

Report of the Chief Officer Elections and Regulatory Services

Report to the Licensing Subcommittee

Date: 20th October 2020

Subject: Application to Vary a Club Premises Certificate in respect of Seacroft Village Hall Social Club, Seacroft Village Hall, York Road, Leeds, LS14 6JS

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Killingbeck & Seacroft		
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 a club premises certificate in respect of Seacroft Village Hall Social Club, Seacroft Village Hall, York Road, Leeds, LS14 6JS.

Part of the application is made to alter the current licensable activities. Proposed is an extension to the terminal hour on Saturdays only for certain licensable activities, whilst there is also a proposal to remove particular days for other licensable activities, and some licensable activities completely. For a comprehensive view on the activities and timings requested by the applicant, please see the relevant sections for the activities and hours applied for in a copy of the attached variation application.

The second part of the application proposes to extend the licensable area to include an external area for the consumption of alcohol only and in accordance with the plan submitted with the application.

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

The application has attracted a total of three representations from members of the public with concerns that relate primarily to public nuisance issues, amongst other matters.

1.0 Purpose of this Report

- 1.1 To advise Members of an application made under Section 84 of the Licensing Act 2003 ("the Act") to vary a club premises certificate in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt to representations.

2 History of Premises

- 2.1 These premises have had the benefit of a Club Premises Certificate since the introduction of the Licensing Act 2003, in November 2005. At that time an application as made to convert the Club Registration Certificate, issued under the preceding legislation, to a Club Premises Certificate that was duly granted as requested.
- 2.2 In August 2018 an application was made to vary the Club Premises Certificate by extending the terminal hour for each of the authorised licensable activity, on Saturday evenings only. However the application was later withdrawn by the applicant due to inconsistencies with the advertisement procedure and the costs involved in publishing notice of the application in an acceptable local publication.
- 2.2 Member's attention is drawn to a copy of the current certificate attached at Appendix A.

3 The Application

- 3.1 The applicant is William Askin.
- 3.2 Briefly the application is to:
 - *Alter the hours permitted for licensable activities; and*
 - *To include the external area of the premises with the licensed area.*
- 3.3 A redacted version of the application has been attached at Appendix B.
- 3.4 The applicant proposes to promote the licensing objectives by taking the steps identified in 'Section M' of the application form.

4 Location

- 4.1 A map which identifies the location of this 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 There have been no representations from responsible authorities.

Other representations

5.5 The application has attracted representations from members of the public (described as 'other persons' in the legislation).

5.6 A total of three representations have been received from members of the public who oppose the application largely on the grounds of public nuisance related matters. One of those representations expresses concerns in relation to the current operation of the premises.

5.7 In order to protect personal data, redacted copies of the representations are attached at Appendix D. Original copies will be available at the hearing for Members' consideration.

7 Licensing Hours

7.1 Members are directed to paragraphs 6.6 to 6.13 for 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.

7.2 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.

7.3 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 impact on the licensing objectives, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.

7.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix E.

8 Equality and Diversity Implications

8.1 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.

9 Options Available to Members

9.1 The Licensing Sub Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the 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.

9.2 Members of the Licensing Sub 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.

10 Background Papers

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