



LICENSING SUB-COMMITTEE

**MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
MONDAY, 2ND APRIL, 2012 AT 10.00 AM**

MEMBERSHIP

Councillors

B Gettings - Morley North;
C Townsley - Horsforth;
G Hyde - Killingbeck and Seacroft;

**Agenda compiled by:
Tel No:
Governance Services
Civic Hall
LEEDS LS1 1UR**

**Helen Gray
247 4355**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><u>PRELIMINARY PROCEDURES</u></p> <p>ELECTION OF THE CHAIR</p>	
2			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
3			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
5			<p>DECLARATIONS OF INTEREST</p> <p>Members are reminded to declare any interests at the start of the hearing on each application for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of conduct</p> <p><u>HEARINGS</u></p>	
6	City and Hunslet;		<p>'CHIQUITOS RESTAURANT AND BAR' - APPLICATION FOR A GRANT OF A PREMISES LICENCE FOR CHIQUITOS RESTAURANT AND BAR, UNIT A20, THE LIGHT, THE HEADROW, LEEDS LS1 8TL</p> <p>To consider a report of the Head of Licensing and Registration on an application for the grant of a premises licence for Chiquitos Restaurant and Bar, Unit A20, The Light, The Headrow, Leeds LS1 8TL.</p> <p>(Report attached)</p>	1 - 38



Report author: Miss Janice Archibald
0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 2nd April 2012

Subject: Application for the grant of a premises licence for Chiquitos Restaurant & Bar Unit A20, The Light, The Headrow, Leeds, LS1 8TL

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City & 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 for the grant of a premises licence for Chiquitos Restaurant & Bar Unit A20, The Light, The Headrow, Leeds, LS1 8TL.

The applicant has applied for Recorded Music, Late Night Refreshment and Sale by Retail of Alcohol. Full details of activities and hours can be found at 3.3 of this report.

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

The application has attracted representations from responsible authorities.

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 17 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 This is the first application for a premises licence for these premises.

3.0 The Application

- 3.1 The applicant is Chiquito Ltd,
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for:

Recorded Music
Every Day 08:00 until 00:00

Late Night Refreshment
Every Day 23:00 until 00:00

Sale by Retail of Alcohol
Every Day 10:00 until 00:00

Non Standard Timings:

Recorded Music
Sale by Retail of Alcohol

10:00 on New Years Eve, until 00:00 on New Years Day

Late Night Refreshment

23:00 on New Years Eve until 05:00 on New Years Day

4.0 Other matters relevant to the application

- 4.1 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 Proposed Designated Premises Supervisor

6.1 Susan Bowler intends to be the Designated Premises Supervisor.

7.0 Location

7.1 A map which identifies the location of this premise is attached at Appendix B.

8.0 Cumulative Impact Policy

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

8.2 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.

8.3 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.

8.4 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 C.

9.0 Representations

9.1 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.

9.2 Representations from Responsible Authorities

9.2.1 Representations have been received from West Yorkshire Police and Environmental Protection Team in their capacity as a responsible authority.

9.2.2 The representation submitted by West Yorkshire Police remains as a matter for Members consideration. A copy of which may be found at Appendix D.

9.3 The representation submitted by Environmental Protection Team remains as a matter for Members consideration. A copy of which may be found at Appendix E.

9.4 Representations from Interested parties

9.4.1 There are no representations from interested parties.

10.0 Options Available to Members

10.1 The Licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Refuse to specify the said person as the designated premises supervisor.
- Reject the whole or part of the application.

10.2 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.

11.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Interested Parties

SCANNED

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

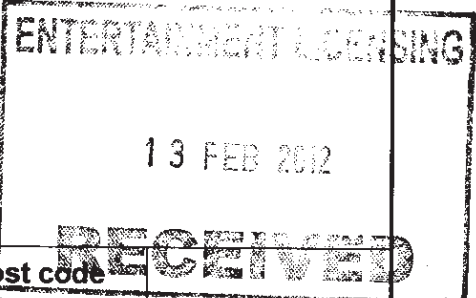
Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Chiquito Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Chiquitos Restaurant & Bar Unit A20 The Light The Headrow			
Post town	Leeds	Post code	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Chiquito Ltd
Address 5-7 Marshalsea Road Borough London SE1 1EP
Registered number (where applicable) 01854767
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 08456125001
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	1	0 5 2 0 1 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)
 Restaurant and bar as shown on the deposited plan.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

