



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
MONDAY, 3RD SEPTEMBER, 2012 AT 10.00 AM

MEMBERSHIP

Councillors

P Latty - Guiseley and Rawdon;
G Hyde - Killingbeck and Seacroft;
C Townsley - Horsforth;

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 DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19 -20 of the Members' Code of Conduct.</p>	
6	Burmantofts and Richmond Hill	10.4(7)	<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR AFRO DIASPORA, UNIT 10, SHAFTESBURY PARADE, HAREHILLS LANE, HAREHILLS, LEEDS, LS9 6PJ</p> <p>To consider the report of the Head of Licensing and Registration setting out details of an application for the grant of a premise licence in respect of Afro Diaspora, Unit 10, Shaftesbury Parade, Harehills Lane, Harehills, Leeds, LS9 6PJ.</p> <p>(Report attached)</p> <p>PLEASE NOTE : Appendix D to the report is regarded as containing exempt information under the provisions of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)</p>	1 - 82
7	Garforth and Swillington		<p>APPLICATION TO VARY A PREMISES LICENCE FOR THE SWILLINGTON HOTEL, 40 WAKEFIELD ROAD, SWILLINGTON, LEEDS, LS26 8JD TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR</p> <p>To consider the report of the Head of Licensing and Registration setting out details of an application to vary a premises licence for the Swillington Hotel, 40 Wakefield Road, Swillington, Leeds, LS26 8DJ to specify an individual as designated premises supervisor</p> <p>(Report attached)</p>	83 - 96

Item No	Ward	Item Not Open		Page No
8	Garforth and Swillington	10.4(1)	<p>APPLICATION FOR THE GRANT OF A PERSONAL LICENCE FOR MR SAM DONNELLY</p> <p>To consider the report of the Head of Licensing and Registration setting out details of an application for the grant of a Personal Licence for Sam Donnelly for the Swillington Hotel, 40 Wakefield Road, Swillington, Leeds, LS26 8DJ</p> <p>(Report attached)</p> <p>PLEASE NOTE : Appendix A and C to the report is regarded as containing exempt information under the provisions of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)</p>	97 - 120

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Report author: Mrs Emma White
0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 3rd September 2012

**Subject: Application for the grant of a premises licence for Afro Diaspora Unit 10 ,
Shaftesbury Parade, Harehills Lane, Harehills, Leeds, LS9 6PJ**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Burmantofts & Richmond Hill		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:10.4(7)		
These Appendices are regarded as exempt under provision of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)		
Appendix number: D		

Summary of main issues

This is an application for the grant of a premises licence for Afro Diaspora Unit 10 , Shaftesbury Parade, Harehills Lane, Harehills, Leeds, LS9 6PJ. It should be noted that certain information submitted within the application is potentially exempt information under the Access to information Rule 10.4 (7) as it includes information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime, this information is also replicated in Appendix D

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

The application has attracted representations from other persons and responsible authorities

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

On the 16th June 2005 an application to convert an existing Justices 'ON' Licence was received from a Mr Flynn for the Starlight Bar and was duly granted for the following hours Sale by retail of alcohol Sun 12:00 - 22:30 and Mon to Sat 11:00 - 23:00, Recorded Music everyday 00:00 - 23:59.

On the 26th June 2006 Mr Flynn applied for a variation which was for structural changes only within the Starlight Bar following a fire. This was duly granted on the 25th July 2006.

On the 7th October 2009 Mr Tchamgo applied for the grant of Premises Licence under the name BYBLOS. This application was deemed invalid on the 1st December 2009 due to a number of errors with the advertisement of this application.

On the 24th August 2010 a transfer was received from Mr Khan for the Starlight Bar this was granted.

On the 10th November 2010 a Mr Khan submitted a variation to extend the opening hours, alcohol and to add live music, dancing and late night refreshment on a Friday and Saturday. This application attracted representations from Environmental Protection Team, West Yorkshire Police and members of the public. The application was refused at a committee hearing.

On the 12th December 2011 an application to vary the DPS and transfer the Premises Licence to a Mr Amiri was received. This attracted a representation from WYP and the transfer application was refused at the committee hearing. Subsequently the DPS application had to be withdrawn. The Premises Licence reverted back to Mr Khan.

On the 1st March 2012 WYP submitted a general review application

On the 2nd March 2012 Mr Khan surrendered the Premises Licence.

On the 23rd March WYP withdrew the general review application

On the 29th March 2012 the Premises Licence for the Starlight Bar lapsed as no licence transfer was received within the 28 day transfer period. There is currently no Premises Licence in Place

On the 17th July 2012 an application made by Mr Dooh for the grant of a Premises Licence for Afro Diaspora was received

On the 8th August 2012 a Temporary Event was applied for Sale by retail of alcohol, Provision of Regulated Entertainment, Late night refreshment, this was refused at the committee hearing on the 20th August 2012.

3.0 The Application

3.1 The applicant is Mr Jean-Claude Dooh,

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 on the premises, Recorded music ,Provision of facilities for making music,

Monday to Thursday 11:00 – 02:00

Friday and Saturday 11:00 – 04:00

Sunday 12:00 – 01:00

Performance of dance, Provision of facilities for dancing

Monday to Thursday 19:00 – 02:00

Friday and Saturday 22:00 – 04:00

Sunday 15:00 – 01:00

Late night refreshment

Monday to Thursday 23:00 – 02:00

Friday and Saturday 23:00 – 04:00

Sunday 23:00 – 01:00

Opening hours

Monday to Thursday 11:00 – 02:45

Friday and Saturday 11:00 – 04:45

Sunday 12:00 – 01:45

4.0 Other matters relevant to the application

4.1 The applicant intends to use the premises as a strong hold for the African community in Leeds Cameroonians, Ivorian's, Congolese in the first instance including other communities will join at any time and will be welcome to do so.

Afro-Diaspora will be holding social gatherings and activities such as :-

Meetings will be after regular Sunday football matches where they will discuss events happening in the community, night vigil for members of the community mourning the loss of loved ones, celebrations of different National days. They will also hold other social gatherings such as cultural evenings and baby showers. Although Afro-Diaspora is a business premises it will be used as the headquarter for the communities.

