

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 21st August 2020

Subject: Application for the grant of a premises licence for The Venue First Floor, 12C - 12D Austhorpe Road, Cross Gates, Leeds, LS15 8DX

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Crossgates & Whinmoor		
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 The Venue Crossgates Limited, for The Venue, First Floor, 12C-12D Austhorpe Road, Cross Gates, Leeds, LS15 8DX.

The application explains the premises will operate predominantly as a function room hosting events.

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

The application has attracted representations from Leeds City Council Health and Safety Team, Leeds City Council Planning Department, a local residents' association and one other person. Agreements have been reached with Leeds City Council Health and Safety Team only, whilst all other representations remain outstanding for members consideration.

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 is the first application for a premises licence for these premises.

3 The application

- 3.1 The applicant's name is The Venue Crossgates Limited.
- 3.2 The proposed designated premises supervisor is Mr Christopher Reading.
- 3.3 In summary the application is for:

Supply of alcohol
Every Day 11:30 - 23:00

Performance of live music
Every Day 13:00 - 22:30

Performance of recorded music
Every Day 10:00 - 23:30

Non standard timings:

New Years Eve until 01:00 hours the following day

- 3.4 A redacted version of the application has been attached at **Appendix A**. The applicant proposes to promote the licensing objectives by taking the steps identified in section M of the application form.
- 3.5 Following submission of the application the applicant has provided supplementary information. This includes several documents aimed at addressing any potential noise nuisance and information regarding the proposed use of the premises, a copy of which can be viewed at **Appendix B**.

4 Location

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

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 both Leeds City Council Health & Safety Team and the Planning Department in their capacities as responsible authorities.
- 5.3 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures suggested by Leeds City Council Health & Safety Team. A copy of the agreement can be found at **Appendix D**.
- 5.4 The representation by the Planning Department expresses concerns regarding the material change of use of the premises and the close proximity of the premises to residential properties. This representation remains outstanding and Member's attention is drawn to **Appendix E**.

Other representations

- 5.5 The application has attracted a total of two representations from members of the public (described as 'other persons' in the legislation).
- 5.6 These representations have been received on behalf of Crossgates Residents' Association and the landlord of a nearby residential properties, both of which express concerns in relation to public nuisance and public safety.
- 5.7 In order to protect personal data, redacted copies of the representations are attached at **Appendix F**. Original 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 G**.

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 subcommittee 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 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.

9 Background papers

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