SCANNED Appendix

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music to be played internally, ancillary to use of premises as restaurant and bar.		
Mon	0800	0000			
Tue	0800	0000	State any seasonal variations for the playing of recorded music (please read guidance note 4) New Years Eve 1000 to New Years Day 0000		
Wed	0800	0000			
Thur	0800	0000	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0800	0000			
Sat	0800	0000			
Sun	0800	0000			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

ANNEX D^{iv}

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Fri				
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing		
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	00.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	2300	00.00			
Wed	2300	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	2300	00.00			
Fri	2300	00.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) 2300 on New Year's Eve until 0500 on New Year's Day		
Sat	2300	00.00			
Sun	2300	00.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	1000	00.00			
Tue	1000	00.00			
Wed	1000	00.00			
Thur	1000	00.00			
Fri	1000	00.00			
Sat	1000	00.00			
Sun	1000	00.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) 10.00 on New Year's Eve until 00.00 on New Year's Day		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Susan Bowler	
Address 22 Kingston Drive Hambleton Selby Yorkshire	
Postcode	YO8 9JS
Personal Licence number (if known) LN/503558	
Issuing licensing authority (if known) Selby District Council	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>	<p>State any seasonal variations (please read guidance note 4)</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 20%;">Start</th> <th style="width: 20%;">Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>0800</td> <td>00.30</td> </tr> <tr> <td>Tue</td> <td>0800</td> <td>00.30</td> </tr> <tr> <td>Wed</td> <td>0800</td> <td>00.30</td> </tr> <tr> <td>Thur</td> <td>0800</td> <td>00.30</td> </tr> <tr> <td>Fri</td> <td>0800</td> <td>00.30</td> </tr> <tr> <td>Sat</td> <td>0800</td> <td>00.30</td> </tr> <tr> <td>Sun</td> <td>0800</td> <td>00.30</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	0800	00.30	Tue	0800	00.30	Wed	0800	00.30	Thur	0800	00.30	Fri	0800	00.30	Sat	0800	00.30	Sun	0800	00.30	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) 1000 on New Year's Eve until 00.30 on January 2nd</p>
Day	Start	Finish																							
Mon	0800	00.30																							
Tue	0800	00.30																							
Wed	0800	00.30																							
Thur	0800	00.30																							
Fri	0800	00.30																							
Sat	0800	00.30																							
Sun	0800	00.30																							

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Waiter/waitress service throughout the restaurant area of the premises affording control and supervision.
 Comprehensive food menu will be available throughout licensed hours.

b) The prevention of crime and disorder

Waiter/waitress service in the premises affording staff supervision and control.

A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out.

CCTV security footage will be made secure and retained for a minimum period of 31 days, to the satisfaction of WYP.

At all times when licensable activities are taking place there shall be a member of staff on duty who is conversant with operating the CCTV system and who is able to download immediately any footage requested by an officer from any of the Responsible Authorities.

The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions, refusals and ejections from the premises. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.

c) Public safety

These premises will meet current Building Regulation requirements and a risk assessment will be conducted and implemented for fire safety purposes.

Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.

A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.

Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.

All spillages are to be dealt with in a timely and safe manner.

A suitably trained First Aider or appointed person will be provided at all times when the premises are open. Adequate and appropriate First Aid equipment and materials will be available on the premises.

d) The prevention of public nuisance

as (a) and (b) above

e) The protection of children from harm

as (a) above

Mandatory conditions will apply requiring the applicant to have a proof of age scheme.

It is proposed that children will be permitted access to the premises in accordance with the provisions of the Licensing Act 2003.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
-----------	-------------------------------------------------------------------------------------

Date	19-2-12
Capacity	Solicitors for the applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Heath Thomas Anthony Collins Solicitors LLP 134 Edmund Street			
Post town	Birmingham	Post code	B3 2ES
Telephone number (if any)	0121 212 7405		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) licensing@anthonycollins.com			

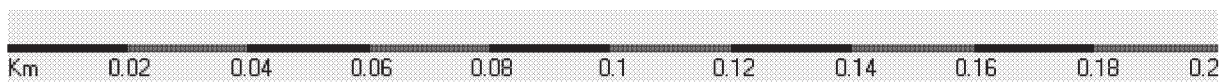
Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not

