

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday 7th January 2020

Subject: Application for the Grant of a Premises Licence for Tingley Athletic FC Ltd, The Crescent, Casson Avenue, East Ardsley, Wakefield, WF3 2EG

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Ardsley & Robin Hood		
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 Tingley Athletic FC Ltd, for Tingley Athletic FC Ltd, The Crescent, Casson Avenue, East Ardsley, Wakefield, WF3 2EG.

The premises currently trades as a football clubhouse and has so for 12 years. They have applied for sale by retail of alcohol Friday to Monday 12:00 until 20:00 hours. The purpose of the application is to allow alcohol sales to take place after football games to allow people to socialise.

The application was originally heard by Members on the 12th November 2019, but on that occasion neither the applicant nor any objector attended. In the interest of fairly determining the application, Members resolved to adjourn the meeting with the intention for the applicant to attend and provide further information regarding the fundraising events during the football off-season.

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

The application has attracted representations from other persons and West Yorkshire Police (WYP). The representation from WYP has in fact being withdrawn due to conditions being agreed. This is detailed further within the report.

1.0 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.

2.0 History of the Premises

- 2.1 This is the first application for a premises licence for these premises.
- 2.2 The applicant's name is Tingley Athletic FC Ltd.
- 2.3 The proposed designated premises supervisor is Dawn Heather Hemmins.
- 2.4 In summary the application is for:

*Sale by retail of alcohol
Friday to Monday 12:00 - 20:00*

- 2.5 A redacted version of the application has been attached at Appendix A.
- 2.6 The applicant proposes to promote the licensing objectives by taking the steps identified in Part M of the application form.

3.0 Adjournment

- 3.1 The application originally appeared before Members on the 12th November 2019, where Members decided they were not in a position to fairly determine the application without further information. This includes the scale and frequency of fundraising events and the large external area the applicant seeks to be licensed. That information might have been elicited on the day by members putting questions to a representative of the applicant, but no such person was present at the hearing.
- 3.4 Members attention is drawn to a copy of the decision notice subsequent to the adjournment at Appendix B.

4.0 Location

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

5.0 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

- 5.1 Representations have been received from West Yorkshire Police in their capacity as a responsible authority. In this instance agreements were made which led to the representation being withdrawn. A copy of both the representation and the agreement can be found at Appendix D.

Other representations

- 5.2 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.3 The licensing authority is in receipt of seven individual letters of objection, all of which are opposed to this application on the grounds of public nuisance and crime and disorder.
- 5.4 One representation has been received from a member of the public who have expressed concern that they may be at risk of retribution should their details be made public. As such their personal details have been redacted and they will remain anonymous.
- 5.5 In order to protect personal data, redacted copies of the representations are attached at Appendix E. Original copies will be available at the hearing for Members consideration.

6.0 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 F.

7.0 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 subcommittee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

8.0 Options Available to Members

8.1 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.

8.2 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.

Background Papers

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