4.2 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. The applicant also proposes to take specific steps to promote the licensing objectives identified in the Pro-forma Risk Assessment; a copy of which may be found at Appendix A.

6.0 Proposed Designated Premises Supervisor

6.1 Jean-Claude Dooh 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 Representations

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

8.2 Representations from Responsible Authorities

8.3 Representations have been received from West Yorkshire Police and Environmental Protection Team.

8.4 The representation submitted by West Yorkshire Police is a full objection. A copy can be found at Appendix C. The chronology to support the WYP objection can be found at Appendix D

8.5 The representation submitted by the Environmental Protection team is a full objection. A copy can be found at Appendix E

8.6 Other representations

8.7 The application has attracted representations from other persons.

8.8 The Licensing Section is in the receipt of ten individual letters of objection. All of which are opposed to this application on the grounds of noise nuisance

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

8.10 Councillor Grahame will be representing other persons.

9.0 Options Available to Members

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

- Grant the 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.

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 appropriate 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 other persons

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Prem/03218/001
Appendix A

SCANNED

PREM1



Leeds
CITY COUNCIL

ENTERTAINMENT LICENSING

17 JUL 2012

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 JEAN-CLAUDE DOOH (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 <u>UNIT 10 SHAFTESBURY PARADE HAREHILLS LANE LS9 6PJ</u>	
Post town <u>LEEDS</u>	Post code <u>LS9 6PJ</u>

Telephone number of premises (if any)

[Empty box]

Non domestic rateable value of premises

£ 4.000

Part 2 – Applicant Details

Please state whether you are applying for the 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England 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 Mrs Miss Ms Other title (for example, Rev)

Surname

First names

DOOH

JEAN-CLAUDE

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

59 BEXLEY AVENUE

Post Town

LEEDS

Postcode

LS8 5LT

Daytime contact telephone number

[REDACTED]

Email address (optional)

[REDACTED]

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address
if different from
premises address

Post Town

Postcode

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

When do you want the premises licence to start?

Day	Month	Year
03	08	2012

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 note 1)

AFRO DIASPORA AT N° 10 SHAFTESBURY PARADE IS A 30X10M
 AT THE TOP END IS THE BAR. ON THE SIDES, PARTITIONED SEATING AND
 TABLES WITH WOODEN FLOOR, A DANCING PISTE.
 OPPOSITE THE PREMISES THERE ARE FEW SHOPS BEHIND IS THE JOB
 CENTRE, BESIDE IS THE CHEMIST.

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

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 <input checked="" type="checkbox"/> (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 play (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 a films take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (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

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			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
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)
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Both	<input type="checkbox"/>	Please give further details here (please read guidance note 3)
Tue					
Wed			State any seasonal variations for the 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)			Will the performance of live music take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (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								
Wed						State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur								
Fri						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. (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 <input checked="" type="checkbox"/> (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)					
Mon	11.00	02.00						
Tue	11.00	02.00						
Wed	11.00	02.00				State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	11.00	02.00						
Fri	11.00	04.00				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)		
Sat	11.00	04.00						
Sun	12.00	01.00						

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (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)		
Mon	19.00	02.00			
Tue	19.00	02.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	19.00	02.00			
Thur	19.00	02.00	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. (please read guidance note 5)		
Fri	22.00	04.00			
Sat	22.00	04.00			
Sun	15.00	01.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
			Will the entertainment take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (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 entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing							
			Will the facilities for making music be indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input checked="" type="checkbox"/>									
Outdoors	<input type="checkbox"/>									
Both	<input type="checkbox"/>									
Day	Start	Finish								
Mon	11.00	02.00	Please give further details here (please read guidance note 3)							
Tue	11.00	02.00								
Wed	11.00	02.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)							
Thur	11.00	02.00								
Fri	11.00	04.00	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	11.00	04.00								
Sun	12.00	01.00								

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 <input checked="" type="checkbox"/> (please read guidance note 2)						
			<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input checked="" type="checkbox"/>								
Outdoors	<input type="checkbox"/>								
Both	<input type="checkbox"/>								
Day	Start	Finish							
Mon	19.00	02.00	Please give further details here (please read guidance note 3)						
Tue	19.00	02.00							
Wed	19.00	02.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)						
Thur	19.00	02.00							
Fri	22.00	04.00	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, please list. (please read guidance note 5)						
Sat	22.00	04.00							
Sun	15.00	01.00							

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)			Please give a description of the type of entertainment facility you will be providing																									
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td></td> <td></td> </tr> <tr> <td>Tue</td> <td></td> <td></td> </tr> <tr> <td>Wed</td> <td></td> <td></td> </tr> <tr> <td>Thur</td> <td></td> <td></td> </tr> <tr> <td>Fri</td> <td></td> <td></td> </tr> <tr> <td>Sat</td> <td></td> <td></td> </tr> <tr> <td>Sun</td> <td></td> <td></td> </tr> </tbody> </table>			Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			Will the entertainment facility be place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors <input type="checkbox"/>
			Day	Start	Finish																							
			Mon																									
Tue																												
Wed																												
Thur																												
Fri																												
Sat																												
Sun																												
Outdoors <input type="checkbox"/>																												
Both <input type="checkbox"/>																												
			Please give further details here (please read guidance note 3)																									
			State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)																									
			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. (please read guidance note 5)																									

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 <input checked="" type="checkbox"/> (please read guidance note 2)																									
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>23.00</td> <td>02.00</td> </tr> <tr> <td>Tue</td> <td>23.00</td> <td>02.00</td> </tr> <tr> <td>Wed</td> <td>23.00</td> <td>02.00</td> </tr> <tr> <td>Thur</td> <td>23.00</td> <td>02.00</td> </tr> <tr> <td>Fri</td> <td>23.00</td> <td>04.00</td> </tr> <tr> <td>Sat</td> <td>23.00</td> <td>04.00</td> </tr> <tr> <td>Sun</td> <td>23.00</td> <td>01.00</td> </tr> </tbody> </table>			Day	Start	Finish	Mon	23.00	02.00	Tue	23.00	02.00	Wed	23.00	02.00	Thur	23.00	02.00	Fri	23.00	04.00	Sat	23.00	04.00	Sun	23.00	01.00	Indoors <input checked="" type="checkbox"/>	Outdoors <input type="checkbox"/>
			Day	Start	Finish																							
			Mon	23.00	02.00																							
Tue	23.00	02.00																										
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Fri	23.00	04.00																										
Sat	23.00	04.00																										
Sun	23.00	01.00																										
Both <input type="checkbox"/>																												
Please give further details here (please read guidance note 3)																												
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)																									
			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)																									

