

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

**Report to the Licensing Sub Committee**

**Date:** 20th April 2021

**Subject:** Application for the grant of a premises licence for Leeds Cricket Football And Athletic Co Ltd, The Rugby Bowl, 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 And Athletic Co Ltd, for The Rugby Bowl, Emerald Headingley Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR.

The application is made to host a maximum of two boxing or wrestling events per year, attracting a maximum capacity of 25,000 spectators.

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

The application has attracted representations from West Yorkshire Police, Ward Councillors and local residents. An agreement has been reached with West Yorkshire Police incorporating suggested measures in to the operating schedule, whilst the representation from the Ward Councillors and other persons remain outstanding for the Licensing Sub Committee's 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 Although this application is made for the grant of a premises licence, it should be noted that Emerald Headingley Stadium do have the benefit of several other premises licences. These licences are in situ to cover live music events, specific stands, terraces and pavilions within the stadium. A list detailing the licensable activities and hours of these licences, along with the other premises licences in the surrounding area, is noted at 6.4 (Appendix G) of this report.

## **3 The application**

- 3.1 The applicant's name is Leeds Cricket Football And Athletic Co Ltd.
- 3.2 The proposed designated premises supervisor is Mr. John Hill.
- 3.3 In summary the application is for:

*Sale by retail of alcohol*  
*Friday and Saturday 12:00 - 00:00 hours*

*Boxing or wrestling entertainment*  
*Friday and Saturday 12:00 - 00:00 hours*

*Performance of recorded music*  
*Friday and Saturday 12:00 - 00:00 hours*

- 3.4 The application is to host a maximum of 2 events per year either on a Friday and/or Saturday.
- 3.4 A redacted version of the application has been attached at **Appendix A**.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified in Section M of the application form and the outdoor pro-forma risk assessment, which can be found at **Appendix B**.

## **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 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 D**.

### Other representations

- 5.3 The application has attracted multiple representation from members of the public and Ward Councilors (described as 'other persons' in the legislation) who have opposed the application on the grounds of Public Nuisance and Crime & Disorder.
- 5.4 In total the licensing authority is in receipt of 23 individual letters of objections, one of which is a joint letter from all 6 Kirkstall and Headingley & Hyde Park Ward Councillors. The concerns raised in the representations focus primarily on the Application undermining the prevention of crime & disorder and the prevention of public nuisance licensing objectives.
- 5.5 A copy of the joint objection submitted by the Ward Councillors can be viewed at **Appendix E** of the report.
- 5.6 In order to protect personal data, redacted copies of the representations from local residents are attached at **Appendix F**. Original copies will be available at the hearing for Member's 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