

## LICENSING SUB-COMMITTEE

## MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

MONDAY, 21ST MAY, 2012 AT 10.00 AM

## **MEMBERSHIP**

## **Councillors**

- C Townsley Horsforth;
  - P Latty Guiseley & Rawdon;
  - B Selby Killingbeck and Seacroft.

Agenda compiled by: Tel No: Governance Services Civic Hall LEEDS LS1 1UR Helen Gray 247 4355

## AGENDA

ltem No	Ward	ltem Not Open		Page No
			PRELIMINARY PROCEDURES	
1			ELECTION OF THE CHAIR	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS	
			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)	
			(*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)	

ltem No	Ward	ltem Not Open		Page No
3			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC	
			<b>1)</b> To highlight reports or appendices which:	
			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.	
			<ul> <li>b) To consider whether or not to accept the officers recommendation in respect of the above information.</li> </ul>	
			<ul> <li>c) If so, to formally pass the following resolution:-</li> </ul>	
			<b>RESOLVED –</b> 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	
			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.	
4			LATE ITEMS	
			To identify any applications as late items of business which have been admitted to the agenda for consideration	
			(the special circumstances shall be identified in the minutes)	

ltem No	Ward	ltem Not Open		Page No
5			DECLARATIONS OF INTEREST 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	
			<u>HEARINGS</u>	
6	City and Hunslet;		" FRIENDS OF HAM" - APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR FRIENDS OF HAM 4 NEW STATION STREET, LEEDS, LS1 5DL	1 - 32
			To consider the report of the Head of Licensing and Registration on an application for the grant of a premises licence for Friends Of Ham 4 New Station Street, Leeds, LS1.	
7	City and Hunslet;		"FRESH MUNCH" - APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR FRESH MUNCH 43 WADE LANE, LEEDS, LS2 8NJ	33 - 64
			To consider the report of the Head of Licensing and Registration on and application for the grant of a premises licence for Fresh Munch 43 Wade Lane, Leeds, LS2.	



## Report of the Head of Licensing and Registration

## **Report to the Licensing Sub Committee**

## Date: 21st May 2012

## Subject: Application for the grant of a premises licence for Friends Of Ham 4 New Station Street, Leeds, LS1 5DL

Are specific electoral Wards affected?	🛛 Yes	🗌 No
If relevant, name(s) of Ward(s): City & Hunslet		
Are there implications for equality and diversity and cohesion and integration?	Yes	🛛 No
Is the decision eligible for Call-In?	Yes	🛛 No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	Yes	🛛 No

## Summary of main issues

This is an application for the grant of a premises licence for Friends Of Ham 4 New Station Street, Leeds, LS1 5DL.

The application is for the sale by retail of alcohol, late night refreshment and recorded music. Full details of the activities and hours applied for can be seen 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.

## 1.0 **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 These premises are currently licensed under the Licensing Act 2003, after successfully converting the Justices Licence in August 2005. The premises were originally known as Wokon Noodle Bar and now called Friends of Ham. The current activites and hours are as follows:

Sale by retail of alcohol Monday to Saturday 11:00am to 00:00 midnight Sunday 12 midday to 23:30

Recorded music Everyday 00:00 to 23:59

Should the new premises licence application be granted, then the intention is to surrender the current premises licence.

## 3.0 The Application

- 3.1 The applicant is Friends Of Ham Limited
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for:

Sale by retail of alcohol for consumption on and off the premises Recorded music 11:00 until 00:00 Monday to Saturday 12:00 until 23:30 Sunday

Late night refreshment 23:00 until 00:30 Monday to Saturday 23:00 until 00:00 Sunday

Times when the premises will be open to the public:

11:00 until 00:30 Monday to Saturday 12:00 until 00:00 Sunday

Non Standard Timings:

No non standard timings for Bank Holidays or special occasions are proposed

## 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 Ms Claire Margaret Kitching 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 intend 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 <u>Representations from Responsible Authorities</u>

- 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 the same may be found at Appendix D.
- 9.2.3 The representation submitted by Environmental Protection Team remains as a matter for Members consideration. A copy of the same may be found at Appendix E.
- 9.3 <u>Representations from Interested parties</u>
- 9.3.1 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

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

1/03/73/00

Appendix

## 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 Friends of Ham Limited

#### (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 addr	ess of premises or, if none, ordnance survey	map reference	e or description
Friends of H	am		
4 New Static	n Street		
		· · ·	· · · · · · · · · · · · · · · · · · ·
Post town	Leeds	Post code	LS1 5DL

Telephone num	ber at premi	ses (if an	iy)			
Non-domestic premises	rateable	value	of	£23,500.00		

please complete section (A)

#### Part 2 - Applicant Details

a)

an individual or individuals \*

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

a person other than an individual \* b) 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) other (for example a statutory corporation) please complete section (B) iv. c) a recognised club please complete section (B) **d**) a charity please complete section (B) the proprietor of an educational establishment please complete section (B) e)

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- f) a health service body
  g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital
  h) the chief officer of police of a police force in England and Wales
  please complete section (B)
  please complete section (B)
- \* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

 $\square$ 

- 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
  - o statutory function or
  - o a function discharged by virtue of Her Majesty's prerogative

## (A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr 🗆 Mrs 🗆 Miss 🗆	Ms   Other Title (for example, Rev)
Surname	First names
I am 18 years old or over	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 🗆 Mrs 🗆 Miss 🗆	Ms   Other Title (for example, Rev)
Surname	First names
l am 18 years old or over	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 Friends of Ham Limited
Address Convention House St Marys Street Leeds LS9 7DP
Registered number (where applicable) 07930800
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

lf you wisl	h the	licence	to be	valid	only	for a	limited	period,	when
do you wa	int it f	to end?							