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick <input checked="" type="checkbox"/> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11.00	02.00			
Tue	11.00	02.00			
Wed	11.00	02.00			
Thur	11.00	02.00			
Fri	11.00	04.00			
Sat	11.00	04.00			
Sun	12.00	01.00			
			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)		

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

Name **JEAN-CLAUDE DOOH**

Address **59 BEXLEY AVENUE**

Postcode **LS8 5LT**

Personal licence number (if known) **LEEDS/PERL/05522/10**

Issuing licensing authority (if known) **LEEDS CITY COUNCIL
ENTERTAINMENT LICENSING SECTION**

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)

(This area is currently blank for section N.)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	02.45	Non standard timings. Where you intend to open 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)
Tue	11.00	02.45	
Wed	11.00	02.45	
Thur	11.00	02.45	
Fri	11.00	04.45	
Sat	11.00	04.45	
Sun	12.00	01.45	

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)

- CCTV WILL BE INSTALLED
- CHALLENGE ANYONE WHO LOOKS UNDER AGE (I.D PROOF TO BE ASKED)
- AN ASK PATRONS TO LEAVE QUIETLY SIGN
- NOISE LIMITATION DEVICES INSTALLED TO REDUCE AN AMPLIFIER TO REDUCE AND CONTROL REGULATED ENTERTAINMENT

b) The prevention of crime and disorder

- WE WILL HAVE THE MINIMUM OF TWO DOOR SUPERVISORS AT THE PREMISES.
- DAILY RECORD REGISTER WILL BE CONSECUTIVELY NUMBERED PAGES.
- INCIDENT OF CRIME AND DISORDER WILL BE REPORTED TO THE POLICE
- ENTRY TO THE PREMISES WILL BE REFUSED TO ANY PERSON WHO APPEARS TO BE DRUNK, ACTING IN A THREATENING MANNER OR IS VICIOUS
- A POLICY FOR SEARCHING PATRONS AT THE ENTRANCE TO THE PREMISES WILL BE ADOPTED
- NOTICES WILL BE DISPLAYED AT THE ENTRANCE

c) Public safety

- WE WILL MAINTAIN A FIRST AID IN THE PREMISES IN ACCORDANCE WITH THE HEALTH AND SAFETY REGULATIONS 1981
- CCTV TO BE INSTALLED TO STANDARD ACCEPTABLE TO THE POLICE
- ALL DOOR STAFF TO BE REGISTERED WITH S.I.A
- THE PREMISES WILL BE PROVIDED WITH FIRE APPLIANCES SUITABLE TO FIRE RISK TO THE SATISFACTION OF THE FIRE AUTHORITY
- THE ELECTRICAL INSTALLATION WILL BE CHECKED ON ANNUAL BASIS
- A CLEAR UNOBSTRUCTED ROUTE LEADING FROM EACH FIRE EXIT TO A PLACE OF SAFETY SHALL BE PROVIDED AND MAINTAINED AVAILABLE FOR USE AT ALL TIMES

d) The prevention of public nuisance

- THERE WILL BE NO EXTERNAL LOUVA SPEAKER
- WE WILL ENSURE THAT CUSTOMERS WHO COMMIT ACT OF ANTI SOCIAL BEHAVIOUR ARE REMOVED FROM PREMISES. SUCH CUSTOMERS
- THERE WILL BE LIAISON WITH LOCAL TAXI TO ENSURE A READY SUPPLY OF TRANSPORT TO REDUCE DISTURBANCE
- THE D.P.S AND ANY DOOR SUPERVISORS WILL MONITOR THE ACTIVITY OF PERSONS LEAVING THE PREMISES AND REMIND THEM OF THEIR PUBLIC RESPONSIBILITY (LEAVE QUIETLY)

e) The protection of children from harm

- WE WILL ADOPT A PROOF OF AGE SCHEME WHICH IS APPROVED BY W.Y.P AND WEST YORKSHIRE TRADING STANDARD
- OUR STAFF WILL ASK FOR EVIDENCE OF AGE FROM ANY PERSON APPEARING TO BE UNDER AGE
- UNDER 18 WILL NOT BE ADMITTED, BUT FROM TIME TO TIME WE MIGHT HAVE COMMUNITY EVENTS WHERE CHILDREN WILL BE ACCOMPANIED WITH THEIR PARENTS THEY WILL BE WITH THE UNDER AT ALL TIME
- SINGNS WILL BE PROVIDED INFORMING CUSTOMERS THAT SALE WILL NOT BE MADE TO UNDER 18s AND THAT AGE IDENTIFICATION MAY BE REQUIRED.


- 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

Please tick Yes

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	13-07-2012
Capacity	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 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)	

AFRO – DIASPORA situated at :

Unit 10 Shaftesbury parade harehills lane LS9 6PJ will be a strong hold for Africans community in Leeds most precisely Cameroonians, Ivorians , Congolese to start with. Other communities will join at anytime and are welcome to do so.

AFRO – DIASPORA will be holding social gathering and activities such as :

- Meetings after our regular football matches every Sunday where we will discuss events happening in our community.
- Night vigile for a member of our community mourning the loss of their beloved one.
- Celebration of our different National Days.
- This premises will also hold other social gathering such as cultural evenings, Baby showers etc.

Although **AFRO – DIASPORA** is a business premises it will be used as the headquarter of communities named above and other Africans.

