

**Name of meeting:** Licensing Panel

**Date:** Wednesday 3 August 2022, 10.00am, Council Chambers, Huddersfield Town Hall, Ramsden Street, Huddersfield.

**Title of report:** Licensing Act 2003 – Application for the Variation of a Premises Licence: Playworld, 140 Westbourne Road, Huddersfield

**Purpose of report:** To determine the application

|                                                                                                                                            |                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | Not applicable                                                                                   |
| Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports?)</u>                                             | Not applicable                                                                                   |
| The Decision - Is it eligible for call in by Scrutiny?                                                                                     | Not applicable                                                                                   |
| Date signed off by <u>Strategic Director</u> & name                                                                                        | Fiona Goldsmith – on behalf of Colin Parr<br>Strategic Director (Environment and Climate Change) |
| Is it also signed off by the Service Director (Finance)?                                                                                   | Not applicable                                                                                   |
| Is it also signed off by the Service Director for Legal Governance and Commissioning?                                                      | Not applicable                                                                                   |
| Cabinet member <u>portfolio</u>                                                                                                            | Cllr Will Simpson                                                                                |

**Electoral wards affected:** Greenhead

**Ward councillors consulted:** Cllr Carole Pattison  
Cllr Mohan Sokhal  
Cllr Sheikh Ullah

**Public or private:** Public

#### GDPR Implications:

GDPR has been considered and appropriate sections of the report have been amended.

## 1 Summary

The purpose of this report is to inform Members of an application for the variation of a premises licence, which as a result of representations received, has been referred to this Panel for determination.

## 2 Information required to take a decision

### 2.1 Application

2.1.1 On 13 June 2022 January 2022, the Licensing department received an application for the full variation of existing premises licence for the premises at Playworld, 140 Westbourne Road, Huddersfield. The application was made by [REDACTED] director of Playworld. A copy of this application including plan, and the existing licence may be seen at Appendix A.

2.1.2 The licensable activities currently permitted by licence PR(A)1490 are indoors only as shown in the table below.

| Activity               | Days                                      | Times                      |
|------------------------|-------------------------------------------|----------------------------|
| Sale of Alcohol        | Friday and Saturday<br>Sunday to Thursday | 09:00-23:30<br>09:00-22:30 |
| Performance of Dance   | Friday and Saturday<br>Sunday to Thursday | 09:00-23:45<br>09:00-22:45 |
| Indoor Sporting Events | Friday and Saturday<br>Sunday to Thursday | 09:00-23:45<br>09:00-22:45 |
| Live Music             | Friday and Saturday<br>Sunday to Thursday | 09:00-23:45<br>09:00-22:45 |
| Recorded Music         | Friday and Saturday<br>Sunday to Thursday | 09:00-23:45<br>09:00-22:45 |
| Late Night Refreshment | Friday and Saturday                       | 23:00-00:00                |

2.1.3 The variation application is to increase the premises perimeter to include an outdoor area.

2.1.4 The table below shows the licensable activities, the applicant is requesting licensable activities to be both indoors and outdoors and alcohol sales to be both on and off the premises.

The application also includes six occasions per year with an end time of 01:00 am the following morning. The dates of these six occasions have not been specified in the application.

| Activity               | Days             | Times       |
|------------------------|------------------|-------------|
| Sale of Alcohol        | Monday to Sunday | 09:00-23:45 |
| Performance of Dance   | Monday to Sunday | 09:00-23:45 |
| Indoor Sporting Events | Monday to Sunday | 09:00-23:45 |
| Live Music             | Monday to Sunday | 09:00-23:45 |
| Recorded Music         | Monday to Sunday | 09:00-23:45 |
| Late Night Refreshment | Monday to Sunday | 23:00-23:45 |

2.1.5 Representations have been received from local residents, local Ward Councillors, Environmental Health Public Health and Planning Services.

2.1.6 The representations from the members of the public consider that the following licensing objectives would not be met should this licence be granted:

- Public Safety
- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Protection of Children from Harm

A copy of these representations can be seen at **Appendix B**

## 2.2 Licensing Policy

Members considering the application should take note of the Authority's Statement of Licensing Policy, which provides the following guidance on how Members should approach the application and representation:

### **1.0 – Executive Summary**

1.2 In exercising its duties and responsibilities under the terms of the Licensing Act 2003, the Council will operate within the statements and procedures mentioned in this policy statement. Notwithstanding this statement, all applications will be treated on their merits and judged accordingly. The council will have regard to any relevant guidance issued by the Secretary of State in exercising its powers under the Act.

### **2.0 – Purpose and Scope of the Licensing Policy**

2.7 The Licensing Authority recognises that each licence application must be considered on its own individual merits in the context of the four licensing objectives, and that unless relevant representations are received from responsible authority's or interested parties, there is no provision for a Licensing Authority to impose conditions on a licence other than those proposed within an application. Only conditions which have been volunteered by the applicant or which have been determined at a Licensing Panel hearing can be attached to a licence or certificate. If no relevant representations are made in respect of an application, the Licensing Authority is obliged to issue the licence on the terms sought.

#### **Licensing Objectives.**

1. Public Safety
2. Prevention of crime & disorder
3. Prevention of public nuisance
4. Protection of children from harm

## 2.3 Secretary of State Guidance