



Report of the Chief Officer Elections and Regulatory

Report to the Licensing Committee

Date: 21st May 2019

Subject: Application to vary a premises licence held by Roundhay Park, Princess Avenue, Roundhay, Leeds.

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Roundhay		
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

Summary of main issues

1. This is an application to vary a premises licence, made by Leeds City Council, for Roundhay Park, Princess Avenue, Roundhay, Leeds.
2. The variation is made to increase the capacity of the existing premises licence of 19,999 to a capacity of 79,999.
3. The application has attracted representations from other persons.

Recommendations

4. As the application is to increase the licence to allow for a capacity greater than 30,000 persons, the Licensing Committee are required to determine this application.

1.0 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 named premises.

2.0 Background Information

2.1 An application for the grant of a premises licence for Roundhay Park was first received in December 2006. This was a new application in order to permit events to be held in the Park throughout the year at a capacity of 89,999 persons.

2.2 The application was for the sale of alcohol between and provision of regulated entertainment as follows:

Sale by Retail of Alcohol	
Monday to Saturday:	10:00 – 23:00
Sunday:	12:00 – 22:30

Regulated Entertainment	
Everyday:	08:00 – 23:00

2.2 The application was assessed by the responsible authorities and attracted representations from the Environmental Protection Team and the West Yorkshire Police.

2.3 To satisfy responsible authority concerns the applicant agreed to provide a Noise Strategy Plan, a Litter and Waste Management Plan, a Risk Assessment and Event Management Plan for all licensed events.

2.5 The application was granted as applied for, with a capacity of 89,999 persons. The measures agreed with Responsible Authorities were attached as conditions to the licence.

2.6 The Park was last used for a large capacity event in 2006.

2.7 Application was made in March 2007 to vary the premises licence. This application was to extend the hours for the supply of alcohol and certain forms of regulated entertainment from 08:00 until 00:00 and to add Late Night Refreshment to the operating schedule. The application also included a reduction of the capacity to 19,999.

2.8 The application attracted representations from the West Yorkshire Police and the Environmental Protection Team on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance. Once again measures were agreed with these responsible authorities to satisfy their concerns. The application also attracted representations from concerned members of the public.

2.9 The public representations were heard before the Licensing Sub Committee, which agreed to the grant of the application but with a reduction of the terminal hour for regulated entertainment activities until 23:00hrs.

2.10 The existing licence provides for a 19,999 capacity, and the licence details may be found at **Appendix A**.

3.0 The Application

- 3.1 The application is made by Leeds City Council Parks & Countryside.
- 3.2 The application is to increase the capacity from 19,999 to 79,999 to facilitate large scale events.
- 3.3 Following dialogue with the applicant it is confirmed that the application is solely to accommodate a concert to be held in the Park on the 16th and 17th August 2019. Following this event the intentions are to apply for a further minor variation to revert the licence back to the 19,999 capacity.
- 3.4 A copy of the application form is attached at **Appendix B**.

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the additional steps identified in the operating schedule at Part M of the application form. This includes working through the Safety Advisory Group, and measures to reduce impact on residents including the distribution of information and a designated phone line to an onsite officer.
- 4.2 In support of the application the applicant has provide a noise management statement to inform the Licensing Sub Committee and stakeholders of the arrangements that the licensee would utilise to reduce noise impact to local residents during events taking place at Roundhay Park. Members attention is drawn to a copy of this report at **Appendix C**.
- 4.3 The application did attract concerns from responsible authorities, namely the Licensing Authority and Planning Authority (Building Control) in terms of public safety for the area of the Park known as Hill 60.
- 4.4 Following dialogue and an onsite meeting the applicant has agreed to carry out repair works to the Hill 60 steps before the event taking place, and to include the following additional measures in the operating schedule:

For all events incorporating the area known as Hill 60 and Hill 60 stairway a specific risk assessment shall be produced prior to eachevent. Each risk assessment shall be comprehensive and address as a minimum, anticipated crowd numbers, direction of flow, hours of operation/lighting, audience profile, wet weather, possible need for supplementary hand railing, and stewarding.

The specific risk assessment for Hill 60 and Hill 60 stairway shall be submitted for comment to Leeds City Council Parks and Countryside who will in turn submit to Leeds City Council Building Services and the Safety Advisory Group for Leeds for scrutiny at least 90 days prior to each event. Any recommendations identified by Leeds City Council Building Services shall be carried out to its satisfaction prior to the event taking place.

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 to one or more of the licensing objectives:

- The prevention of crime & disorder
- Prevention of public nuisance
- Public safety
- Prevention of Children from harm

and must not be repetitious, frivolous or vexatious.

Representations from Responsible Authorities

- 6.2 There are no representations from responsible authorities to this application. The only concerns raised by responsible authorities is that set out at 4.2 above, and has been satisfactorily resolved through the applicant amending the operating schedule to incorporate the wording as set out at 4.3.
- 6.3 The event planning has, and will continue to be subject to multi-agency meetings through the Safety Advisory Group.

Other representations

- 6.4 The application has attracted representations from members of the public (described as 'other persons' in the Act).
- 6.5 Entertainment Licensing is in receipt of twenty individual letters in opposition to the application. Such representations set out concerns for the negative impact of large scale events on the local area under the public nuisance, crime and disorder and public safety objectives.
- 6.6 Entertainment Licensing is in receipt of one letter in support of the application under the prevention of public nuisance objective.
- 6.7 Copies of the representations may be found at **Appendix E and F** respectively. For the purpose of protecting personal data these copies have had personal information redacted. Unredacted copies will be available at the meeting for Members assistance if required.

7 Corporate Considerations

7.1 Consultation and Engagement

- 7.1.1 The application has been subject to the statutory consultation process involving a newspaper advertisement and public notices displayed around the site for 28 days. The public consultation period ran between the 22nd March and the 18th April 2019.
- 7.1.2 Ward Members of Roundhay and the surrounding wards have been notified of the application.
- 7.1.3 Responsible Authorities have been served with copies and consulted on the application.

7.1.4 The applicant has advised that it is their intention to engage with those persons who have submitted representation to address the matters raised in their representations.

7.2 Equality and Diversity/Cohesion and Integration

7.2.1 At the time of writing this report there were no implications for equality and diversity.

7.3 Council Policies and City Priorities

7.3.1 The premises licence was originally granted in 2006 in accordance with the Licensing Act 2003 and the Council's Statement of Licensing Policy (Licensing Act 2003).

7.3.2 The licensing regime contributes to the following outcomes as set out in the Best Council Plan 2015-20:

- Supporting economic growth and access to economic opportunities
- Keeping people safe from harm
- Supporting communities, raising aspirations
- Hosting world class events in Leeds City Council supporting a resilient, inclusive, cultural and creative sector

7.4 Resources and Value for Money

7.4.1 There are no resource implications to the licensing authority. The variation application was subject to an fee as prescribed under the Licensing Act 2003.

7.5 Legal Implications

7.5.1 There are no legal implications known to the Council in terms of its responsibilities held under the Licensing Act 2003.

7.6 Risk Management

7.6.1 The Event Management Plan and all aspects of the event are taken through the Safety Advisory Group/Multi Agency process.

8 Options available to Members

8.1 The licensing committee 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.

8.2 Members of the licensing committee 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.

9 Background papers

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