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

Consent of individual to being specified as premises supervisor

I, JEAN-CLAUDE DOOH of
full name of prospective premises supervisor

 of
home address of prospective premises supervisor

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[.....] by JEAN-CLAUDE DOOH
type of application *name of applicant*

relating to a premises licence [.....] for
number of existing licence, if any

[UNIT 10 SHAFTESBURY PARADE HAREHILLS LANE LS9 6PJ] and any
name and address of premises to which the application relates

premises licence to be granted or varied in respect of this application made by

[JEAN-CLAUDE DOOH] concerning the supply of alcohol at
name of applicant

[UNIT 1 SHAFTESBURY PARADE HAREHILLS LANE LS9 6PJ]. I also
name and address of premises to which application relates

confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number [PERL/05522/10]
insert personal licence number, if any

Personal licence issuing authority

[ENTERTAINMENT LICENSING CIVIC HALL LEEDS LS1 1UR]
insert name and address and telephone number of personal licence issuing authority, if any



JEAN-CLAUDE DOOH name (please print)

13-07-2012 dated

Licensing Act 2003**Proforma Risk Assessment V6**

Please complete the details below:

Applicant name:	JEAN-CLAUDE DODH
Business name:	AFRO - DIASPORA
Business address:	UNIT 10 SHAFTESBURY PARADE HAREHILLS LANE LEEDS (WEST YORKSHIRE)
	Postcode: LS9 6PJ

Guidance about this document

1. The Licensing Authority recommends that you complete this specially designed pro forma risk assessment to help you decide what should be entered in your operating schedule to show how you will promote the four licensing objectives.
2. Whilst the Licensing Authority cannot insist that you use this document it takes the view that it assists responsible authorities in assessing the operating schedule, promotes discussions and partnership working and will reduce the number of representations and hearings.
3. If you do not use this risk assessment pro forma then you will need to demonstrate how you will meet the licensing objectives by providing other supporting evidence via your operating schedule.
4. The Licensing Authority strongly recommends that you consult with the responsible authorities early in the application process to ensure that the measures you are suggesting are appropriate and sufficient for your application. Contact details for the responsible authorities are in the guidance note in the application pack. Please contact Entertainment Licensing if you cannot find this information.

How to use this document

1. This document has four sections which correspond with the four licensing objectives. In each section you will find information on potential control measures (each with an individual code) which we suggest may help you meet the four licensing objectives.
2. Run through the questions at the beginning of each section and consider the potential control measures listed in the columns beneath.
3. If you are happy to volunteer the control measures as part of your application place a tick in the relevant box in the right hand column. You can then enter the corresponding codes in page 14 of your application form in the boxes which match up with the licensing objectives or simply write "see pro forma risk assessment". These measures will then appear on your licence.

Crime and Disorder

CCTV

Does the premises have CCTV?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
Was the siting and standard agreed with West Yorkshire Police (WYP)?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with WYP?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If NO:	
Have you consulted WYP about whether CCTV should be installed?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
(NB unless WYP have agreed CCTV is not required, a representation is likely)	

Suggested measures	Code	✓
A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises .	6PF001	
The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).	6PF002	
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.	6PF003	
The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.	6PF004	
The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority	6PF005	
The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.	6PF006	
The CCTV system will contain the correct time and date stamp information.	6PF007	
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.	6PF008	
The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.	6PF009	
A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.	6PF010	

The CCTV system will be capable of securing relevant pictures for review or export at a later date.	6PF011	
The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.	6PF012	
The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.	6PF013	
It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.	6PF014	

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the DPS contactable in emergency?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Supervisor's Register bound with consecutively numbered pages?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Suggested measures	Code	✓
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.	6PF015	
The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.	6PF016	

Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Are they Security Industry Authority (SIA) registered?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you specify a minimum number of door supervisors?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, state the number of staff <u>02</u>	
Days (and times) employed _____	
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Do you have a policy with the door supervisor or security company which covers:	
• Vetting customers entering the premises?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Is there a prominently displayed written search policy on the premises?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Controlling customers entering, within or leaving the premises?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

• Safeguarding the public within and immediately outside the premises?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Notifying WYP at the earliest opportunity of any problems or incidents?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Exclusion of persons who have had too much to drink or appear inclined to disorder?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Daily Record Register bound with consecutively numbered pages?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Can you identify who was on duty at any particular time?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have an Incident Report Register?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Incident Report Register bound with consecutively numbered pages?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Suggested measures	Code	✓
The minimum number of door supervisors for the premises is _____ Please specify days and hours door supervisors operate on the premises.	6PF017	
The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.	6PF018	
The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).	6PF019	
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	6PF020	
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	6PF021	
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.	6PF022	
The Incident Report Register 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 police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.	6PF023	
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	6PF024	

Drugs and Offensive Weapons

Do you have a policy and procedure to prevent use of illegal drugs or weapons (e.g. a search policy)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the policy include:	
• recording any search	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• informing the police of any search and seizure	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	6PF025	✓
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	6PF026	✓
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.	6PF027	✓
Notices will be prominently displayed at the entrances of the premises which state: <ul style="list-style-type: none"> • a search will be conducted as a condition of entry to premises; • Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register. • Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. • entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances 	6PF028	✓

Communication

Do you subscribe to a form of communication link (radio/text/pager system). The system shall be recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police.	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
There will be a communication link via radio to other venues in the city centre. This will be the system recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police	6PF029	

Such communication link will be kept in working order at all times when licensable activities are taking place	6PF030	
The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	6PF031	
Any police instructions or directions given via the link will be complied with whenever given.	6PF032	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	6PF033	✓

Responsible Sale of Alcohol (cont)

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Alcohol Designated Public Places Orders</u>	
If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises. Or	6PF034	✓
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises.	6PF035	✓
<u>Glass and Bottles</u> Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.	6PF036	✓
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	6PF037	✓

Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	6PF038	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by West Yorkshire Police / British Transport Police (e.g. football match days)	6PF039	
<u>Alcohol Designated Public Places Orders</u> Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	6PF040	

Responsible Sale of Alcohol (cont)

<u>Membership of a Recognised Body</u> Do you belong to a Licensees Association/Body	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state which body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Exclusion from Premises</u> Do you operate a system of excluding customers who are known to cause problems?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• is this your own system or	
• a system run by a local licensees body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Dispersal Policy</u> Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour)	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
• Was this agreed with WYP (and BTP where applicable)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Are all bar and door staff trained on the policy?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives	6PF041	✓
The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The PLH/DPS will ensure that staff receive training on the policy.	6PF042	✓

Entertainment of an Adult Nature e.g. Strip Tease Dancing or Nude Dancing

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Please note that should you provide relevant entertainment more than 12 occasions per 12 month period or more frequently than monthly you will be required to apply for a Sex Establishment licence.	

