

North Yorkshire Council
Statutory Licensing Sub-Committee

27 August 2024

The Wicked Wolf - Application for a New Premises Licence

Report of the Corporate Director of Environment

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to determine a premises licence application under the Licensing Act 2003.

2.0 BACKGROUND

2.1 An application for the grant of a premises licence has been made for The Wicked Wolf, Unit 3, The Royal Baths, Montpellier Road, Harrogate, HG1 2WL. A copy of the application and associated plan is attached at appendix 1.

2.2 The applicant is Kevin David Spencer, 22 Forge Lane, Horbury, Wakefield, WF4 5EH.

2.3 Photographs of the site and vicinity is attached at appendix 3.

2.4 The use of the premises is described as a day and night-time entertainment venue.

2.5 The application is for the following licensable activities:

Performance of plays, exhibition of films, Live and Recorded Music, Performance of dance, Sale by Retail of Alcohol

Monday to Sunday 1000hrs until 0300hrs

Late night refreshment

Monday to Sunday 2300hrs until 0300hrs

Note: The Live Music Act 2012 removes the licensing requirement for amplified live music taking place between 0800hrs and 2300hrs before audiences of no more than 500 persons on premises authorised to supply alcohol for consumption on the premises. Background music is also exempt.

Opening hours

Monday to Sunday 1000hrs until 0330hrs

Non-Standard Timings

Performance of plays, exhibition of films, Live and Recorded Music, Performance of dance, Sale by Retail of Alcohol and Late-night refreshment:

An additional hour on the standard and non-standard timing on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

3.0 PROMOTION OF LICENSING OBJECTIVES

3.1 Section 4 of the Licensing Act 2003 places a duty on the Licensing Authority to carry out its functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:

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

3.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times.

4.0 REPRESENTATIONS

4.1 The applicant liaised with North Yorkshire Police and agreed a number of conditions that were submitted within the application and, as such, no representation was made.

4.2 A representation had been received from North Yorkshire Council's Environmental Protection Team on the objective of public nuisance. The representation is attached at appendix 4.

4.3 The applicant has accepted the Environmental Protection representation in full and agreed to the conditions contained within the representation. This correspondence is attached at appendix 5.

4.4 There have been 8 representations received from other persons which are attached at appendix 6.1 to 6.8.

4.5 There have been 3 representations received from other persons in support of the application which are attached at appendix 7.1 to 7.3.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 Not applicable

6.0 FINANCIAL IMPLICATIONS

6.1 Not applicable

7.0 LEGAL IMPLICATIONS

7.1 The Legal section has been consulted during preparation of this report.

8.0 EQUALITIES IMPLICATIONS

8.1 Not applicable

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 Not applicable

10.0 POLICY CONSIDERATIONS

10.1 The following sections of North Yorkshire Council's Statement of Licensing Policy are relevant in considering the licensing objectives in relation to this application:

- Disturbance and environment - sections 4, 6 and 9
- Crime and disorder - sections 4 and 6
- Public safety - section 4
- Protection of children - sections 4 and 6

11.0 OTHER CONSIDERATIONS

11.1 The following sections of the Guidance issued under section 182 of the Licensing Act 2003 (updated January 2024) issued by The Home Office are relevant in considering the licensing objectives in relation to this application:

- Crime and disorder Section 2.1
- Public safety Section 2.8
- Public nuisance Section 2.21
- Protection of children from harm Section 2.28

11.2 Appendix 2 contains the mandatory conditions which will be applied to all Licenses in addition to any conditions agreed by the Sub-Committee.

11.0 HUMAN RESOURCES IMPLICATIONS

11.1 Not applicable

12.0 CONCLUSIONS

12.1 An application has been made for the grant of a premises licence by Kevin David Spencer for The Wicked Wolf, Unit 3 The Royal Baths, Montpellier Road, Harrogate, HG1 2WL. Conditions agreed with North Yorkshire Council's Environmental Protection Team will form part of the conditions attached to the premises licence.

12.2 There are eight representations from interested parties for the Sub-Committee to consider, attached at Appendix 6.1 to 6.8.

13.0 RECOMMENDATION

To take any of the following steps as the Sub-Committee considers appropriate for the promotion of the licensing objectives:

- To grant the licence
- To grant the licence with conditions
- To reject the application in whole or in part

APPENDICES:

Appendix 1 – Copy of application and plan
Appendix 2 – Mandatory Conditions imposed under Licensing Act 2003
Appendix 3 – Plans of site and vicinity
Appendix 4 – Representation from Environmental Protection Team
Appendix 5 – Agreement and withdrawal of Environmental Protection representation
Appendix 6.1 – Representation from John Moor
Appendix 6.2 – Representation from Suzanne Doyle
Appendix 6.3 – Representation from Julia Lamb
Appendix 6.4 – Representation from Matthew Goldsbrough
Appendix 6.5 – Representation from David Dockray
Appendix 6.6 – Representation from Steven and Philippa Robertson
Appendix 6.7 – Representation from Steve and Diane Stocks
Appendix 6.8 – Representation from Patrick Ravenscroft
Appendix 7.1 – Representation from Bradley Newby in support of application
Appendix 7.2 – Representation from Heather Newby in support of application
Appendix 7.3 – Representation from Jadan Newby in support of application

Karl Battersby
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06 August 2024

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.