

**Report of the Chief Officer Elections and Regulatory**

**Report to the Licensing Sub Committee**

**Date: 25th June 2019**

**Subject: Application to vary a premises licence held by Mook, Hirsts Yard, Leeds, LS1 6NJ to specify an individual as designated premises supervisor**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hunslet & Riverside		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:  9.2(b) and 10.4.1 and 10.4.2.  The appendices are also exempt under Regulation 14 of the Licensing Act 2003 Hearings Regulations 2005 (SI 2005 No 44)  Appendix B only.		

**Summary of main issues**

This is an application to vary a premises licence held by Mook, Hirsts Yard, Leeds, LS1 6NJ to specify an individual as designated premises supervisor.

The application is to specify Mr Kenneth Magambo as the designated premises supervisor.

West Yorkshire Police have been served a copy of this application and have made a representation objecting to the grant of this application.

## **1 Purpose of this report**

- 1.1 To advise Members of an application made under section 37 of the Licensing Act 2003 ("the Act") to vary a premises licence in order to specify Mr Kenneth Magambo as the designated premises supervisor.
- 1.2 The Licensing Sub-Committee is required to consider this application due to the receipt of a representation from West Yorkshire Police. This is submitted in accordance with Section 37 of the Licensing Act 2003.

## **2 The application**

- 2.1 The applicant's name is Star Pubs & Bars Limited,
- 2.2 The proposed designated premises supervisor is Mr Kenneth Magambo.
- 2.3 A copy of the application is attached at Appendix A of this report.

## **3 Representations**

- 3.1 Under the Act, representations can be received from West Yorkshire Police and must be relevant to the prevention of crime and disorder. The application has attracted such a representation and Member's attention is drawn to Appendix B of this report.
- 3.2 This representation contains confidential information which is exempt from publication under the council's Access to Information Procedure Rules 9.2(b), 10.4.1 and 10.4.2. These relate to the information of individuals and Members are asked to consider exclusion of the press and public from the hearing if such matters are to be discussed.
- 3.3 Additionally the information is exempt from publication under Regulation 14 of the Licensing Act 2003. This regulation stipulates the licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or part of the hearing, taking place in public.

## **4 Equality and diversity implications**

- 4.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

## **5 Option available to Members**

- 5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the relevant licensing objectives which, in the case of a change of designated premises supervisor, is the prevention of crime and disorder. Members may decide to:
  - Grant the application as requested
  - Refuse to specify the said person as the designated premises supervisor

## **6 Background Papers**

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