Day Mo			onth	า	Ye	ar	
Α	S	Α	Ρ				

Day	nth	1	Ye	ar	_	

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Please give a general description of the premises (please read guidance note1)

The premises is to be a charcuterie style bar, that offers meat and cheese selections with real ales, premium craft beers and fine wines. There are to be no spirits sold on the premises. The premises will have a takeaway deli and also have off licence capability, whereby specially selected craft beers, ciders and wine will be sold by the bottle.

If 5,000 or more people are expected to attend the premises at N/A

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any one time, please state the number expected to attend.

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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)	$\boxtimes$
g) performances of dance (if ticking yes, fill in box G)	
<ul> <li>anything of a similar description to that falling within (e), (f) or (g)</li> <li>(if ticking yes, fill in box H)</li> </ul>	
Provision of entertainment facilities:	
i) making music (if ticking yes, fill in box I)	
j) dancing (if ticking yes, fill in box J)	
<ul> <li>entertainment of a similar description to that falling within (i) or (j)</li> <li>(if ticking yes, fill in box K)</li> </ul>	
Provision of late night refreshment (if ticking yes, fill in box L)	X
Supply of alcohol (if ticking yes, fill in box M)	凶
In all cases complete boxes N_O and P	

In all cases complete boxes N, O and P

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Plays Standard days and timings (please read quidance note 6)		e read	Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
guidance note 6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	uidance note 3	3)
Tue					
Wed			State any seasonal variations for performing guidance note 4)	<b>plays</b> (please	read
Thur					
Fri			Non standard timings. Where you intend to for the performance of plays at different tim	<u>es to those l</u>	isted
Sat			<u>in the column on the left, please list</u> (please r 5)	ead guidance	note
Sun					

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Films Standard days and timings (please read quidance note 6)		e read	Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
guidance note 6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	uidance note 3	3)
Tue					
Wed			State any seasonal variations for the exhibition read guidance note 4)	on of films (pl	ease
Thur					
Fri			Non standard timings. Where you intend to for the exhibition of films at different times	to those liste	ed in
Sat			' <u>the column on the left, please list</u> (please read	i guidance note	e 5)
Sun					



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

Boxing or wrestling entertainments Standard days and timings (please read		s and e read	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors Outdoors	
guidance note 6)					
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	uidance note 3	3)
Tue					
Wed			State any seasonal variations for boxi	ng or wres	tling
			entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to		
			for boxing or wrestling entertainment at c		
Sat			those listed in the column on the left, pleas guidance note 5)	<u>e list</u> (please	read
	1				
Sun					

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<b>Live music</b> Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	6
guidance note 6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	uidance note 3	3)
Tue					
Wed			State any seasonal variations for the per music (please read guidance note 4)	formance of	live
Thur					
Fri			Non standard timings. Where you intend to for the performance of live music at differe	nt times to t	hose
Sat			listed in the column on the left, please guidance note 5)	<u>list</u> (please	read
Sun	<b>/</b>				
F	<u>*</u>				

Standa	<b>Recorded music</b> Standard days and timings (please read		Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	×	
umings (please read guidance note 6)				Outdoors		
Day	Start	Finish		Both		
Mon	11:00	00:00	Please give further details here (please read g	uidance note 3	3)	
Tue	11:00	00:00				
Wed	11:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Thur	11:00	00:00				
Fri	11:00	00:00	Non standard timings. Where you intend to			
			for the playing of recorded music entertain			
Sat	11:00	00:00	times to those listed in the column on the c	e ieit, piease	<u> IIST</u>	
Sun	12:00	23:30				

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dance	Performances of dance Standard days and		Will the performance of dance take place indoors or outdoors or both – please tick [Y]	Indoors	r		
timings		e read	(please read guidance note 2)	Outdoors			
Day	Start	Finish		Both			
Mon			Please give further details here (please read g	uidance note 3	3)		
Tue							
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)				
Thur							
Fri			Non standard timings. Where you intend to use the premise for the performance of dance entertainment at different time to those listed in the column on the left, please list (please rea				
Sat			guidance note 5)	e nst (piease	leau		
Sun							
L							
Anything of a similar description to that falling within (e), (f) or (g)       Please give a description of the type of entertainment you providing         Standard days and timings (please read guidance note 6)       Please give a description of the type of entertainment you providing			inment you w	ill be			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick [Y] (please	Indoors			
Mon			read guidance note 2)	Outdoors			
Tue			Please give further details here (please read g	Both	3)		
			riddod give luidior dotailo nore (picade road g		,		
Wed							
Thur			State any seasonal variations for entertain description to that falling within (e), (f) or				
Fri			guidance note 4)	197 (picase	10du		
Sat			Non standard timings. Where you intend to				
8un			for the entertainment of a similar descripti within (e), (f) or (g) at different times to th column on the left, please list (please read gui	iose listed in	ı the		

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Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for mal	king music you	ı will
			Will the facilities for making music be indoors or outdoors or both – please tick [Y]	Indoors	
			(please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	uidance note 3	;)
Tue					
Wed			State any seasonal variations for the provision	on of facilities	s for
			making music (please read guidance note 4)		
Thur		-/			
Fri			Non standard timings. Where you intend to for provision of facilities for making music		
Sat			different times to those listed in the column of list (please read guidance note 5)		
Sun					

## J

Provis for dar Standa	-		Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)	Indoors	
timings (please read			, , , , , , , , , , , , , , , , , , ,	Outdoors	
guidance note 6)		)		Beth	
Day	Start	Finish	Please give a description of the facilities for be providing	dancing you	<u>ı will</u>
Mon			Please give further details here (please read g	uidance note 3	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
Sat	 different times to those listed in the column on the left, please list (please read guidance note 5)
Sun	