Suggested measures	Code	✓
Entertainers will be aged no less than 18 years.	6PF043	
Price lists will be clearly displayed at each table and at each entrance to the premises.	6PF044	
Entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.	6PF045	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	6PF046	
Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence.	6PF047	
Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.	6PF048	
Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.	6PF049	
Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.	6PF050	
Sex toys must not be used and penetration of the genital area by any means must not take place.	6PF051	
Customers will not be permitted to throw money at the entertainers.	6PF052	
All areas used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.	6PF053	
All areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.	6PF054	✓

Public Safety

Management Arrangements

Suggested measures	Code	✓
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.	6PF055	✓
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.	6PF056	✓
During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.	6PF057	✓
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.	6PF058	✓
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	6PF059	✓
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. Inspection records/certificates will be kept and made available at the request of an authorised officer. 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.	6PF060	✓
<p>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:</p> <p>a) Each socket-outlet circuit will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or</p> <p>b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</p> <p>The current operation of all residual current devices will be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>	6PF061	✓

General Housekeeping

Do you have written procedures for the inspection of:

- Furnishings and fabrics YES NO N/A
- Suspended decorations/lights/amplification systems YES NO N/A
- Guarding to stairs/balconies/landings/ramps YES NO N/A
- Condition of floor surfaces YES NO N/A
- Provision of safety glazing YES NO N/A
- Guardings to fires or open flames YES NO N/A

Suggested measures	Code	✓
Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	6PF062	✓
Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.	6PF063	✓
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.	6PF064	✓

Refreshments

- Do you prepare hot food / drinks in proximity to the public? YES NO N/A
- If YES: YES NO N/A
- Has the risk of scalding or burns been assessed?

Suggested measures	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	6PF065	✓

First Aid

Do you have staff trained in First Aid?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state numbers <u>01</u>	
Do you provide facilities for treatment of minor injuries (e.g. First Aid box)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A suitably trained First Aider or appointed person will be provided at all times when the premises are open.	6PF066	✓
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	6PF067	
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times.	6PF068	
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.	6PF069	✓
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.	6PF070	✓

Special Effects

Do you use special effects on the premises, e.g. strobes, lasers, smoke machines or fireworks?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If yes, please give details :	

Suggested measures	Code	✓
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be appropriately trained.	6PF071	✓
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.	6PF072	✓

Public Nuisance

Noise and Vibration

<u>Noise and vibration</u>	
Identify the potential sources of noise and vibration which apply to your premises:	
<ul style="list-style-type: none"> • Amplified music • Unamplified music • Singing and speech • Waste disposal, including bottle bins • Plant and machinery, including extraction systems • Food preparation • Cleaning 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Identify where sources of noise may occur outside your premises:	
<ul style="list-style-type: none"> • Beer garden • Play area • Car park • Temporary structure • Plant and equipment 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Identify which measures are in place/proposed:	
<ul style="list-style-type: none"> • Soundproofing • Air conditioning to allow windows to be kept closed • Sound limiters • Use of lobby doors • Cooling down period with reduced music volume • Fixed and appropriate times for collection of waste • Restricted use of outdoor areas • No external loud speakers 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Are the premises located near noise sensitive properties, e.g. residential areas, residential homes, hospitals? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Applicants should refer to the Clean Neighbourhoods and Environment Act 2005 which has amended the Noise Act 1996 to introduce "night noise offences" for licensed premises in completing this section.	

Suggested measures	Code	✓
Licensable activities will be conducted and the facilities for licensed activities will be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties	6PF073	✓
Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.	6PF074	✓
There will be no external loudspeakers	6PF075	✓
Bottles will not be placed in any external receptacle after 23.00 hours and 07.00 hours to minimise noise disturbance to neighbouring properties	6PF076	✓

Noise from plant or machinery will be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery will be regularly serviced and maintained to meet this level.	6PF077	✓
The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 21:00/22:00/23:00* *Please delete as appropriate.	6PF078	
The activities of persons using the external areas will be monitored after 23:00hrs and they will be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary,	6PF079	✓
The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.	6PF080	✓

Litter

Does the premises sell takeaway food, drinks or other produce/packaging which may generate litter/waste? YES NO N/A

If YES, please identify the steps taken to prevent nuisance caused by litter:

CUSTOMERS ARE NOT ALLOWED TO TAKE THEIR BOTTLES AND GLASSES OUT OF THE PREMISES

- Provision of litter bins
- Display of notices to customers
- Warnings/advice on packaging
- Instructions to staff to periodically clear litter from the street around the premises
- Other (please specify)

Suggested measures	Code	✓
The PLH/DPS will ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter	6PF081	✓

Transport/Pedestrian Movement

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises? YES NO N/A

If YES:

What steps do you take to ensure that the procedure(s) works? *CHECKING WILL BE FAST AND ACCURATE TO PREVENT LONG QUEES AND DELAYS THAT CAN TRIGGER NOISES ALSO AT THE CLOSURE SECURITY STAFF WILL MONITOR AND ADVISE CUSTOMERS TO LEAVE PEACEFULLY*

Suggested measures	Code	✓
Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.	6PF082	✓
SIA Registered door staff will be employed and used where queues are likely to form to manage the queues and ensure: Queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.	6PF083	✓
The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.	6PF084	✓
A facility will be provided for customers to order Hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.	6PF085	✓

Protection of Children from Harm

Entertainment of an Adult Nature

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)? YES NO N/A

If so, do you only provide the adult entertainment at certain times/days of the week? YES NO N/A

Is your premises located near to premises which are children orientated? YES NO N/A

Suggested measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.	6PF086	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	6PF087	
Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age checks (including staff)	6PF088	
The PLH/DPS will not display outside the premises photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.	6PF089	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	6PF090	
Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.	6PF091	

Under Age Sales of Alcohol

Do the premises sell or supply alcohol? YES NO N/A

Suggested measures	Code	✓
People under 18 years of age will not be admitted.	6PF092	✓

Gambling

Is there a strong element of gambling on the premises? YES NO N/A

Suggested measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	6PF093	

or		
There will be sufficient physical screening of the relevant entertainment from view of those under 18 years.	6PF094	✓

