

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 30th June 2021

Subject: Application for the Grant of a Premises Licence for Caribbean Cricket Club Scott Hall Road, Leeds, LS7 2HH

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Chapel Allerton		
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 Caribbean Cricket Club, for the Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2HH.

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

The application is made to authorise the sale by retail of alcohol, late night refreshment and the performance of recorded music.

Following receipt of the application discussions have taken place between the applicant and Leeds City Council Environmental Heath Team, resulting in a reduction to the terminal hour of each proposed licensable activity. The amended hours can be noted at 3.3 of this report and subject to the revised operating schedule, the Environmental Heath Team have confirmed that they have no representation to make to this application.

Representations have been received from West Yorkshire Police and a local resident. An agreement has been reached with West Yorkshire Police incorporating suggested measures in to the operating schedule, whilst the representation from the local resident remains 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 is the first application for a premises licence for these premises, this site does benefit from a club premises certificate granted during the transitional period in 2005.
- 2.2 The hours of the Club Premises Certificate are:

Supply of alcohol

<i>Monday to Saturday</i>	<i>11:00 - 23:00</i>
<i>Sunday</i>	<i>12:00 - 22:30</i>

Performance of live music

<i>Monday to Saturday</i>	<i>11:00 - 23:00</i>
<i>Sunday</i>	<i>12:00 - 22:30</i>
<i>Location of activity:</i>	<i>Indoors</i>

Performance of recorded music

<i>Monday to Saturday</i>	<i>11:00 - 23:00</i>
<i>Sunday</i>	<i>12:00 - 22:30</i>
<i>Location of activity:</i>	<i>Indoors</i>

Performance of dance

<i>Monday to Saturday</i>	<i>11:00 - 23:00</i>
<i>Sunday</i>	<i>12:00 - 22:30</i>
<i>Location of activity:</i>	<i>Indoors</i>

Entertainment similar to live music, recorded music or dance

<i>Monday to Saturday</i>	<i>11:00 - 23:00</i>
<i>Sunday</i>	<i>12:00 - 22:30</i>
<i>Location of activity:</i>	<i>Indoors</i>

3 The application

- 3.1 The applicant's name is The Caribbean Cricket Club.
- 3.2 The proposed designated premises supervisor is Mr Larry Gumbs.

- 3.3 At the time of applying the hours for proposed licensable activities were in excess to those that have since been agreed with the Environmental Health Team. The hours originally applied for are viewable in the copy of the application form appended to this agenda, however a summary of the application following the above mentioned agreement being reached, is as follows:

Sale by retail of alcohol (for consumption on the premises)

Sunday to Friday 12:00 - 23:00

Saturday 12:00 - 00:00

Provision of late night refreshment

Saturday 23:00 - 00:00

Location of activity: Indoors

Performance of recorded music

Sunday to Friday 12:00 - 23:00

Saturday 12:00 - 00:30

Location of activity: Indoors

Entertainment similar to live music, recorded music or dance

Monday to Sunday 12:00 - 23:00

Location of activity: Indoors

Further details: Amplified equipment used to operate a karaoke system.

Hours that the premises will be open to the public

Sunday to Friday 08:00 - 23:30

Saturday 08:00 - 00:30

Non Standard Timings

Bank Holidays: From the end of the terminal hours until 02:00 hours; and Christmas and New Years Eve: From the end of the terminal hours until 02:00 hours.

- 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 under Section M of the application form.

- 3.6 A copy of the e-mail correspondence between the applicant and the Environmental Health Team, resulting in the reduction to licensable hours, is available at **Appendix B** of this report.

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 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include additional measures suggested by West Yorkshire Police and agreed by the applicant. A copy of the representation and agreement can be found at **Appendix D**.

Other representations

- 5.3 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.4 The licensing authority is in receipt of one letter of objection which opposes to this application on the grounds of public nuisance.
- 5.5 The author has expressed concern that they may be at risk of retribution should their details be made public and as such, their personal details have been redacted throughout the full application process to remain anonymous. For this reason they do intend to attend the hearing and are satisfied with their written submission being taken in to consideration.
- 5.6 Member's attention is drawn to a redacted copy of the representation attached at **Appendix E**. An original copy will be circulated to the Licensing Sub Committee in advance of the hearing.

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 It should be noted that there are no other licensed premises have been identified in the immediate vicinity of the applying premises.

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 Sub Committee 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 Sub Committee 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 Sub Committee 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