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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)			Please give a description of the type of enterta will be providing	ainment facility	YOU	
Day	Start	Finish	Will the entertainment facility be indoors or	Indoors		
Mon	l		outdoors or both – please tiek [Y] (please read guidance note 2)	Outdoors		
				Both		
Tue			Please give further details here (please read g	uidance note 3	3)	
Wed						
Thur			State any seasonal variations for the provisi entertainment of a similar description to that			
Fri			(please read guidance note 4)			
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar			
Sun			description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)			



Late night refreshment Standard days and			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
timings (please read guidance note 6)				Outdoors	
Day	Start	Finish		Both	
Mon	2300	0030	Please give further details here (please read g	uidance note 3	3)
Tue	2300	0030			
Wed	2300	0030	State any seasonal variations for the provising refreshment (please read guidance note 4)	sion of late i	night
Thur	2300	0030			
Fri	2300	0030	Non standard timings. Where you intend to for the provision of late night refreshment at	different time	es, to
Sat	2300	0030	those listed in the column on the left, pleas guidance note 5)	<u>e list</u> (please	read
Sun	2300	0000			

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Supply of alcohol Standard days and timings (please read		s and	Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	
· ·	timings (please read guidance note 6)			Off the premises	
Day	Start	Finish		Both	×
Mon	11:00	00:00	State any seasonal variations for the supply read guidance note 4)	<b>of alcohol</b> (pl	ease
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00	Non standard timings. Where you intend to for the supply of alcohol at different times to	those listed in	
Fri	11:00	00:00	<u>column on the left, please list</u> (please read gui	dance note 5)	
Sat	11:00	00:00			
Sun	12:00	23:30			



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

Name Claire Margaret Kitching

### Address

B21 Saxton The Avenue Leeds

 Postcode
 LS9 8FE

 Personal Licence number (if known)

 LEEDS/PERL/06340/12

 Issuing licensing authority (if known)

 Leeds City Council

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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) N/A

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Hours premises are open to the public Standard days and timings (please read guidance note 6)		blic 's and e read	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	00:30	
Tue	11:00	00:30	
Wed	11:00	00:30	
			Non standard timings. Where you intend the premises to be
Thur	11:00	00:30	open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	11:00	00:30	
Sat	11:00	00:30	
Sun	12:00	00:00	

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)

1. There will be no spirits sold on the premises.

2. Off sales of alcohol will be limited to specially selected craft beers, ciders and wine that will be sold by the bottle.

### b) The prevention of crime and disorder

3. A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up to date contact details for the DPS and all personal licence holders.

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

5. The system will conform to current West Yorkshire Police guidelines in respect of business related CCTV equipment. It will be adequately maintained and be capable of transporting recorded material onto removable media.

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

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7. At all times that licensable activities are taking place there will 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 or the Licensing Authority.

8. Where high category football matches are played in Leeds and the Police have reasonably held concerns relating to disorder the venue will not open on the day of the match during times specified by West Yorkshire Police and/or British Transport Police.

9. An Incident Report Register will be kept, it will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported. The names and numbers of any Police officers attending, the confirmation of whether there is CCTV footage of the incident.

10. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.

11. There will be a minimum of 60 seats in the premises at all times when licensable activities are taking place.

### c) Public safety

12. Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.

13. 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.

14.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.

15. 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.

16. One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models.

- a) Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA.
- b) Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

17.A spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.

18. A suitably trained first aider or appointed person will be provided at all times when the premises are

open.

## d) The prevention of public nuisance

19. Noise from the premises shall be inaudible at the nearest noise sensitive premises after 23.00 hrs.

20. Notices asking patrons to leave quietly shall be displayed at the premises.

21. No bottles shall be placed in the external receptacle after 23.00 hours to minimise disturbance to nearby properties.

## e) The protection of children from harm

22. The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.

#### Please tick yes

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

# 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



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#### **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	Uboas Ulur UP
Date	26 March 2012
Capacity	Woods Whur LLP (solicitors for the applicant)

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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					

	lication <b>(please re</b> Rees-Gay r LLP House	ously given) and postal addr <b>ad guidance note 13)</b>	ess for correspor	ndence associated
Post town	Leeds		Post code	LS1 2ED
Telephone	number (if any)	0113 234 3055		
If you would chris@wood	•	espond with you by e-mail	l your e-mail add	lress (optional)



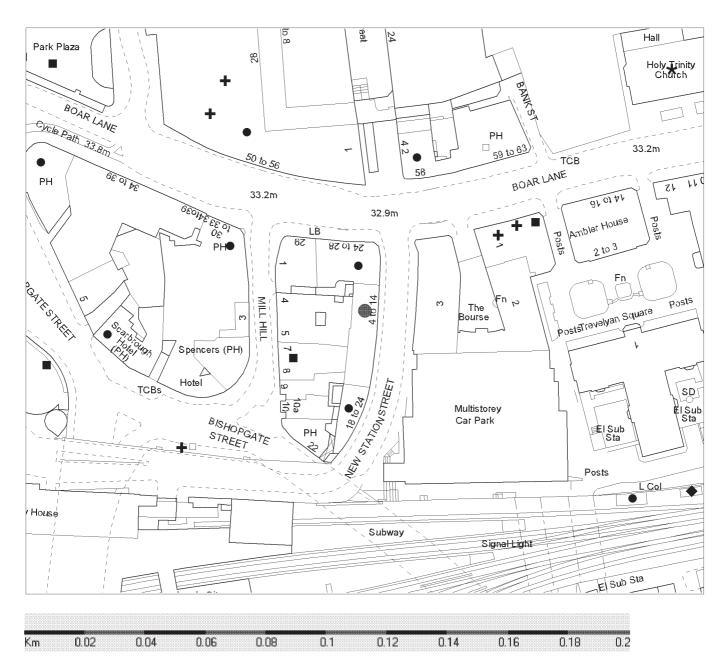


Leeds City Council

**Entertainment Licensing** 

## PREM/03173/001

## Friends of Ham, 4 New Station Street, Leeds, LS1 5DL



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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## **Cumulative Impact Policy**

