

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 4th December 2018

Subject: Application for the grant of a premises licence for South Stand, Emerald Headingley Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Headingley & Hyde Park		
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 Headingley North-South Stand Limited, for South Stand, Emerald Headingley Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR.

The application was originally scheduled for hearing on the 9th October 2018 but was adjourned to the 4th December to allow the applicant to provide a noise report to the Committee and residents.

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

The application has attracted representations from other persons.

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 is the first application for a premises licence for these newly built premises but the former Headingley South Stand Refreshment Room, held a premises licence under the Licensing Act 2003, with the activities of:

Sale of alcohol	Monday to Saturday	11:00 to 23:00
	Sunday	12:00 to 22:30
Recorded music	Every day	00:00 to 23:59.

- 2.2 The former building was demolished and the new South Stand has been built requiring a new premises licence application.

3 The application

- 3.1 The applicant's name is Headingley North-South Stand Limited.
- 3.2 The proposed designated premises supervisor is John Hill.
- 3.3 In summary the application is for:

*Live music, recorded music, performance of dance
Monday to Saturday 13:00 to 23:30*

*Late night refreshment
Monday to Saturday 23:00 to 23:30*

*Sale of alcohol
Every day 12:00 to 23:30*

*Non standard timings
On Boxing Day we wish to serve alcohol in the South Stand from 10.30. Traditionally we have hosted the Boxing Day Festive Challenge with a kick-off time of 11.30, therefore in this instance we would wish to seasonally extend the licence to serve alcohol outside of the requested start time of 12 noon.*

- 3.4 Off sales from the concession bar at the premises for consumption within the Headingley Stadium. No off sale for consumption outside the Headingley Stadium will be allowed. Note: Consumption of alcohol on the seating and standing terraces of the premises will only be allowed on match days.

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the proforma risk assessment which is attached at Appendix A.

5 Location

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

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 There have been no representations from responsible authorities.

Other representations

- 6.3 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 6.4 The licensing authority is in receipt of 7 individual letters of objection, all of which are opposed to this application on the grounds of noise and public nuisance. In order to protect personal data, redacted copies of the representations are attached at Appendix C. Unredacted copies will be available at the hearing for Members consideration.

7 Previous Hearing

- 7.1 The application was originally scheduled for hearing on the 9th October 2018. The committee heard from local residents and noted their concerns in respect of the recent noise nuisance that they had experienced from the stadium following the recent redevelopment.
- 7.2 The committee were concerned that they had insufficient evidence for them to make a final decision in respect of the application and decided to adjourn the hearing to request further information from the applicant. The applicant was to provide an independent report in respect of noise levels and perceptible vibrations outside the stadium in the adjacent streets/properties in consultation with local residents. A copy of the report is attached at Appendix D. Correspondence regarding the report from Environmental Health has been provided by the applicant and is attached at Appendix E.

8 Licensing hours

- 8.1 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.
- 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.
- 8.3 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.
- 8.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix F.

9 Equality and diversity implications

- 9.1 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 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.
- 10.2 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.

11 Background papers

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