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**Report of the Assistant Chief Executive (Corporate Governance)**

***Report to the Licensing Sub Committee***

**Date: Monday 12<sup>th</sup> October 2009**

**Subject: Application for the Variation of a Premises Licence for:**

**Walkabout, 67 – 83 Cookridge Street, Leeds, LS2 3AW.**

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**Electoral Wards Affected:**

**City & Hunslet**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**Executive Summary**

This report informs members of an application for the variation of a Premises Licence for premises situated at 67 – 83 Cookridge Street, Leeds, LS2 3AW trading as Walkabout.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

**1.0 Purpose of this Report**

To advise Members of an application made under section 34 of the Licensing Act 2003 (“the Act”) for a variation to a Premises Licence in respect of Walkabout, 67 – 83 Cookridge Street, Leeds, LS2 3AW

The Licensing Sub-Committee is required to consider this application due to the receipt of representations.

## 2.0 History of Premises

2.1 The premises currently have the benefit of a Premises Licence issued under the Licensing Act 2003 for the following activities:

Live Music  
Recorded Music  
Performance of Dance  
Anything of a Similar Description to that falling within (E), (F) or (G)  
Provision of Facilities for Making Music  
Provisions of Facilities for Dancing  
Late Night Refreshment  
Supply of Alcohol

A copy of the existing licence is attached as **Appendix A** to this report

An application for the conversion and variation of the Justice's Licence, Special Hours Certificate and Public Entertainment Licence in accordance with the Licensing Act 2003 was submitted in July 2005.

There were no objections to the conversion application and therefore a premise licence was granted for the existing activities and hours.

Qualified objections were received to the variation application from Responsible Authorities and following discussions with the applicants, conditions were agreed upon, which were subsequently incorporated into the premise licence.

On 1<sup>st</sup> July 2008, Members made a decision with regards to a Review of the Walkabout Inn. The main concerns for the premise under the licensing objectives, were for the Protection of Children from Harm due to positive test results received by West Yorkshire Police on three separate occasions.

It was decided at the Hearing not to penalise the Premise Licence Holder as adequate steps had been taken by the company before the review was scheduled at hearing to rectify the problem. Therefore an informal warning was issued.

2.2 The hours of operation are as follows:

**Performance of Live Music**

Monday to Saturday 11:00 - 02:00  
Sunday 11:00 - 02:00

**Performance of Recorded Music**

Monday to Saturday 11:00 - 02:00  
Sunday 11:00 - 02:00

**Performance of Dance**

Monday to Saturday 11:00 - 02:00  
Sunday 11:00 - 02:00

**Provision of facilities for anything similar to making music or dancing**

Monday to Saturday 11:00 - 02:00  
Sunday 11:00 - 02:00

**Provision of Facilities for Making Music**

Monday to Saturday 11:00 - 02:00  
Sunday 11:00 - 02:00

**Provision of Facilities for Dancing**

Monday to Saturday 11:00 - 02:00  
Sunday 11:00 - 02:00

**Late Night Refreshment**

Monday to Saturday 23:00 - 02:00  
Sunday 23:00 - 00:30

**Sale by Retail of Alcohol**

Monday to Saturday 10:00 - 02:00  
Sunday 12:00 - 00:30

2.3 The hours that the premises are open to the public are:

Monday to Saturday 10:00 – 02:30  
Sunday 11:00 – 02:00

**3.0 The Application**

3.1 The applicant is Regent Inns Plc

3.2 The location and the proximity to neighboring premises can be seen on the map provided, Members attention is drawn to **Appendix B.**

3.3 A copy of the application and operating schedule are attached as **Appendix C** to this report. For the assistance of members, the Operating Schedule shows:

**i) Proposed new licensable activities**

Live Music  
Recorded Music  
Performance of Dance  
Anything of a Similar Description to that falling within (E), (F) or (G)  
Provision of Facilities for Making Music  
Provisions of Facilities for Dancing  
Late Night Refreshment  
Supply of Alcohol

**ii) Proposed new hours of licensable activities**

**Performance of Live Music**

Everyday 11:00 - 03:00

**Performance of Recorded Music**

Everyday 11:00 - 03:00

**Performance of Dance**

Everyday 11:00 - 03:00

**Provision of facilities for anything similar to making music or dancing**

Everyday 11:00 - 03:00

**Provision of Facilities for Making Music**

Everyday 11:00 - 03:00

**Provision of Facilities for Dancing**

Everyday 11:00 - 03:00

**Late Night Refreshment**

Everyday 23:00 - 03:00

**Sale by Retail of Alcohol**

Monday to Saturday 10:00 - 03:00

Sunday 12:00 - 03:00

**iii) Proposed Non Standard Timings**

For members assistance please refer to **Appendix D**, proposed Non Standard Timings

**iv) Proposed amendment to existing licence conditions**

To remove the condition 'There will be no screening of local soccer matches'.

**v) Times when the premises is open to the public**

Monday to Saturday	10:00 – 03:30
Sunday	11:00 – 03:30

**vi) Designated Premises Supervisor**

Bruce Stephen Flannery will continue to be the Designated Premises Supervisor

**4.0 Relevant Representations**

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Responsible authorities have made the following representations:-

- **West Yorkshire Police have made representation**

Member's are invited to consider **Appendix E** of this report

Members attention is drawn to additional conditions offered by the Premise Licence Holder in relation to the prevention of Crime and Disorder objective, please refer to **Appendix F**.

Agreements have now been reached with the following Responsible Authority

- **Environmental Protection Team**

Member's are invited to consider **Appendix G** of this report

**5.0 Matters Relevant to the Application**

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.2 In making of their decision Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

## **6.0 Options Available to Members**

- 6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
- Grant the variation as requested.
  - Grant the variation while imposing new conditions or altering in any way the existing operating schedule.
  - Reject whole or part of the variation application
- 6.2 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 necessary in order to promote the licensing objectives.

### **Background Papers**

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