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PREM/03151/001

Chiquitos Restaurant and Bar, Unit A20, The Light, The Headrow, Leeds,



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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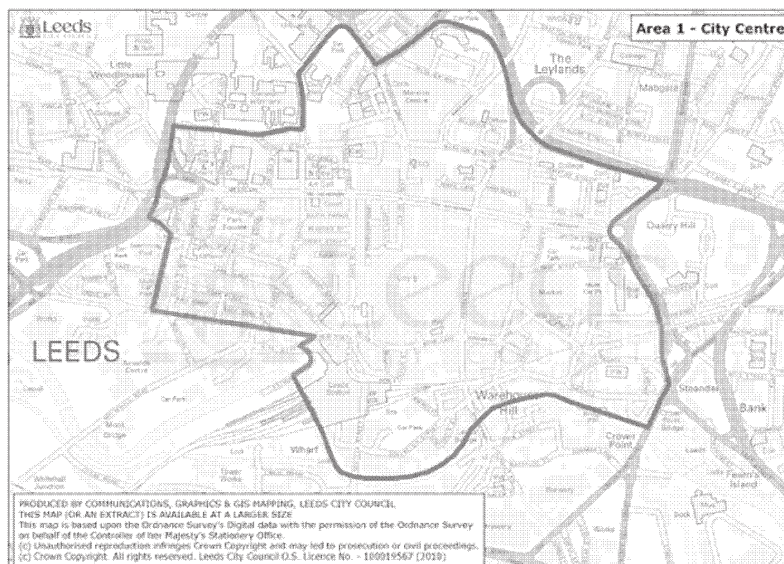
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Cumulative Impact Policy

Area 1 as defined on the map relates to the city centre.

Fig 1



It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Rationale

In the five years since the cumulative impact policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:

1. Call Lane, Boar Lane and the area behind the Corn Exchange
2. Woodhouse Lane, Merrion Way and Wade Lane
3. The east end of The Headrow and New Briggate

Other areas of concern include the Eastgate area and Briggate.

The council has noticed an increase in applications for premises licences in the Park Square area. It is feasible that this is due to displacement from the East Parade/Greek Street/Park Row part of the cumulative impact policy.

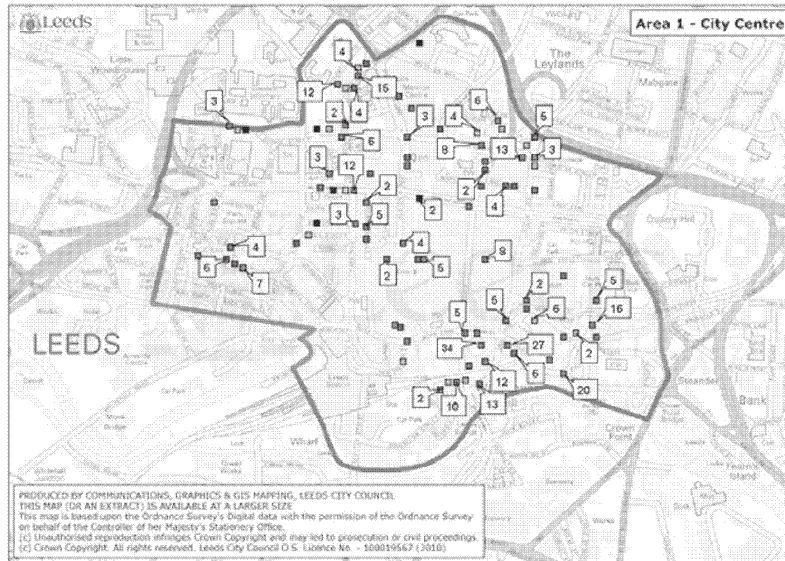
On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots and the Park Square area.

In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led licensed premises can contribute to crime and disorder in the area, not just those that are classified as "high volume vertical drinking" establishments.

