

Report of the Chief Officer Elections and Regulatory

Report to Licensing Sub Committee

Date: 19th March 2019

Subject: Application to vary a premises licence held by The Pack Horse 208 Woodhouse Lane, Headingley, Leeds, LS2 9DX

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Little London & Woodhouse		
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 Punch Partnerships (PTL) Limited, for The Pack Horse, 208 Woodhouse Lane, Headingley, Leeds, LS2 9DX

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

The application has attracted representation from a responsible authority.

1 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 premises currently have the benefit of a premises licence. Currently there is no enforcement related activity ongoing with the premises.
- 2.2 A copy of the existing licence is attached at Appendix A.

3 The application

- 3.1 The applicant is Punch Partnerships (PTL) Limited,
- 3.2 Briefly the application is to:
- Change the name of the premises to The Pack Horse.
 - Extend the opening hours to allow the premises to open from 08:00 daily to provide breakfast, coffee and teas etc.
 - Permit late night refreshment on Monday to Thursday from 23:00 to 00:30; on Friday and Saturday from 23:00 to 01:30 the following day; and on Sunday from 23:00 to midnight.
 - Remove all condition under Annex 2 & Annex 3 and replace with updated conditions from Section M on the operating schedule.
 - Amend the licensing plan in accordance with drawing number 7779-LS, a copy of which may be found at Appendix B along with the application form.
 - Replace all existing non standard timings with new non standard timings as per the application form.
- 3.3 A copy of the redacted application form is attached at Appendix B along with the revised plan.

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by revising the conditions of the premises licence on Section M which is attached at Appendix C.

5 Location

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

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 the West Yorkshire Police in their capacity as a responsible authority. A copy of the representation may be found at Appendix E.
- 6.3 The representation submitted by West Yorkshire Police remains as a matter for Members consideration.

Other representations

- 6.4 There are no other representations.

7 Licensing hours

- 7.1 Members are directed to paragraphs 6.6 to 6.13 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 6.12 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