

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 13th August 2019

Subject: Application for the grant of a premises licence for Rugby Pitch, North, South and Extentia Stands, 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 Leeds Cricket, Football & Athletic Company Limited, for Rugby Pitch, North, South and Extentia Stands, Emerald Headingley Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR.

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

The application has attracted representations from other persons and a responsible authority.

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 This premises licence application is to allow the Emerald Headingley Stadium host live music events on the pitch. The licence is sought for 4 occasions per year. These licences apply to:

North Stand
Pavilion
Carnegie Pavilion
North Stand Upper Bar
Members Stand
Cricket Club
South Stand
Western Terrace
South Stand Refreshment Room
Carnegie Stand
Tea Bar and Scoreboard Bar

- 2.2 During a recent premises licence application process for the South Stand, local residents raised concerns regarding potential music events taking place at the stadium. At the time the Licensing Sub Committee heard that there were no plans to hold live music events. A copy of the decision notice from this application process has been included for information a copy of which may be found at Appendix A.

3 The application

- 3.1 The applicant's name is Leeds Cricket, Football & Athletic Company Limited,
- 3.2 The proposed designated premises supervisor is Mr John Hill
- 3.3 In summary the application is for:

Live Music & Supply of Alcohol

Friday & Saturday 12:00 until 23:00

Sunday 11:00 until 18:00

Non standard timings

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

- 3.4 The application is for a maximum of 4 (four) events per year with no more than 9,999 spectators at each event.
- 3.5 A redacted version of the application has been attached at Appendix B. The measures provided in the operating schedule at part M of the application are offered as a result of consultation between the applicant and responsible authorities.
- 3.6 In addition the applicant proposes to promote the licensing objectives by taking the steps identified in the proforma risk assessment which is attached at Appendix C.

4 Location

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

5 Representations

- 5.1 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

- 5.2 Representations have been received from West Yorkshire Police in their capacity as a responsible authority which may be found at Appendix E.
- 5.3 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with West Yorkshire Police. A copy of the agreement may be found at Appendix F.

Other representations

- 5.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.5 The licensing authority is in receipt of four individual letters of objection, all of which are opposed to this application on the grounds of public nuisance.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at Appendix G. Unredacted copies will be available at the hearing for Members consideration.

6 Licensing hours

- 6.1 Members are directed to paragraphs 6.6 to 6.13 of 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.
- 6.2 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.

- 6.3 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 adversely impact on the licensing objectives.
- 6.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix H. This list also contains the activities and hours for the existing premises licences held by the Stadium.

7 Equality and diversity implications

- 7.1 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.

8 Options available to Members

- 8.1 The Licensing Sub Committee 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.
- 8.2 Members of the Licensing Sub Committee 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.

9 Background papers

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