Evidence

Fig 2



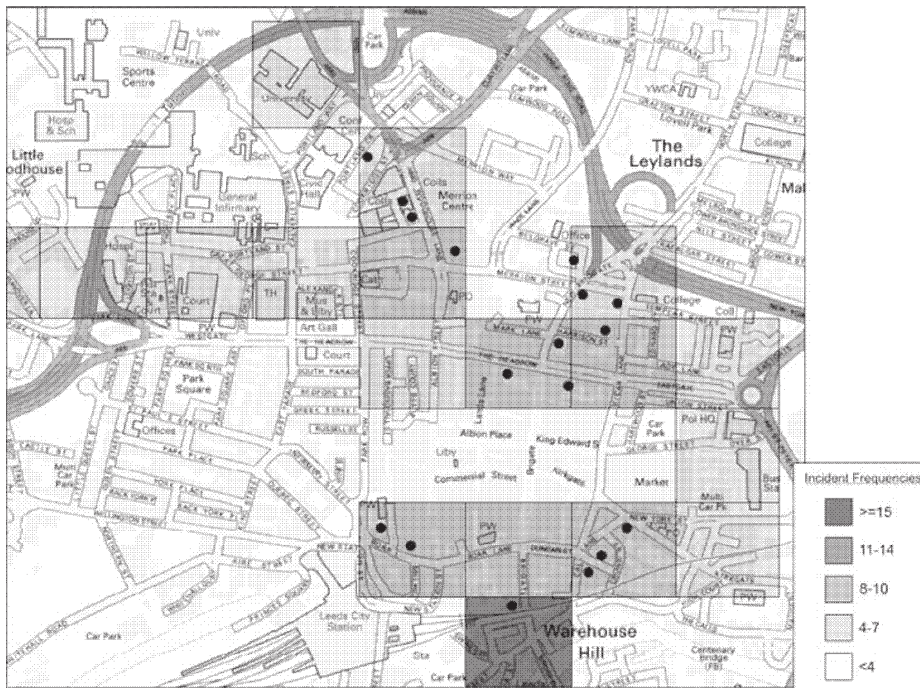
Nuisance reports in Area 1 (2005 – 2010)

Fig 2 shows the number and location of nuisance reports received by Leeds City Council, relevant to licensed premises in Area 1 since 2005.

Police analysis has shown the following key findings relating to serious crime in Area 1:

- 94% of serious violent offences have been committed in the night-time economy (NTE) period.
- 63% of offences committed in the NTE are affected by alcohol
- 20% of offences committed in the NTE are committed within licensed premises
- Between 2008 and 2009 incidents have increased by 26 equating to a 32% rise.

Fig 3



Serious Violent Crime hot-spots

Fig 3 shows density of serious violent crime offences in Area 1. The coloured dots are licensed premises however, have not been identified individually by name.

Fig 4



Appendix

Assault hot-spots

Fig 4 shows density of assault offences in Area 1.

Fig 5



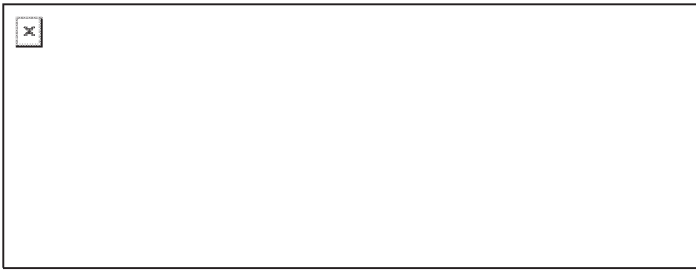
Anti-Social Behaviour hot-spots

Fig 5 shows density of anti-social behaviour offences in Area 1.

The current CIP for Area 1 (Licensing Act 2003 Statement of Licensing Policy 2008-2010) does not cover large parts of the city centre which currently suffer from nuisance and crime attributable to licensed premises.

Extracted from the Final Consultation Report published in December 2010 which presented the findings of the review of the cumulative impact policies and the subsequent public consultation on the amended Statement of Licensing Policy which took place in 2010. The full report is available from Entertainment Licensing.

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Leeds District Licensing Department

Licensing Department

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Millgarth Street
Leeds
LS2 7HX

Tel: 0113-2413072

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Email:

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Website:

Your ref:

Our ref:

12th March 2012

**Mr.Heath Thomas
Anthony Collins Solicitors LLP
134, Edmund Street
Birmingham
B3 2ES**

cc. Entertainment Licensing Section. Leeds City Council, Civic Hall, Leeds. LS1 1UR

**RE: CHIQUITOS RESTAURANT & BAR, UNIT A20, THE LIGHT, THE HEADROW, LEEDS,LS1 8TL
APPLICATION FOR A NEW PREMISES LICENCE – LICENSING ACT 2003:
POLICE LETTER OF REPRESENTATION – CUMULATIVE IMPACT POLICY:**

Thank you for submitting your application for the above premises, received at the address above on 13th February 2012.

The application relates to premises which fall within one of the areas of Leeds currently subject to a policy of cumulative impact, as detailed in the present Statement of Licensing Policy 2011-2013, issued by Leeds City Council as the licensing authority.

The area concerned in this particular case is Area 1 Leeds City Centre.