Performers Under 18

Do entertainment performances include performances by children and young persons under 18 years of age?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE The Children (Performance) Regulations 1968 as amended – continue to apply but are not conditions on the licence as that would be duplication	

Suggested measures	Code	✓
The PLH/DPS will provide an adequate number of suitable adult supervisors who can provide care for the children as they move from stage to dressing room etc, and to ensure that all children can be accounted for in case of an evacuation or an emergency.	6PF095	
The venue will be suitable to accommodate safely the numbers of children intended.	6PF096	
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	6PF097	
The PLH/DPS will ensure that all special effects e.g. flashing lights, dry ice, smoke etc are suitable for the children involved in the performance.	6PF098	

Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises).	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you provide young persons discos or similar entertainment?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times.	6PF099	
For closely seated audiences, i.e. theatres and cinemas, the ratio of supervisors will be 1 per 25 children, provided that where the children are in the charge of an adult organiser such organisers will be regarded as attendants to an extent not exceeding half of the number of attendants required by the above condition 4PF088.	6PF100	
No child will be permitted to occupy the front row of any balcony gallery or tier, unless accompanied by and in the charge of a person who appears to have attained the age of 16 years.	6PF101	

Close supervision will be held when children use balconies and other raised areas.	6PF102	
Upon egress from the premises the Licensee will deploy staff on exit doors and within the vicinity of the premises to ensure the safe dispersal of children and the premises will not close until all children have left the area.	6PF103	

Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children? YES NO N/A

If YES state measures used:

Are your premises located near any adult orientated premises e.g. an adult retail sex shop or amusement arcade? YES NO N/A

Suggested measures	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all potential staff before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.	6PF104	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	6PF105	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.	6PF106	✓
The PLH/DPS will liaise with any adult orientated premises close to his/her premises which the Licensee suspects are at risk of admitting underage children from his/her own premises.	6PF107	✓

Appendix B

Key

- Non-Premises Licence / Terminated Licence
- ▣ Private Members Club
- * Community Premises (With Alcohol)
- * Community Premises (Without Alcohol)
- ◆ Entertainment Only
- ⊕ Outdoor Space – High Capacity
- ⊕ Late Night Refreshment
- ▲ Off Licence
- On Licence (Primary Use)
- On Licence (Secondary Use)

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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Title:	PREM/03218/001 Afro Diaspora
Sub Title:	Unit 10 Shaftesbury Parade, Harehills Lane, LS9 6PJ
Date:	20 August 2012
Scale:	1:1000



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NOT PROTECTIVELY MARKED**Licensing Department**

Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

Leeds District Licensing Department

Tel: 0113-2414023

Fax: 0113-2413123

Email: lynn.dobson@westyorkshire.pnn.police.uk

Website:

7 August 2012

Mr Jean – Claude Dooh,
 59 Bexley Avenue
 Leeds LS8 5LT

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

**RE: AFRO-DIASPORA, UNIT 10 SHAFTSBURY PARADE, HAREHILLS LANE, LEEDS LS9 6PJ
 APPLICATION FOR NEW PREMISES LICENCE – LICENSING ACT 2003:
POLICE – FULL OBJECTION:**

Thank you for submitting your application for the above premises, this application was received, at the address above, on 19 July 2012.

West Yorkshire Police are of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives.

We therefore confirm that we are submitting a formal representation against your application on the grounds of:-

1. the prevention of crime & disorder
2. the prevention of public nuisance, and
3. the protection of children from harm.

This application seeks the grant of a premises licence for on sales only. The details of the application are set out below:

**Sale of Alcohol
 Recorded Music
 Provision of facilities for making music**

**Monday – Thursday 1100hrs x 0200hrs
 Friday and Saturday 1100hrs x 0400hrs
 Sunday 1200hrs x 0100hrs**

**Performance of dance
 Provision of facilities for dancing**

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**Monday – Thursday 1900hrs x 0200hrs
Friday and Saturday 2200hrs x 0400hrs
Sunday 1500hrs x 0100hrs**

Late night refreshment

**Monday – Thursday 2300hrs x 0200hrs
Friday and Saturday 2300hrs x 0400hrs
Sunday 2300hrs x 0100hrs**

Non-standard timings are not proposed.

West Yorkshire Police would not support an application of this nature, based on a number of factors. The premises are situated in a predominantly residential area with very few commercial properties and no late night establishments.

The premises have been known previously as The Starlight Bar, The Ibiza Bar, and Byblos. A number of previous applications have been received and refused where concerns have been expressed in relation to the management of the premises and the applicants' ability to run the venue. Whilst the owners of the property have remained the same throughout this period, the proposed 'managers' have differed. What has been constant is their association and links to known persons. The applicants have been considered 'a front' for persons criminally connected, who would not uphold the licensing objectives.

After several proposed changes, and a lengthy period of action planning, a review application was submitted in March 2012. Before the hearing could take place the premises licence holder surrendered the premises licence and no application was received to transfer this document. A chronology of the involvement which has taken place is attached to this letter. This involvement is not just that of WYP but also partner agencies.

The premises has remained closed for several months but it has been brought to my attention that the venue is open and is trading despite there being no licence in place to do so. The first contact I received was on 3 July 2012. A resident contacted the Leeds District Licensing Department to say that the venue was open. Officers were informed that the venue had been open into the early hours of 1 July 2012 and had disturbed local people.

On 4 July 2012 Officers from the Burmantofts and Richmond Hill Neighbourhood Policing Team met with Mr Dooh and explained their concerns. The use of the venue for 'private parties' was also discussed, this has been a tactic used by previous operators when the licence has not extended to cover the desired activities or hours.

Following this contact by NPT officers, further checks were conducted in respect of Mr Dooh. The name was familiar and had come to Police attention previously. Checks of WYP computer systems showed that Mr Dooh and his partner Floberte Ngamo Bon had come to the attention of the Police in 2009, through links to both licensed and unlicensed venues in the Chapeltown area of Leeds. Bon was known to be criminally connected with markers in relation to serious crime and immigration issues.

Following a joint WYP and Immigration Service operation, in February 2010, an unlicensed venue was visited in the Chapeltown area of Leeds. A number of illegal immigrants were deported from the UK as a result of this operation. Floberte Bon was one of these people.

