

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday, 15th August 2023

Subject: Application for the Grant of a Premises Licence for RSPB St Aidan's Nature Park, St. Aidan's Nature Reserve, Astley Lane, Swillington, Leeds, LS26 8AL

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Garforth & Swillington		
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 time-limited premises licence made by Leeds Culture Trust for RSPB St. Aidan's Nature Park, St. Aidan's Nature Reserve, Astley Lane, Swillington, Leeds, LS26 8AL. The licence, if successful, will be effective between Monday, 4th September 2023, and Saturday, 9th September 2023.

The premises is a nature park with a visitor centre and the applicant's intention is to provide a promenade theatre production around the site on each evening the licence has effect to a maximum audience of 500 people.

The application is made to authorise licensable activities to stage performances for the Leeds 2023 year of culture.

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

The application has attracted representations from local residents.

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 This is the first application for a premises licence for these premises.

3 The Application

- 3.1 The applicant's name is Leeds Culture Trust.

- 3.2 In summary the application is for:

*Provision of plays, films, live music, recorded music, dance and anything of a similar description to live music, recorded music or performances of dance
Monday – Saturday 17:00 – 23:00*

Time-limited between Monday, 4th September 2023, and Saturday, 9th September 2023.

- 3.3 The performances are to take place outdoors around the site.
- 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 proforma risk assessment for outdoor events which is attached at Appendix B.
- 3.6 The applicant has provided a draft noise mitigation plan in support of the application which is attached at Appendix C.

4 Location

- 4.1 A map which identifies the location of this premises is attached at Appendix D.

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 the responsible authorities.

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 seven individual letters of objection, all of which are opposed to this application mainly on the grounds of public nuisance and public safety.
- 5.5 In order to protect personal data, redacted copies of the representations are attached at Appendix E and original copies will be provided to Licensing Sub Committee Members in advance of the hearing.

6 Licensing Hours

- 6.1 Members are directed to paragraphs 6.8 to 6.15 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 6.14 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