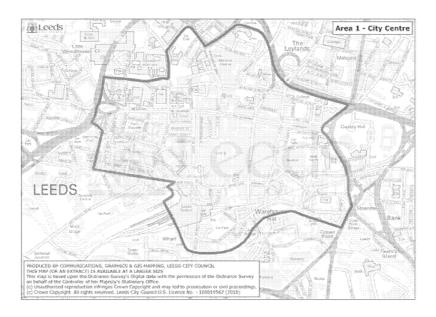
## Area 1 - City Centre



#### **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.

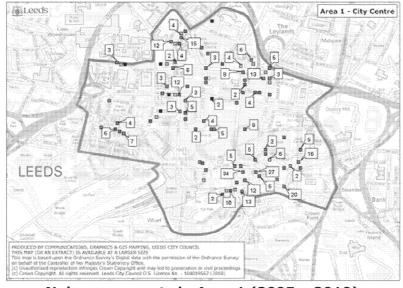
In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

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

Appendix



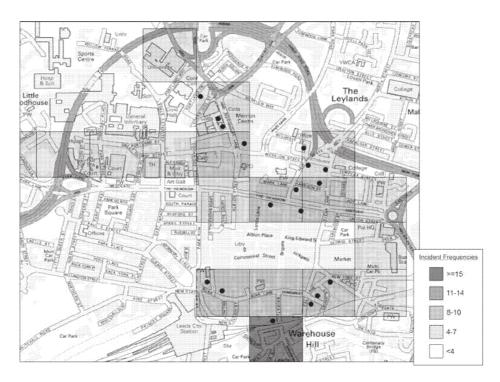
Nuisance reports in Area 1 (2005 – 2010)

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:

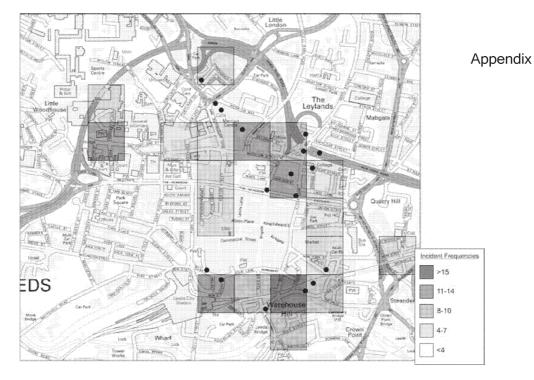
- 94% of serious violent offences have been committed in the night-time economy (NTE) period.
- 63% of offences committed in the NTE are affected by alcohol
- 20% of offences committed in the NTE are committed within licensed premises
- Between 2008 and 2009 incidents have increased by 26 equating to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

Fig 3



**Serious Violent Crime hot-spots** 

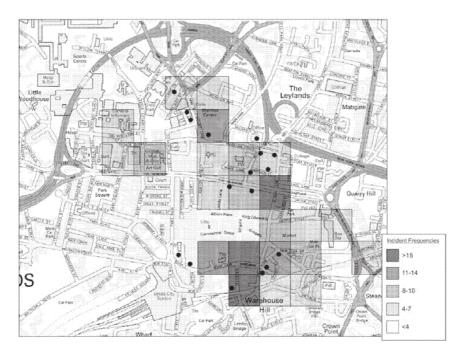
Fig 3 shows density of serious violent crime offences in Area 1. The coloured dots are licensed premises however, have not been identified individually by name.



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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#### **Licensing Department**

Millgarth Police Station Millgarth Street Leeds LS2 7HX

Leeds District Licensing Department

Tel: 0113-2413072 Fax: 0113-2413123 Email: catherine.arkle@westyorkshire.pnn.police.uk Website:

Your ref: Our ref:

19<sup>th</sup> April 2012

Woods Whur LLP Devonshire House 38, York Place Leeds LS1 2ED

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

#### RE: FRIENDS OF HAM, 4 NEW STATION STREET, LEEDS, LS1 5DL APPLICATION FOR 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 27th March 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.

#### <u>CIP - Area 1 – Leeds City Centre</u>:

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

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Page 27

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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 3<sup>rd</sup> 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 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 operating with the capability of being alcohol led premises, 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 5548 Cath Arkle Divisional Licensing Officer City & Holbeck

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Appendix E

Mr Christopher Rees-Gay Woods Whur LLP Devonshire House 38 York Place Leeds LS1 5DL ENTERTAINMENT LICENSING 1 7 APR 2012 RECEIVED

Dear Mr Rees-Gay

## Licensing Act 2003 Name of Premises: Friends Of Ham Address: 4 New Station Street, Leeds, LS1 5DL

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

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Contact: M Bird Tel: 0113 3951162 Fax: michael.bird@leeds.gov.uk Our reference: PREM/03173/001 17 April 2012

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

The application premises is situated within a Cumulative Impact Policy Area, which requires you to submit sufficient information to satisfy this service that granting of a new licence will not add to the impact already being experienced.

Your proposals have the potential to create noise disturbance from the premises due to music and the activity of patrons, especially to the occupiers of the flats above. In addition, the application may increase the number of late night/early morning revellers in the area. Therefore, there is a greater potential for public nuisance to noise sensitive occupants if this application is granted.

It is noted that you have submitted steps that you intend to take to promote the prevention of public nuisance. Unfortunately, the measures proposed may not adequately control all the relevant issues.

Therefore, 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, and we regret to inform you that we are fully objecting to your application.

If you have any questions please do not hesitate to contact me.

Yours sincerely

M Bird Senior Environmental Health Officer

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# Report of the Head of Licensing and Registration

# **Report to the Licensing Sub Committee**

# Date: 21st May 2012

# Subject: Application for the grant of a premises licence for Fresh Munch 43 Wade Lane, Leeds, LS2 8NJ

Are specific electoral Wards affected?	🖂 Yes	🗌 No
If relevant, name(s) of Ward(s): City & Hunslet		
Are there implications for equality and diversity and cohesion and integration?	🗌 Yes	🛛 No
Is the decision eligible for Call-In?	🗌 Yes	🛛 No
Does the report contain confidential or exempt information?	🗌 Yes	🛛 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 Fresh Munch 43 Wade Lane, Leeds, LS2 8NJ.

The application is for late night refreshment. Full details of the activities and hours can be seen 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.

# 1.0 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 The premises were previously licensed under the Licensing Act 2003, and the premises were known as Merrion Deli. The activites and hours were:

Late night refreshment every day 23:00 until 04:00 am.

The premises licence was surrendered in July 2008.

### 3.0 The Application

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

Late night refreshment Everyday 23:00 until 04:00 am

Non Standard Timings:

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

# 4.0 Other matters relevant to the application

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 premise is attached at Appendix B.

# 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 ojectives 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 C.

# 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 <u>Representations from Responsible Authorities</u>
- 8.2.1 Representations have been received from West Yorkshire Police and Environmental Protection Team in their capacity as a responsible authority.
- 8.2.2 The representation submitted by West Yorkshire Police, remains as a matter for Members consideration. A copy of the same may be found at Appendix D.
- 8.3 The representation submitted by Environmental Protection Team, remains as a matter for Members consideration. A copy of the same may be found at Appendix E.
- 8.4 <u>Representations from Interested parties</u>
- 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 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.
- 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
- Representations received from Interested Parties

PRZM/03174/001

# Appendix A





Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

### 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 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 <u>SAOIB</u> <u>Hussan</u> (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 Middle III LICENSING

### Part 1 – Premises Details

Postal address of premises or, if none, ord	Inance survey map reference or description
FRESH MUNCH 43 WADE LANE	RECENTED
Post town	Post code LS2 8NRT.
Telephone number of premises (if any)	0113 245 8777

Non domestic rateable value of premises

|--|

# Part 2 – Applicant Details

Please state whether you are applying for the licence as:

			Please tick	⊠ yes
a)	an i	ndividual or individuals*	V	please complete section (A)
b)	a pe	erson 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 re	cognised club		please complete section (B)

				۸n	nondiv
d)	a charity			please complete section	
e)	the proprietor of an educational establishme	ent		please complete section	(B)
f)	a health service body			please complete section	(B)
g)	a person who is registered under Part 2 of the Standards Act 2000 (c14) in respect of an in hospital in Wales	ne Care idependent		please complete section	(B)
ga)	a person who is registered under Chapter 2 the Health and Social Care Act 2008 in resp carrying on of a regulated activity (within the of that Part) in an independent hospital in Er	ect of the meaning		please complete section (	(B)
h)	the chief officer of police of a police force in and Wales	England		please complete section (	B)
*lf yo	u are applying as a person described in (a) o	r (b) please c	confirm	1:	
				Please tick	☑ yes
•   p	am carrying on or proposing to carry on a bus remises for licensable activities; or	siness which	involv		
• 1	am making the application pursuant to a				
0	Statutory function or				
0	A function discharged by virtue of Her Maj	estv's prerog	ative		
		,			
(A) I	NDIVIDUAL APPLICANTS (fill in as applicab	ole)			
Mr				Other titl	
Surna	Mrs Miss	Ms 🛄	-	(for example, Rev	)
		First name			
	HUSSAN	SAC	QIB		
				Please tick	⊠ yes
l am 1	8 years old or over				Z
if diffe	nt postal address rent from ses address				
Post T	own Po	ostcode			
Daytin	ne contact telephone number	07774	2	90383	
Email	address (optional)	quiries	@ n	2 design co.uk	

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 $\mathbf{a}^{(i)}$ 

# Annondiv SECOND INDIVIDUAL APPLICANT (IF APPLICABLE) Other title Miss Mr | Mrs Ms (for example, Rev) **First names** Surname Please tick I yes I am 18 years old or over Current postal address if different from premises address Postcode Post Town Daytime contact telephone number Email address (optional)

### (B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

# Part 3 Operating Schedule

# Annondiv

	Day		Mor	ith	Yea	r 👘		
When do you want the premises licence to start?	3	0	0	4	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		Mor	h	Yea	r		
-		, iden		L	1			- L
Please give a general description of the premises (please re	ead gi	udani	ce no	le I)				
HOT FOOD TAKEAWAY AD JOINING A	dOT H	ER	Нот	FOOL	) TA	KE F	<i>inia</i>	4
CONSISTING OF GRONND FLOOR & BA	SEN	NENT	r _57	ORA	9E 1	9R6	4.	
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 Schedule 1 and 2 to the Licensing Act 2003) Please tick ☑ yes

#### **Provision of regulated entertainment**

- 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) performance 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 for:

- 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)

Sale by retail of alcohol (if ticking yes, fill in box M)

#### In all cases complete boxes N, O and P

Plays		t timin an	Will the performance of a play take place indoors or outdoors or both – please tick ☑ (please read guidance	Indoors	
	rd days and read guida	ance note 6)	note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance no	te 3)	
Tue					
Wed			State any seasonal variations for performing play (pleas	e read guidance not	te 4)
Thur					
Fri			Non standard timings. Where you intend to use the pre- plays at different times to those listed in the column on read guidance note 5)	mises for the perfo the left, please list	rmance of (please
Sat					
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Films Standa	rd days and	timinas	Will the exhibition of a films take place indoors or outdoors or both – please tick ☑ (please read guidance	Indoors	
		ince note 6)	note 2)	Outdoors	
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Tue					
Wed			State any seasonal variations for the exhibition of films	(please read guidance	e note 4)
Wed Thur			State any seasonal variations for the exhibition of films	(please read guidance	e note 4)
			Non standard timings. Where you intend to use the pre films at different times to those listed in the column on	mises for the exhibit	ion of
Thur			Non standard timings. Where you intend to use the pre	mises for the exhibit	ion of

Standa	rd days and	<b>ig events</b> d timings ince note 6)	Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			
Fri			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. (please read guidance note 5)
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Sun			-

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# D

	ig or wre tainment		Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick ☑ (please read	Indoors	
Standa	rd days and		guidance note 2)	Outdoors	
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Mon			Please give further details here (please read guidance not	<b>∋</b> 3)	
Tue			-		
Wed			State any seasonal variations for the boxing or wrestling guidance note 4)	entertainment (plea	ase read
Thur			-		
Fri			Non standard timings. Where you intend to use the pre- entertainment at different times to those listed in the col (please read guidance note 5)		
Sat					
Sun			-		

	nusic		Will the performance of live music take place indoors or outdoors or both – please tick ☑ (please read	Indoors	
	rd days and read guida	timings ince note 6)	guidance note 2)	Outdoors	
Day	Start	Finish		Both	
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Tue					
Wed			State any seasonal variations for the performance of liv note 4)	<b>e music</b> (please rea	ad guidance
Wed Thur				<b>e mus</b> ic (please rea	ad guidance
Thur			Non standard timings. Where you intend to use the pre-	mises for the perfo	ormance of
			Non standard timings. Where you intend to use the pre	mises for the perfo	ormance of

# F

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<u>,</u> ...

Recorded music			Will the playing of recorded music take place indoors or outdoors or both – please tick ☑ (please read	Indoors	
Standard days and timings (please read guidance note 6)		ince note 6)	guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance no	te 3)	
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Wed			State any seasonal variations for the playing of recorded music (please read guidar note 4)		juidance
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing or recorded music at different times to those listed in the column on the left, pleat (please read guidance note 5)		of ease list.
Sat					
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		of dance	Will the performance of dance take place indoors or outdoors or both – please tick ☑ (please read guidance	Indoors	
	rd days and read guida	timings ince note 6)	note 2)	Outdoors	
Day	Start	Finish		Both	
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			4) Non standard timings. Where you intend to use the pre dance at different times to those listed in the column or	mises for the perfo	ormance of
Thur			4) Non standard timings. Where you intend to use the pre	mises for the perfo	ormance of

. . .,

# Η

Anything of a similar description to that falling within (e), (f) or			Please give a description of the type of entertainment y	ou will be providin	9	
	rd days and		Will the entertainment take place indoors or outdoors or both – please tick ☑ (please read guidance note 2)	Indoors		
(piease	read guida	ance note 6)		Outdoors		
Day	Start	Finish		Both		
Mon	<u> </u>		Please give further details here (please read guidance no	te 3)		
Tue			-			
Wed	-		State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Thur						
Fri			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. (please read guidance note 5)			
Sat						
Sun			-			
Sun			-			

for m Standa	Provision of facilities for making music Standard day and timings (please read guidance note 6)		Please give a description of the facilities for making mu	isic you will be pro	viding	
			Will the facIlities for making music be indoors or outdoors or both – please tick ☑ (please read guidance	Indoors		
			note 2)	Outdoors		
Day	Start	Finish	7	Both		
Mon			Please give further details here (please read guidance note 3)			
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)			
Wed						
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left please list. (please read guidance note 5)			
Sat		- 				
Sun			-			

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Provision of facilities for dancing Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick ☑ (please read guidance note 2)	Indoors Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance not	e 3)	
Tue			-		
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		uidance
Thur			-		
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, p list, (please read guidance note 5)		sion of left, please
Sat					
Sun			-		

# Κ

Provision of facilities for entertainment of a similar description to			Please give a description of the type of entertainment fa	icility you will be p	roviding	
that fa		thin I or J	Will the entertainment facility be place indoors or outdoors or both – please tick ☑ (please read guidance	Indoors		
		ince note 6)	note 2)	Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read guidance no	te 3)		
Tue			-			
Wed			State any seasonal variations for the provisions of facilities for entertainment similar description to that falling within I or J (please read guidance note 4)		ent of a	
Thur						
Fri			Non standard timings. Where you intend to use the premises for the facilities for entertainment of a similar description to that falling with different times to these listed in the solumn on the left.		Jat	
Sat			guidance note 5)	~		
Sun						
Fri Sat			Non standard timings. Where you intend to use the pre facilities for entertainment of a similar description to th different times to those listed in the column on the left,	mises for the p	orovi n l or	

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			Indoors	
		guidance note 2)	Outdoors	
Start	Finish		Both	
23.00	04.00	<b>J *</b>		
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23.00	04.00		ght refreshment (plea	ise read
23.00	04.00	N/A		
23.00	04.00			
		list. (please read guidance note 5)		
Sat 23.00 04.00 BOMING DAY - 23.00 - 05:00				
		NEW VERACENE - 23.00 - 05.00		
23.00	04.00	THE TEAKS EVE - AUTO		
		1		
	rd days and the read guidant start $23.00$ 23.00 23.00 23.00 23.00 23.00 23.00	23.00 04.00 23.00 04.00 23.00 04.00 23.00 04.00 23.00 04.00 23.00 04.00 23.00 04.00	Index read guidance note 6)index index index index guidance note 2)index index index index index guidance note 2)StartFinish23.0004.00Please give further details here (please read guidance note SERVING OF Hot Food To BE EITHER ON OR OFF THE REAMISES (8 SEAT C STYLE)23.0004.00State any seasonal variations for the provision of late nig guidance note 4)23.0004.00State any seasonal variations for the provision of late nig guidance note 4)23.0004.00Non standard timings. Where you intend to use the pren night refreshment at different times to those listed in the list. (please read guidance note 5)23.0004.00BOXING DAY - 23.00 - 05:00 NEW YEARS EVE - 23.00 - 05:00	Indication (d days and timings read guidance note 6)indoors or outdoors or both - please tick $\boxtimes$ (please read guidance note 2)OutdoorsStartFinishBoth23:0004:00Please give further details here (please read guidance note 3) SERVING OF Hot Food To BE EITHER Convision ON OR OFF THE PREMISES (B SEAT CARACITY - DIME STYLE)23:0004:00State any seasonal variations for the provision of late night refreshment (plea guidance note 4)23:0004:00State any seasonal variations for the provision of late night refreshment (plea guidance note 4)23:0004:00Non standard timings. Where you intend to use the premises for the provision night refreshment at different times to those listed in the column on the left, plist. (please read guidance note 5)23:0004:00BoxING DAY - 23:00 - 05:00 NEW YEARS EVE - 23:00 - 05:00

M						
		Will the supply of alcohol be for consumption on or off the premises or both – please tick 🗹 (please read	On the premises			
		guidance note 7)	Off the premises			
Start	Finish		Both			
	-	State any seasonal variations for the supply of alcohol (r	blease read guidance r	note 4)		
		-				
		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 list.)		of (please		
	rd days and read guida	ly of alcohol rd days and timings read guidance note 6) Start Finish	rd days and timings read guidance note 6)       the premises or both – please tick I (please read guidance note 7)         Start       Finish         Start       Finish         State any seasonal variations for the supply of alcohol (p         Non standard timings. Where you intend to use the premises	rd days and timings read guidance note 6)       the premises or both – please tick I (please read guidance note 7)       Off the premises         Start       Finish       Both         Start       Finish       State any seasonal variations for the supply of alcohol (please read guidance note 7)         Non standard timings.       Where you intend to use the premises for the supply of alcohol alcohol alcohol alcohol at different times to those listed in the column on the left, please list.		

. <sup>с1</sup>

State the name and details of the individual whom you wish to specify on the licence as premises supervisor
Name
Address
Postcode
Personal licence number (if known)
Issuing licensing authority (if known)

# Ν

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 • • •

# 0

Hours premises are open to the public Standard days and timings (please read guidance note 6)		olic imings	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	23.00	04.00	
Tue	23.00	04.00	
Wed	23.00	04.00	
			Non standard timings. Where you intend to open the premises to be open to public at different times from those listed in the column on the left, please list
Thur	23.00	94.00	(please read guidance note 5)
Fri	23.00	04.00	BOXING DAY 23.00 -05.00
			NEW YEARS EVE 23:00 - 05:00
Sat	23.00	04.00	
Sun	23.00	04.00	

# Ρ

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)