On 4 July 2012 I was copied into an e-mail from Leeds City Council to say that Floberte Ngamou had been in touch with Leeds City Council and also that she had incorporated a limited company called

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Colladera Ltd. Ngamou is actually Bon and the Colladera is one venue she was linked to in the Chapeltown area. This venue is now known as Ritz and is situated at 189 Chapeltown Road Leeds 7.

On 13 June 2012 Bon reported the loss of her Cameroon passport in the name of Ngamou to Millgarth Police Station. Further checks with the Immigration Service show that Bon now has a right to remain in the UK until 2014 and that she has been granted right to remain to be with Mr Dooh.

On 7 July 2012 Officers attended at the premises and spoke to Floberte Bon. Three males were present and were playing cards. Bon was adamant that no sales or supply of alcohol was taking place but admitted having 'family gatherings'. A check of the building located the following stock on site:

- 46 bottles Guinness
- 64 bottles Stella
- 32 bottles Stella
- 20 bottles rose wine
- 7 cases x12 Becks
- 6 cases x12 Stella
- 2 packs x12 Budweiser
- 14 cans fosters
- 1 barrel Tetley's smooth
- 50 empty barrels
- 9 co2 gas cylinders

Bon was warned about 'private parties' and any sale or supply of alcohol.

On 8 July 2012 officers visited and found the premises to be insecure. Once inside they located Bon who was cooking large quantities of food. Bon claimed to be cooking for a large gathering of the Cameroon community. Very little alcohol could be located on site and officers thought that the alcohol had been moved or consumed.

On 12 July 2012 Officers visited the premises and again found them to be insecure. Once inside they located a number of people some of who were in possession of alcoholic drinks. The group denied that the venue was 'a drinking den' and that they had just met up to play cards. Again Bon was present and was advised accordingly.

Due to previous fires at the venue and the apparent use of the building for 'private parties' West Yorkshire Fire Service were contacted and asked to visit the premises. A visit was conducted in an advisory capacity only, however if the application is successful a full inspection will be conducted. The premises were found to be in a very poor state of repair and a number of Fire Service concerns were raised.

On 21 July Officers from Leeds City Council visited the premises and there spoke to a male who identified himself as Alan Persiani. Persiani is actually Alan Zolfaghary who is known to WYP and has been present at the venue when previously visited. Mr Zolfaghary is the owner of the building but has never been the applicant. Large quantities of alcohol were again found on site.

On 1 August 2012 a burglary was reported to have taken place at the premises. The reporting person at this time was Bon however the aggrieved is named as Aman Amiri. Amiri is a previous applicant who has failed on previous occasions to obtain the premises licence for the venue. He links the old to the new management and again raises concerns about this premises and who will actually be in charge. Since the first engagement with Mr Dooh in early July 2012 it has always been Bon who has been the main contact point and who appears to be running the venue.

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Stolen in the burglary was a case of Moët champagne a case of beer and the CCTV system.

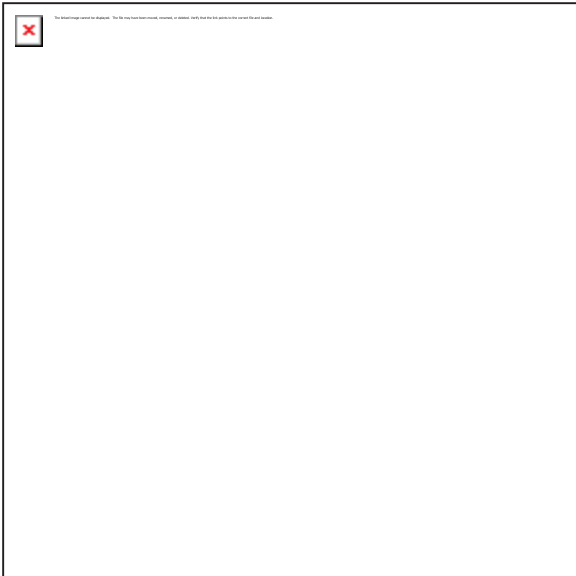
West Yorkshire Police would ask that the Licensing Committee reject this application.

L. Dobson
PC 5783
Leeds District Licensing

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Mr. Jean-Claude Dooh
59 Bexley Avenue
Harehills
Leeds
LS8 5LT

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

Contact: Mr. Mudhar
Tel: 0113 3951171
Fax: 0113 2474947

Our reference: PREM/03218/001
Date: 13th August 2012

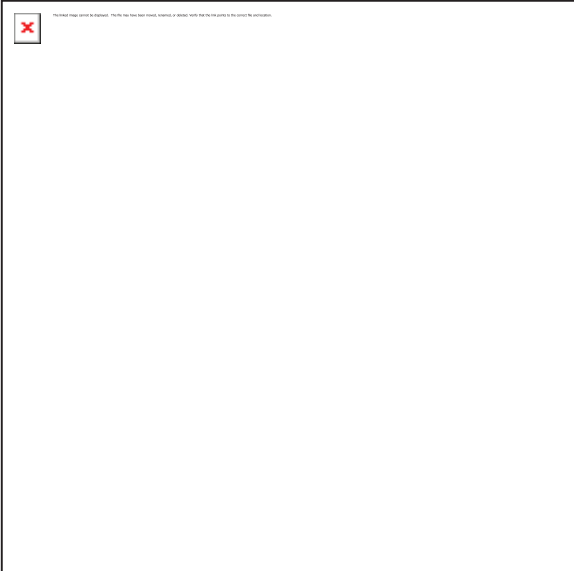
Dear Mr. Dooh

Licensing Act 2003
Name of Premises: Afro Diaspora
Address: Unit 10, Shaftesbury Parade, Harehills Lane, Harehills, Leeds, LS9 6PJ

Letter of Representation – Full Objection

www.leeds.gov.uk

general enquiries 0113 222
4444



Thank you for submitting your application dated 13th July 2012 for the above premises.

The Premises

The application premise consists of a former Shaftsbury Cinema which is situated on the junction of York Road and Harehills Lane, Leeds 9. The ground floor of the building has been converted into retail units and the upper floor level is currently vacant and had been used as a bar (known as Starlight Bar) until 2 March 2012. I understand that the premises Licence for this venue has now lapsed. When the Premises licence was in force the licensable activities were granted from 11:00 hours till 23:00 hours Monday to Sunday.

