

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 5TH November 2012

Subject: Application to vary a premises licence held by McDonald's Restaurants Ltd 38 Butt Lane, Farnley, Leeds, LS12 5AZ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Farnley and Wortley		
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 McDonald's Restaurants Ltd 38 Butt Lane, Farnley, Leeds, LS12 5AZ

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

The application has attracted representations from other persons and a responsible authority.

1.0 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 representations.

2.0 History of Premises

2.1 McDonalds Restaurants Ltd applied for a premises licence in April 2009 for the Provision of Late Night Refreshment. The application did receive representations from responsible authorities and other persons. The application was heard before the Licensing Sub- Committee on the 29th June 2009. The Sub

Committee deemed to grant the licence as applied for with agreed conditions with the responsible authorities and an additional condition imposed by the Licensing Committee.

2.2 A copy of the existing licence is attached at Appendix **A**

3.0 The Application

3.1 The applicant is McDonalds Restaurants Ltd,

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

3.3 In summary the application is for :-

3.4 The provision of late night refreshment

Every Day 23:00 to 05:00 Every Day

4.0 Other matters relevant to the application

4.1 The applicants intend to operate 24 hours a day

4.2 Equality and Diversity / Cohesion and Integration

4.3 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 take specific steps to promote the licensing objectives identified in section "P" of the application form.

6.0 Location

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

7.0 Representations

7.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

7.2 Representations from Responsible Authorities

7.2.1 Representation has been received from the Environmental Health and Safety Team in their capacity as a responsible authority

7.2.2 The representation submitted by Leeds City Council Health and Safety Team remains as a matter for Members consideration a copy may be found at Appendix **D**

7.3 Other representations

7.3.1 The application has attracted representations from other persons

7.3.2 The Licensing section has received 2 letters of representation from 3 residents.

7.3.3 Copies of the representations will be available at the hearing for Members consideration.

8.0 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.

9.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Other persons