

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday, 15th March 2022

Subject: Application for the Grant of a Premises Licence for Crossgates and District Recreation Hall, Poplar Avenue, Crossgates, Leeds, LS15 8EB

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Crossgates & Whinmoor	
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 for Crossgates and District Recreation Hall, Poplar Avenue, Crossgates, Leeds, LS15 8EB.

The premises currently have the benefit of a Club Premises Certificate. They are applying for a premises licence to add/extend existing licensable activities and to offer greater flexibility when arranging non-member events, without the need to submit Temporary Event Notices.

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

Although no formal representations have been received from the responsible authorities, discussions have taken place between the applicant and West Yorkshire Police leading to the applicant accepting a number of conditions which are consistent with a premises transitioning from a club premises certificate to a premises licence.

A representation received on behalf of a local residents' association remains outstanding for Members' 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 The premises currently hold a club premises certificate under the Licensing Act 2003, authorising the following:

Supply of alcohol, performance of live music, performance of recorded music and entertainment similar to live music, recorded music or dance

Monday to Saturday 11:00 – 23:00

Sunday 12:00 – 22:30

- 2.2 The public version of the club premises certificate is available at Appendix A.

3 The Application

- 3.1 The applicant's name is Crossgates And District Recreational Hall Ltd.
- 3.2 The proposed designated premises supervisor is Benjamin Ellis.
- 3.3 In summary the application is for:

Sale by retail of alcohol, plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performance of dance

Monday to Sunday 10:00 – 00:00

Non standard timings

Extension on New Year's Eve to 02:00

Extension on Bank Holiday weekends (Fri to Mon inclusive) to 01:00

Extension on Christmas Eve and Boxing Day to 01:00

- 3.4 The plans submitted with the application indicate that the clubhouse will be the only area licensed for the sale by retail of alcohol and regulated entertainment, whilst the grounds of the club will be used for the consumption of alcohol only. A copy of the plans will be provided to Members of the Licensing Sub Committee in advance of the hearing.
- 3.5 A redacted version of the application has been attached at Appendix B.
- 3.6 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 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 It should be noted that the application has not attracted a formal representation on behalf of any of the responsible authorities, however discussions have taken place between the applicant and West Yorkshire Police. This has led to the applicant accepting a number of conditions, which are consistent with a premises transitioning from a club premises certificate to a premises licence, and the completion of the club premises pro-forma.
- 5.3 Members' attention is drawn to Appendix D which provides a copy of the email exchange between the applicant and West Yorkshire Police, and the completed club premises pro-forma.

Other representations

- 5.4 The application has attracted a representation on behalf of a local residents association (described as 'other persons' in the legislation).
- 5.5 In order to protect personal data a redacted copy of the representation is available at Appendix E. An original copy will be circulated to the Licensing Sub Committee Members 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 F.

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