



Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: Monday 15th September 2008

Subject: Application for the Grant of a Premises Licence for Leeds City Centre & Event Spaces.

Electoral Wards Affected:

City & Hunslet

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the grant of a Premises Licence for Leeds City Centre & Event Spaces.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

1.0 Purpose of this Report

To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of Leeds City Centre & Event Spaces, submitted by Leeds City Council, Development Department, 6th Floor, Leonardo Building, 2 Rossington Street, Leeds, LS2 8HD.

The Licensing Sub-Committee is required to consider this application due to the receipt of representations.

2.0 History of Premises

2.1 The application is to licence Leeds City Centre to allow busking performance in compliance with the busking policy adopted by Leeds City Council. This application is intended to replace an existing premises licence (PREM/01779), which incorporates five designated event spaces. These consist of Briggate, Dortmund Square, Albion Place, Albion Place Lay-by and Central Square. The application submitted proposes to retain these areas and include the following three additional event spaces; Bond Court, Chancellor Court and City Square. It should be noted, that the performance of busking will not be permitted in the aforementioned designated event spaces.

2.2 The premises licence issued under the Licensing Act 2003 which is currently in force, authorises the following licensable activities:

- E** Performance of Live Music
- F** Performance of Recorded Music
- G** Performance of Dance
- H** Anything of a Similar Description
- I** Facilities for Making Music

2.3 The hours of operation are as follows:

- E** Performance of Live Music
 - F** Performance of Recorded Music
 - G** Performance of Dance
 - H** Anything of a Similar Description
 - I** Facilities for Making Music
- Monday to Sunday 11:00 – 23:00**

2.4 The hours that the premises are open to the public are:

Monday to Sunday 11:00 – 23:00

2.5 A copy of the existing premises licence (including all conditions) is attached as **Appendix A** for members' attention.

3.0 The Application

3.1 The applicants are Leeds City Council – Development Department.

3.2 The areas to be licensed can be seen on the maps provided; Members attention is drawn to **Appendix B**.

3.3 A copy of the application and operating schedule are attached as **Appendix C** to this report. For the assistance of members, the Operating Schedule shows:

i) Proposed licensable activities

- A** Performance of a Play
- E** Performance of Live Music
- F** Performance of Recorded Music
- G** Performance of Dance
- H** Anything of a Similar Description
- I** Facilities for Making Music

ii) Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

- A** Performance of a Play
 - E** Performance of Live Music
 - F** Performance of Recorded Music
 - G** Performance of Dance
 - H** Anything of a Similar Description
 - I** Facilities for Making Music
- Monday to Sunday 09:00 – 23:00**

iii) Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours:

Monday to Sunday 00:00 – 23:59

iv) Steps to promote licensing objectives

The applicant proposes to take the steps to promote the licensing objectives identified in section “P” of the application form. In addition, a copy of the City Centre Spaces – Policy and Procedures document is attached as **Appendix D** to this report.

v) Further information

Correspondence between the applicant and West Yorkshire Police agreeing to surrender the current Premises Licence, upon the successful grant of this application, is attached as **Appendix E**.

4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.3 Interested parties have made the following representations:

- **A person/body involved in a business in that vicinity**

Members' are invited to consider **Appendix F** of this report.

5.0 Matters Relevant to the Application

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.2 In making their decision, Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear

6.0 Options Available to Members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary 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
- Refuse to specify the said person as the Designated Premises Supervisor.
- Reject whole or part of the application

6.2 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 necessary in order to promote the licensing objectives.

Background Papers

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