
Report of the Head of Elections, Licensing and Registration**Report to the Licensing Sub Committee****Date: 27th March 2018****Subject: Application to vary a premises licence held by HGS-UK Ltd 268 - 270
Harehills Lane, Harehills, Leeds, LS9 7BD**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Gipton & Harehills		
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 to vary a premises licence, made by HGS-UK Ltd, 268 - 270 Harehills Lane, Harehills, Leeds, LS9 7BD

The purpose of this variation is to vary the current licensable activities operating hours to 24 hours a day, seven days a week.

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

The application has attracted representations from a ward councilor on the behalf of other persons.

Purpose of this report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary a 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 premises

- 2.1 On the 30th July 2013 a premises licence was applied for. This attracted a representation from The Environmental Protection Team (EPT). These conditions were agreed and incorporated into the operating schedule.
- 2.2 There have been various Dps and Licence Transfer applications submitted.
- 2.3 On the 25th January a variation application was submitted. This was validated on the 1st February 2018.
- 2.4 A copy of the existing licence is attached at Appendix A.

3 The application

- 3.1 The applicant is HGS-UK Ltd,
- 3.2 Briefly the application is to:
 - To vary the licensable hours to 24 hours, seven days a week.

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the additional steps identified in the operating schedule attached at Appendix B.

5 Location

- 5.1 A map which identifies the location of this premises is attached at Appendix C.

6 Representations

- 6.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 6.2 Representations have been received from Environmental Health. Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with Environmental Health. A copy of the agreement may be found at Appendix D.

Other representations

- 6.3 The application has attracted representations from the Ward Councillor and other persons. The representation submitted from the ward councilor is on the behalf of the Harehills Residents Group. Which are opposed to this application on the grounds of Crime and Disorder and Public Nuisance.
- 6.4 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.

7 Local Licensing Guidance

- 7.1 This application is in an area where the council has put in place Local Licensing Guidance. This means that the area in which this premises is situated have been identified by the Community Committees as vulnerable to problem drinking and there are additional issues that directly impact the promotion of the licensing objectives. The applicant has been sent the Local Licensing Guidance during the application process and has not volunteered conditions to mitigate these concerns. The Local Licensing Guidance is attached at **Appendix F**.

8 Licensing hours

- 8.1 Members are directed to paragraphs 6.8 to 6.15 for 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.
- 8.2 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. 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 impact on the licensing objectives.
- 8.3 A list of premises in the local area and their licensed hours and activities is provided at **appendix G**.

9 Equality and diversity implications

- 10.1 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.

10 Options available to Members

- 10.1 The licensing subcommittee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- Grant the variation as requested.
 - Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
 - Reject the whole or part of the application.
- 10.2 Members of the licensing subcommittee 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 appropriate in order to promote the licensing objectives.

11 Background papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy