

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday 14 January 2025

Subject: Application for the Variation of a Premises Licence for Number Thirty Three, Town Street, Farsley, Pudsey, Leeds, LS28 5EN

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Calverley & Farsley		
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 Variation of an existing premises licence made by Hanson33 Limited, for Number Thirty Three, Town Street, Farsley, Pudsey, Leeds, LS28 5EN.

Number Thirty Three have applied to extend licensable activities on Friday and Saturday to 01:30 hours and opening hours until 02:00 hours. Also proposed is an additional hour to operate when British Summertime commences and to remove a number of conditions under the Public Safety Licensing Objective.

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

The application has attracted representation from West Yorkshire Police and a petition expressing concerns signed by forty-four signatories.

The representation by West Yorkshire Police offered a number of suggested measures to uphold the crime prevention objective, which the applicant has agreed to incorporate into their operating schedule and the representation has been withdrawn.

The petition, signed by residents of Marsden Court, Sheltered Housing, remains 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 an existing 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 has had the benefit of a premises licence since November 2005. At that time the premises were known as 'The New Inn'.
- 2.2 An application to transfer the premises licence to the current holder, Hanson33 Ltd., was submitted to the Licensing Authority in October 2018. With no objection from West Yorkshire Police the licence was granted as applied for.
- 2.3 A copy of the current premises licence details can be found at Appendix A.

3 The Application

- 3.1 The applicant's is Hanson33 Limited.
- 3.2 In summary the application proposes:
 - *To extend the terminal hour of the Sale by Retail of Alcohol and Live Music on Friday and Saturday evenings until 01:30 hours.*
 - *To extend the opening times of the premises on Friday and Saturday until 02:00 hours, and on a Sunday until 23:30 hours.*
 - *To remove a number of existing conditions attached to the licence under the Public Safety heading.*
- 3.3 A redacted version of the application has been attached at Appendix B.
- 3.4 The applicant considers that the existing measures are sufficient to promote the licensing objectives and no further measures have been offered.

4 Location

- 4.1 A map which identifies the location of this 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 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with West Yorkshire Police. A copy of the representation and agreement may be found at Appendix D.

Other representations

- 5.3 The application has attracted a petition signed by 44 individuals who oppose the application on the grounds of each of the four of the licensing objectives; Crime and Disorder, Public Safety, Public Nuisance and The Protection of Children from Harm.
- 5.4 In order to protect personal data a redacted copy of the petition is attached at Appendix E, and an original copy will be provided to the Licensing Sub Committee 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 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.
 - Reject the whole or part of the application.

8.2 Members of the Licensing Sub Committee 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