the operating schedule. The hours of operation shall therefore remain as:

Monday to Friday 08:00 hours until 23:00 hours
Saturday 08:00 hours until 18:00 hours

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the Sub Committee. You must make this appeal within 21 days of this letter reaching you.

Appeals should be addressed to the Magistrates Court at:
Clerk to the Justices
Leeds Magistrates Court
Westgate
Leeds
LS1 3JP

and accompanied by a copy of this decision letter and the court fee of £75.00.

Yours faithfully,

John Grieve
Clerk to the Licensing Sub Committee