

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 10th May 2022

Subject: Application for the Grant of a Premises Licence for The London Cocktail Club, 8 South Parade, Leeds, LS1 5QX

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Little London & Woodhouse	
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 London Cocktail Club Limited, for The London Cocktail Club, 8 South Parade, Leeds, LS1 5QX.

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

The application has attracted an outright representation on behalf of Leeds City Council's Environmental Protection Team.

The premises are located within Leeds City Center Cumulative Impact Area.

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 a representation.

2 History of the Premises

2.1 The premises currently have the benefit of a premises licence known as Stockdales Bar/Restaurant, however the licence is currently suspended due to non-payment of the annual fee.

2.2 The licence for Stockdales Bar/Restaurant permits the following licensable activities:

Sale by retail of Alcohol (for consumption both on and off the premises)
Every Day 09:00 – 03:00

Exhibition of a Film, Indoor Sport Events, Live Music and Recorded Music
Every Day 08:00 – 03:00

Late Night Refreshment
Every Day 23:00 – 03:00

3 The Application

3.1 The applicant's name is The London Cocktail Club Limited.

3.2 The proposed designated premises supervisor is Emma Heaney.

3.3 In summary the application is for:

Sale by retail of Alcohol (for consumption both on and off the premises), Exhibition of a Film, Live Music, Recorded Music, Performance of Dance and Entertainment of a Similar Description
Every Day 09:00 – 03:00

Late Night Refreshment
Every Day 23:00 – 03:00

Non-standard Timings

From the start on New Year's Eve to the terminal hour for New Year's Day. On the commencement of British Summertime and only on that day only licensable activities (open hours) will be extended by one hour.

3.4 A redacted version of the application is 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.

4 Location

4.1 A map which identifies the location of this premises is attached at **Appendix B**.

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 The application has attracted representations from both West Yorkshire Police and Leeds City Council's Environmental Protection Team in their capacity as responsible authorities.
- 5.3 Any representation may be negotiated prior to the hearing and in this instance the operating schedule has been amended to include measures agreed with West Yorkshire Police. A copy of the police's representation and agreement may be found at **Appendix C**.
- 5.4 The representation submitted on behalf of the Environmental Protection Team recommend the Licensing Sub Committee refuse the application and the matter remains outstanding for Members' consideration. A copy of the representation can be found at **Appendix D**.

Other representations

- 5.5 There are no representations from other persons.

6 Cumulative Impact Policy

- 6.1 The premises are located within the cumulative impact area for City Centre, albeit not in either of the two areas of special concern designated as red zones. The policy outlines the red zones as areas where the impact of licensed premises is so severe the council considers that any application for a new licence, or variation of an existing licence, would be inconsistent with the authority's duty under the Licensing Act 2003.
- 6.2 Cumulative impact means the potential impact on the promotion of the licensing objectives due to the significant number of licensed premises concentrated in one area.
- 6.3 An applicant wishing to obtain a new licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process and/or the operating schedule, the steps they intend to take so that the council and responsible authorities can be satisfied that granting a new licence would not add to the impact already being experienced.
- 6.4 Details of the cumulative impact policy specific to the City Centre and an outline of the evidence behind the reason for setting this policy is attached at **Appendix E**.
- 6.5 Members are directed to paragraph 7.37 of the Statement of Licensing Policy which provides examples of how an application may demonstrate there will be no impact and paragraph 7.38 which provides examples of the matters that the council would not normally take into consideration.

7 Licensing Hours

- 7.1 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.
- 7.2 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.
- 7.3 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.
- 7.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix F**.

8 Equality and Diversity Implications

- 8.1 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.

9 Options Available to Members

- 9.1 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.
- 9.2 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.

10 Background Papers

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