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- STAFF TRAINING ON LICENSING ISSUES
- CCTV
```

b) The prevention of crime and disorder

- DISCOURAGE CRIMINAL CONDUCT BY DISPLAYING NOTICES EQ. WE HAVE THE RIGHT TO REFUSE ANYONE WHO IS DISORDERLY & VIOLENT
- PROVIDE ADEQUATE LIGHTING

c) Public safety

- DISPLAY RUBLIC NOTICES
- -FIRST MD PROVISION
- PROVIDE SEATING MERANGEMENTS (UP TO 8 PEOPLE)
- WORK WITH POLICE & LOCAL POSO'S IN ORDER TO RESOLVE HANY RUBLIC ISSUES

d) The prevention of public nuisance

- ENSURE DELIVERIES ARE MADE BETWEEN 0700 AND 19.00
- REFUSAL TO SERVE DISORDERLY
- PROVIDE LITTER BINS INSIDE THE PREMISES
- NOTICES TO ENCOURAGE AGMINST LITTERING
- NOTICE ASKING PATHONS TO LEAVE QUIETLY.

e) The protection of children from harm

- A LIMIT ON THE HOURS TO WHICH CHILDREN CAN BE PRESENT ON THE PREMISES
- REQUIREMENT TO BE ACCOMPANYIED BY AN ADULT AFTER CERTAIN TIMES

- 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)

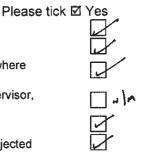
Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	AGENT.

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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 address for correspondence associated with
this application (please read guidance	note 19)
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond	with you by e-mail, your e-mail address (optional)
Enquiries @ m.	I design. co.uk



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# Notes for guidance

- 1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is 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 i.e. Christmas Eve.
- 6. Please give timings in 24 hour clock (eg 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 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 exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 10. The application form must be signed.
- 11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
- 13. This is the address which we shall use to correspond with you about this application.

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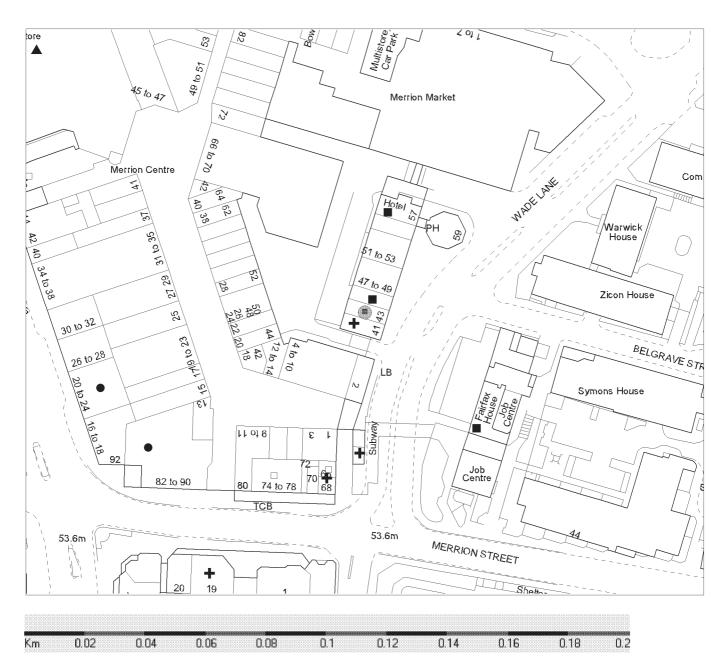


Leeds City Council

**Entertainment Licensing** 

# PREM/03174/001

# Fresh Munch, 43 Wade Lane, Leeds, LS2 8NJ



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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# **Cumulative Impact Policy**

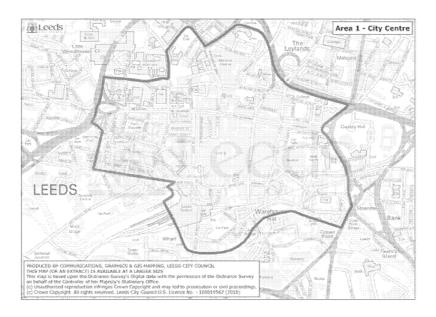
# Area 1 - City Centre



### **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.

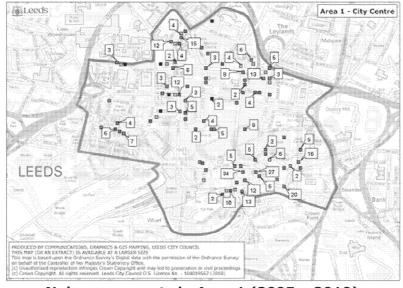
In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

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

Appendix



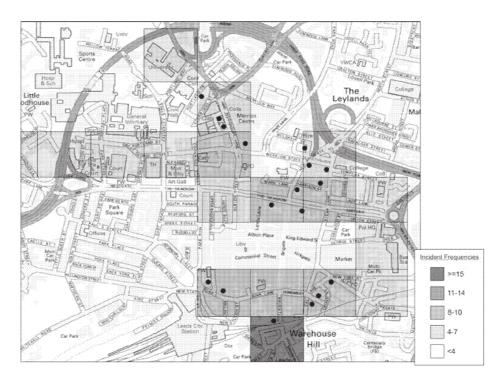
Nuisance reports in Area 1 (2005 – 2010)

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:

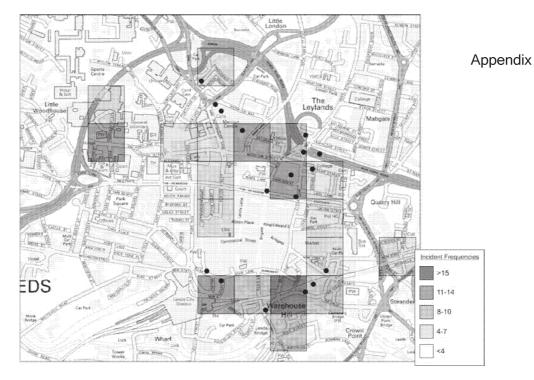
- 94% of serious violent offences have been committed in the night-time economy (NTE) period.
- 63% of offences committed in the NTE are affected by alcohol
- 20% of offences committed in the NTE are committed within licensed premises
- Between 2008 and 2009 incidents have increased by 26 equating to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

Fig 3



**Serious Violent Crime hot-spots** 

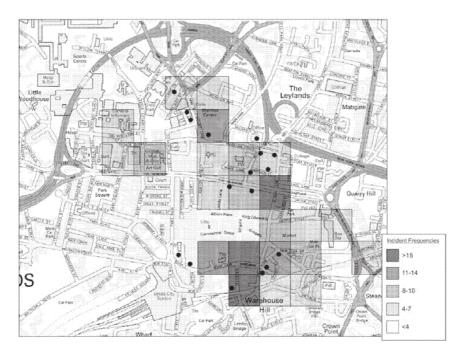
Fig 3 shows density of serious violent crime offences in Area 1. The coloured dots are licensed premises however, have not been identified individually by name.



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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### **Licensing Department**

Millgarth Police Station Millgarth Street Leeds LS2 7HX

Leeds District Licensing Department

Tel: 0113-2413072 Fax: 0113-2413123 Email: catherine.arkle@westyorkshire.pnn.police.uk Website:

Your ref: Our ref:

19<sup>th</sup> April 2012

Mr.Saqib Hussain c/o Fresh Munch 43, Wade Lane Leeds LS2 8NG

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

### RE: FRESH MUNCH, 43, WADE LANE, LEEDS, LS2 8NG APPLICATION FOR 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 30th March 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.

#### <u>CIP - Area 1 – Leeds City Centre:</u>

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. As a part of the process back then, in 2004 West Yorkshire Police provided detailed statistical analysis of

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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 3<sup>rd</sup> 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 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 operating as a late night refreshment venue, 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 5548 Cath Arkle Divisional Licensing Officer City & Holbeck

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x

Mr Saqib Hussain 43 Wade Lane Leeds West Yorkshire LS2 8NJ 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/03174/001 17 April 2012

Dear Mr Hussain

### Licensing Act 2003 Name of Premises: Fresh Munch Address: 43 Wade Lane, Leeds, LS2 8NJ

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

The application premises is situated within a Cumulative Impact Policy Area, which requires you to submit sufficient information to satisfy this service that granting of a new licence will not add to the impact already being experienced.

Your proposals have the potential to increase the number of late night/early morning revellers in the area. Therefore, there is a greater potential for public nuisance to noise sensitive occupants if this application is granted.

It is noted that you have submitted steps that you intend to take to promote the prevention of public nuisance. Unfortunately, the measures proposed may not adequately control all the relevant issues.

Therefore, 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, and we regret to inform you that we are fully objecting to your application.

If you have any questions please do not hesitate to contact me.

Yours sincerely

M Bird Senior Environmental Health Officer This page is intentionally left blank