

Report of the Chief Officer Elections and Regulatory

Report to Licensing Sub Committee

Date: 8th January 2019

Subject: Application to vary a premises licence held by Everybodys Social 91 - 97 Otley Road, Guiseley, Leeds, LS20 8PS

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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 Twisted Bars Ltd, for Everybodys Social 91 - 97 Otley Road, Guiseley, Leeds, LS20 8PS.

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

The application has attracted representations from other persons and responsible authorities.

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 The application for the grant of a new premises was received in April 2005. This attracted representations from both West Yorkshire Police, Environmental Health and a member of the public. Although conditions were agreed between the applicant and the responsible authorities, (resulting in them withdrawing their objections), the application still went to hearing due to the outstanding objection from the member of the public. This was granted as applied for subject to the conditions agreed with the responsible authorities.
- 2.2 There have been no further applications made in respect of this licence.
- 2.3 A copy of the existing licence is attached at Appendix A.

3 The application

- 3.1 The applicant is Twisted Bars Ltd.
- 3.2 Briefly the application is to:
 - Add an additional hour onto the hours for the following activities
Exhibition of Films, Performance of recorded music, Performance of dance, late night refreshment and the sale by retail of alcohol
- 3.3 A copy of the redacted application form is attached at Appendix B.

4 The operating schedule

- 4.1 The applicant considers that the existing measures are sufficient to promote the licensing objectives and no further measures are necessary.

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 anyone but must be relevant and, in the case of members of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 6.2 Representations have been received from West Yorkshire Police in their capacity as a responsible authority. A copy of the representation may be found at Appendix D and remains a matter for members consideration.

Other representations

- 6.3 The application has attracted representations from members of the public (described as 'other persons' in the legislation).
- 6.4 Entertainment Licensing are in receipt of 3 individual letters of objection.
- 6.5 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 Licensing hours

- 7.1 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.
- 7.2 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.
- 7.3 A list of premises in the local area and their licensed hours and activities is provided at appendix F.

8 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.

9 Options available to Members

- 9.1 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.
 - Exclude any licensable activities to which the application relates.
 - Reject the whole or part of the application.

9.2 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 and relevant to the application.

10 Background papers

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