

Report of the Chief Officer Elections and Regulatory

Report to Licensing Sub Committee

Date: 10th December 2024

**Subject: Application to Vary a Premises Licence for the Fenton Hotel,
161 - 163 Woodhouse Lane, Headingley, Leeds, LS2 3ED**

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 to vary a premises licence made by Mr. Jonathan Charles Steeples, for the Fenton Hotel, 161 - 163 Woodhouse Lane, Leeds, LS2 3ED.

This application is made to extend the hours for Sale by Retail of Alcohol and Regulated Entertainment, as noted at 3.3 of the report.

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

The application has attracted representations from West Yorkshire Police and the Environmental Protection Team, objecting to the application outright. These representations remain a matter outstanding for the Sub Committee's consideration.

1 Purpose of this Report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary a 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 Premises

- 2.1 These Premises have had the benefit of a Premises Licence since the introduction of the Licensing Act in 2005. The licence at that time was held by Mr. Mark Lawn and the Designated Premises Supervisor (DPS) was Mr. Jonathan Steeples.
- 2.2 An application to specify a new DPS was received and granted in September 2011.
- 2.3 An application to specify Mr. Jonathan Steeples as the DPS for a second time was received and granted in May 2014.
- 2.4 In December 2014 an application to vary the licence was submitted proposing to extend the existing hours and licensable activities. With no representations received, the licence was duly granted as applied for.
- 2.5 In July 2018 an application was made to transfer the premises licence to Mr. Jonathan Steeples. The application was granted as requested.
- 2.6 A copy of the existing licence is attached at Appendix A.

3 The Application

- 3.1 The applicant is Mr. Jonathan Charles Steeples.
- 3.2 Briefly the application is to vary:

Sale by Retail of Alcohol, Live Music, Recorded Music and Entertainment of a similar Description

From: Monday to Wednesday 10:00 - 01:00 and Thursday to Sunday 10:00 - 02:00

To: Monday to Sunday 10:00 - 02:00.

Late Night Refreshment and the opening hours are to remain as existing.

- 3.3 A copy of the redacted application form is attached at Appendix B.
- 3.4 No additional measures have been offered to promote the licensing objectives, however the Applicant has provided information under 'Section M' of the application form and a 'Safer Spaces Policy' attached at Appendix C.

4 Location

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

5 Representations

- 5.1 Under the Act representations can be received from anyone but must be relevant and, in the case of members of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 5.2 A representation has been received from West Yorkshire Police in their capacity as a responsible authority. The representations objects to the application outright and a copy of the representation may be found at Appendix E for the Sub Committee's consideration.
- 5.3 The application has attracted an outright objection from the Environmental Protection Team. The matter remains outstanding and a copy is available at Appendix F.

Other representations

- 5.4 There are no other representations.

6 Licensing Hours

- 6.1 Members are directed to paragraphs 6.8 to 6.15 for 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. 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 impact on the licensing objectives.
- 6.3 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 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 variation as requested.
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

8.2 Members of the Licensing Sub Committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives and relevant to the application.

9 Background papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy