

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

**Report to the Licensing Sub Committee**

**Date: 22<sup>nd</sup> November 2021**

**Subject: Application for the Grant of a Premises Licence for Burley Conservative Club 4 Bankfield House, Bankfield Gardens, Burley, Leeds, LS4 2JS**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Kirkstall		
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 in respect of Burley Conservative Club, 4 Bankfield House, Bankfield Gardens, Burley, Leeds, LS4 2JS.

The application is made to replace a club premises certificate, therefore allowing the club to change the way it operates. This applicant's intention is to allow members of the public (in addition to club members, associate members and their guests) to use the club facilities without the need to apply for Temporary Event Notices.

It is understood that the applicant will surrender the existing club premises certificate should this application be successful.

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

The application has attracted representations from a local resident on the grounds of public nuisance.

## **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, the club does benefit from a club premises certificate converted during the transitional period in 2005.
- 2.2 In the instance of a club premises certificate licensable activities may only be provided for the benefit of members, associates members and bona fide guests, in accordance with the club constitution.
- 2.3 The existing club premises certificate authorises the following licensable activities and hours:

*Supply of alcohol, performance of a play, indoor sporting events, performance of live music and performance of recorded music*

*Sunday to Thursday 09:00 - 00:00*

*Friday & Saturday 09:00 - 01:00*

*Performance of dance and entertainment similar to live music, recorded music or dance*

*Monday to Saturday 11:00 - 23:00*

*Sunday 12:00 - 22:30*

## **3 The application**

- 3.1 The applicant is Burley Conservative Club.
- 3.2 The proposed Designated Premises Supervisor is Kacie Parker.
- 3.3 In summary, the application is for:

*Sale by retail of alcohol, performance of a play, exhibition of a film, indoor sporting events, performance of live music and performance of recorded music*

*Sunday to Thursday 09:00 – 00:00*

*Friday & Saturday 09:00 – 01:00*

*Performance of dance and entertainment similar to live music, recorded music or dance*

*Monday to Saturday 09:00 – 23:00*

*Sunday 09:00 – 22:30*

### *Non-standard timings*

*For the sale by retail of alcohol, recorded music, live music and entertainment of a similar description only; Boxing Day, Christmas Day and New Year's Eve until 02:00 hours the following morning; Bank Holiday Weekends, Friday to Sunday, until 02:00 hours the following morning.*

- 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 the pro-forma risk assessment. A copy of which can be found at **Appendix B**.
- 3.6 An additional pro-forma has been provided by the applicant expanding on non-member usage of the premises, a copy of which is available at **Appendix C**.
- 3.7 Following receipt of the application emails have been exchanged between the applicant and West Yorkshire Police, clarifying the condition offered in relation to CCTV. West Yorkshire Police have no further observations to make regarding the application and a copy of the email exchange is included at **Appendix D** for Member's information.

## **4 Location**

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

## **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

- 5.3 The application has attracted a representation from a member of the public (described as 'other persons' in the legislation) opposing the application on the grounds of public nuisance. The author has expressed that they wish to remain anonymous and their personal details have been redacted throughout the full application process.
- 5.4 Member's attention is drawn to a redacted copy of the representation at **Appendix F**, and an original copy will be provided to Members of 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 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