

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 14th May 2012

Subject: Application to vary a premises licence held by Warehouse (The) 19-21 Somers Street, Leeds, LS1 2RG

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City and Hunslet	
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 held by Warehouse (The) 19-21 Somers Street, Leeds, LS1 2RG.

The application is to seek approval of the proposed alterations in accordance with the plans submitted with the application. Full details of the variation can be seen at 3.3 of this report.

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

The application has attracted a representation from a responsible authority.

The premises are located within an area covered by a Cumulative Impact Policy.

Purpose of this Report

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

2.0 History of Premises

- 2.1 The premises currently have the benefit of a premises licence, the current activities and hours are:

Exhibition of a film
Performance of live music
Performance of recorded music
Performance of dance
Entertainment similar to live music, recorded music or dance
Provision of facilities for making music
Provision of facilities for dancing
Provision of facilities for anything similar to making music or dancing
Every day 18:00 to 08:00

Late night refreshment
Every day 23:00 to 05:00

Sale by retail of alcohol
Every day 18:00 to 07:00

- 2.2 The premises were previously licensed in November 2005, under the Licensing Act 2003. In April 2008, the company who was the holder of the premises licence, became insolvent, no application was made to transfer the premises licence within the allotted time scale, therefore the licensed lapsed.

An application for grant of a new premises licence was applied for in February 2010, by Bluebox Leisure Ltd. Representations to the application, were received from responsible authorities, but agreements were reached between the applicant and the authorities and the premises licence was duly granted on the 10th March 2010.

On 25th March 2011, an application was made to transfer the premises licence into the name of Sorkin Ltd. This application was granted.

On 31st March 2011 another application was made to transfer the premises licence into the name of The Warehouse Leeds Ltd. This application was granted and The Warehouse Leeds Ltd are still the current premises licence holders.

2.3 A copy of the existing licence is attached at Appendix A

3.0 The Application

3.1 The applicant is The Warehouse Leeds Ltd,

3.2 The application form may be found at Appendix B to this report.

3.3 In summary the application is for:

- The addition of a new bar servery in the area adjacent to Somers Street.
- The addition of new fixed seating adjacent to the disabled WC.
- Removal of part of the stage area in front of the new bar servery and part of the wall.
- The addition of a link door between the reception area and the area of the new bar servery.

No changes are proposed to the current activities or the hours

4.0 Other matters relevant to the application

4.1 Equality and Diversity / Cohesion and Integration

4.2 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.

5.0 Steps to promote the Licensing Objectives

5.1 The applicant proposes to conduct a risk assessment in line with current legislation in respect of the new bar area. This is identified in section "P" of the application form.

6.0 Location

6.1 A map which identifies the location of this premise is attached at Appendix C.

7.0 Cumulative Impact Policy

7.1 The premises are located within the Cumulative Impact Area 1.

7.2 Cumulative impact means the potential impact on the promotion of the licensing objectives here there are a significant number of licensed premises concentrated in one area.

7.3 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 operating schedule the steps that they intends to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

7.4 Details of the Cumulative Impact Policy specific to Area 1 and an outline of the evidence behind the reason for setting this Policy is attached at Appendix D.

8.0 Representations

8.1 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.

8.2 Representations from Responsible Authorities

8.2.1 Representations have been received from West Yorkshire Police, in their capacity as a responsible authority.

8.3 The representation submitted by West Yorkshire Police remains as a matter for Members consideration. A copy of the same may be found at Appendix E.

8.4 Representations from Interested parties

8.4.1 There are no representations from interested parties.

9.0 Options Available to Members

9.1 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 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.

9.2 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.

10.0 Background Papers

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