Therefore, in line with the current statutory guidance issued by the Secretary of State under Section 182 Licensing Act 2003, West Yorkshire Police make representations based on the cumulative impact policy of the area concerned and highlighted above, where the licensing objectives and particularly the prevention of crime and disorder and prevention of public nuisance objectives, are being adversely affected.

CIP - Area 1 – Leeds City Centre:

There has been a policy of cumulative impact in Leeds City Centre since January 2005, as a part of the original Statement of Licensing Policy issued by Leeds City Council, made to introduce the 'transitional provisions' of Licensing Act 2003 in February 2005 to full implementation in November 2005.

NOT PROTECTIVELY MARKED

As a part of the process back then, in 2004 West Yorkshire Police provided detailed statistical Appendix 1 of alcohol related crime and disorder and anti social behaviour, in relation to specific areas of the City Centre.

The original policy only applied to certain isolated parts of Leeds City Centre.

In 2007, as part of the first 3 year review of Leeds City Council's Statement of Licensing Policy, further statistical evidence was produced by West Yorkshire Police to ascertain if there was the continuing need for a policy of cumulative impact in Leeds City Centre.

As a result, in December 2007 the revised Statement of Licensing Policy 2007-2010 was issued by Leeds City Council, and whilst the policy of cumulative impact for Leeds City Centre was to continue, there was very little if any relevant change in the wording of the policy and no change at all in the affected areas of the City Centre.

A second review of the Statement of Licensing Policy has taken place in Leeds in 2010 and a 3rd edition has been issued by Leeds City Council as recently as early January 2011.

During this lengthy process, West Yorkshire Police, after being requested to do so, once again provided an up to date 2 year statistical overview of violent offences and anti-social behaviour in Leeds City Centre as a whole.

As a result, on this occasion the policy of cumulative impact for Leeds City Centre has radically changed, both in -:

- 1. a significantly increased geographical area, and**
- 2. modification of the wording of the policy, to include all types of alcohol led premises, rather than just a specific type of premises serving alcohol.**

The current Statement of Licensing Policy goes into further detail about the significant changes recently made and highlighted above.

For instance-:

- Paragraph 7.16 – “In the five years since the cumulative policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:
 1. Call Lane, Boar Lane and the area behind the Corn Exchange
 2. Woodhouse Lane, Merrion Way and Wade Lane
 3. The east end of The Headrow and New Briggate.
- Paragraph 7.17 – “Other areas of concern include the Eastgate area and Briggate”.
- Paragraph 7.19 – “On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots.....”.
- Paragraph 7. 20 – “In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.
- The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led premises can contribute to crime and disorder in the area.....”

The wording for the current policy of cumulative impact for Leeds City Centre therefore now reads-:

“It is the council’s policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area”.

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Therefore, in terms of location, and in terms of proposed trading as a late night restaurant until half past midnight every day, West Yorkshire Police consider that this application implicates the current policy of cumulative impact for Leeds City Centre in every respect, and would rely on paragraphs 13.29 and 13.30 of the current Section 182 guidance in making this representation.

*PC Cath Arkle
Divisional Licensing Officer
City & Holbeck*

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Heath Thomas
Anthony Collins Solicitors LLP
134 Edmund Street
Birmingham
B3 2ES

Environmental protection team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

Contact: M Bird
Tel: 0113 3951162
Fax:
michael.bird@leeds.gov.uk
Our reference: PREM/03151/001
2 March 2012

Dear Sir/Madam

Licensing Act 2003

Name of Premises: Chiquitos Restaurant & Bar

Address: Unit A20, The Light, The Headrow, Leeds, LS1 8TL

I refer to your recent application for a licence to carry on activities at the above premises.

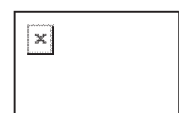
Leeds City Council's environmental action service is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. In addition, the application premises is situated within a Cumulative Impact Policy Area and you have not submitted sufficient information to satisfy this service that granting of a new licence will not add to the impact already being experienced. We therefore regret to inform you that we are fully objecting to your application.

However, should the Licensing Panel be minded to grant your application, then we will recommend that certain measures should be incorporated into your operating schedule to try and meet this objective.

It is considered that the following measures are proportionate and necessary in order to promote the licensing objectives: 1. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises which are at the Radisson Hotel, Cookridge Street to the West, and flats at the K2 building, Albion Street to the North; and 2. The Licence Holder and their designated premises supervisor will ensure that patrons do not cause public nuisance to nearby residents and businesses in the vicinity when smoking outside the front of the premises or when leaving.

Yours faithfully

M Bird
Senior Environmental Health Officer



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