

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday 7th May 2019

Subject: Application for the Grant of a Premises Licence for North 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 the North Stand, Emerald Headingley Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR.

The application is made in respect of the recently redeveloped North Stand to permit licensable activities over 5 floors, including the licensing of several bars throughout the premises, private boxes and the Emerald Function Suite.

The application explains the premises will be operated within two different scenarios including general match day functionality and special events/banqueting facilities.

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

The application has attracted representations from other persons expressing concerns that granting the application will potentially add to issues surrounding noise nuisance.

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 Although this application is made for the grant of a new premises licence, Headingley North Stand does currently have the benefit from two premises licences. One licence applies to the Upper Bar whilst the second licence is applicable to the North Stand Refreshment & Hospitality Boxes.
- 2.2 It is understood the application for a new premises licence has been made following regeneration of the North Stand.
- 2.3 In order to assist Members a copy of the premises licence details for the Upper Bar is attached at Appendix A, and the premises licence details for the North Stand Refreshment & Hospitality Boxes is attached at Appendix B.

3 The Application

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

*Sale by Retail of Alcohol
Monday to Sunday 10:00 until 02:00 hours*

*Late Night Refreshment
Monday to Sunday 23:00 until 01:30 hours*

*Live Music
Performance of Dance
Monday to Sunday 08:00 until 23:30 hours*

*Recorded Music
Monday to Sunday 08:00 until 01:30 hours*

*Non standard timings
No non-standard timings for bank holidays or special occasions are proposed.*

3.4 The application explains that:

- The above timings apply to the Emerald Suite and Box 13 on Level 2 of the premises only.
- The remainder of the premises proposes to operate Monday to Saturday 10:00 until 23:00 hours and Sunday 10:00 until 22:30 hours.
- Sales from the concession bars will be for consumption with the stadium only.
- Off sales from the concession bars at the premises are for consumption within Headingley Stadium only. Off sales for consumption outside the stadium are prohibited.
- Note - consumption of alcohol on the seating and standing terraces of the premises will be allowed on match days only.

3.5 A redacted version of the application can be found at Appendix C.

3.6 Plans submitted with the application showing the layout of the premises are attached at Appendix D. Reducing the size of these plans has resulted in a reduction of image quality and larger plans will be available to view at the hearing.

4 Operating Schedule

4.1 Further to discussions with West Yorkshire Police the applicant has provided further clarification on the number of door supervisors employed at the premises, consumption of alcohol and dual timings. A copy of the e-mail which may be of some assistance to Members is included at Appendix E.

4.2 In order to replace the removed conditions the applicant proposes to promote the licensing objectives by taking the steps identified in Section M of the application form. The codes provided in this section are specific to measures taken for the Pro-Forma Risk Assessment V7 and Members are invited to view a copy of this document at Appendix F.

5 Location

5.1 A map identifying the location of these premises is attached at Appendix G.

5.2 To provide Members with an overview of the North Stand's location within the stadium, a detailed site plan is attached at Appendix H.

6 Representations

6.1 Under the Act representations can be received from anyone but they must be relevant and, in the case of a member of the public, 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 representations from members of the public (described as 'other persons' in the legislation).

6.4 In total the Licensing Authority is in receipt of 7 relevant representations from other persons expressing concerns centered primarily on the potential noise nuisance for residents and families in the immediate area.

6.5 Many of the representations also make reference to how granting the application will undermine the other licensing objectives.

6.6 In order to protect personal data, redacted copies of the representations are attached at Appendix I. Original 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 J.

8 Equality and Diversity Implications

8.1 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 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.

9.2 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.

10 Background Papers

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