Immediately to the rear of the site is a Job Centre and diagonally opposite (some 30 metres away) on Harehills Lane is a parade of six shops with residential accommodation above. Immediately to the rear of the shops is densely populated residential area. Further residential flats are situated some 100 metres to the north of the site along Harehills Lane.

Background

In 2010-11 the applications to vary the licensable activities till late night hours were submitted by the previous applicants which were not supported by an Environmental Health on the grounds of possible public nuisance issues by way of comings and goings of people, noise associated with vehicles (banging doors, car stereos, revving engines etc). There is no dedicated car park or parking spaces available for the patrons close to the application premises, most of the vehicles will be parked in the streets immediately surrounding the residential properties.

The ceiling above the dance floor is acoustically weak and incapable of providing sufficient resistance to the passage of amplified sound. The premises are not air conditioned; therefore the windows are most likely to be opened for ventilation especially during the summertime. The aluminium windows (which covered large area of glazing to the front elevation of the building) are doubly glazed, however, the window frames are very old and ill-fitting.

I believe the previous applications (for late night licensable activities) were either refused or the applications were withdrawn by the applicants. I understand that those applications were also objected to by the Police.

Noise complaints

An Environmental Health has received a noise complaint made by a nearby resident to the Council's Licensing Section regarding loud music being played at the premises which had caused a sleep disturbance. The complaint was made as a result noise breaking out from the premises during the event which was held on Sunday the 21st November 2010 at 1.00am. The event was permitted under the Temporary Event Notice. The complainant in question had indicated that although other residents in the neighbourhood had been affected by the noise, however, due to fear of reprisals they did not wish to make complaints to the Council.

I understand that the noise complaints from loud music breaking out from the premises have recently been made to the Licensing Section by the local residents which are currently under investigation by the Licensing Enforcement officers. It appears that the premises may have been used for entertainment purposes without the Premises Licence and without the Temporary Event Notices.

Proposed Licensable Activities

Supply of alcohol, Recorded music, performance of Dance, Late Night Refreshment

11.00 hours 02:00 hours Monday – Thursday

11.00 hours 04:00 hours Friday & Saturday
12.00 hours 01:00 hours Sundays

The proposed licensable activities until late night hours have the potential to increase the late night revellers in the area. Having regard to the nature of structure (acoustically weak ceiling and ill-fitting window frames), this will not prevent amplified music and voices escaping from the premises. In view of these concerns, Leeds City Council's Health and Environmental Action Service fully objects to this application being granted as it will likely to cause noise nuisance to neighbouring noise sensitive properties thus undermining the prevention of public nuisance objective of the Licensing Act 2003.

Yours sincerely

Gurdip Mudhar.
Senior Environmental Health Officer.

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Report author: Mrs Emma White

Tel: 0113 2474095

Report of the head of licensing and registration

Report to the licensing sub committee

Date: 3rd September 2012

Subject: Application to vary a premises licence for Swillington, 40 Wakefield Road, Swillington, Leeds, LS26 8DJ to specify an individual as designated premises supervisor

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Garforth & Swillington		
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

1. This is an application to vary a premises licence for Swillington, 40 Wakefield Road, Swillington, Leeds, LS26 8DJ to specify an individual as designated premises supervisor.
2. The application is to specify Laura Jane Spaldin as the designated premises supervisor.
3. West Yorkshire Police have been served a copy of this application

Recommendations

The committee is asked to:

4. To consider the application and the representation made by West Yorkshire Police.
5. Take any of the steps detailed at 4.2, if any, they consider appropriate for the promotion of the licensing objectives.

1 Purpose of this report

- 1.1 To advise Members of an application made under section 37 of the Licensing Act 2003 (“the Act”) to vary a premises licence in order to specify Laura Jane Spaldin as the designated premises supervisor.
- 1.2 The Licensing Sub-Committee is required to consider this application due to the receipt of a representation from West Yorkshire Police. This is submitted in accordance with Sections 37(6) and 37(7) of the Licensing Act 2003.

2 Main Issues

- 2.1 The proposed designated premises supervisor is Laura Jane Spaldin.
- 2.2 A copy of the application is attached at **Appendix A** of this report.
- 2.3 Relevant Representations
- 2.3.1 Under the Act, representations can be received from West Yorkshire Police and must be relevant to the prevention of crime and disorder. Please find attached a copy of the representation at **Appendix B**.
- 2.4 Matters relevant to the application
- 2.4.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:
- The prevention of crime and disorder

3 Corporate Considerations

- 3.1 Consultation and engagement
- 3.1.1 The application was subject to a 14 days consultation period with West Yorkshire Police in accordance with the Licensing Act 2003.
- 3.2 Equality and Diversity / Cohesion and Integration
- 3.2.1 The council has adopted a Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003 and in which care has been taken in matters of equality, diversity and human rights. This policy is reviewed every three years. The council has completed equality, diversity, cohesion and integration screening and impact assessments with regards to the consultation process undertaken during the review of the policy.
- 3.3 Council Policies and City Priorities
- 3.3.1 When determining an application the licensing sub committee must have regard for the Licensing Act 2003 Statement of Licensing Policy which sets out the

principles the council will use to exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the council will refer to the policy when making its decisions.

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By 2030, Leeds will be fair, open and welcoming

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- Our services meet the diverse needs of our changing population
- Everyone is proud to live and work

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By 2030, all Leeds' communities will be successful

- Communities are safe and people feel safe

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Best city... for communities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

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3.4.1 The licensing process, including the licensing sub committee, generates a cost to the council. The majority of these costs are covered by the application fee. The fees are set by Statute, and there is little option to increase the fee to cover all the cost. However, the Police Reform and Social Responsibility Act which received royal assent in November 2011, will allow local authorities to set their own fees in the future based on full cost recovery.

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3.5.1 Applicants and people making representations are able to challenge the licensing sub-committee's decision by appealing to the Magistrates Court. Legal advice is provided during the sub committee hearing and during deliberations to mitigate the risk to the council.

3.6 Risk Management

3.6.1 Full training and legal advice is provided to members sitting on Licensing Sub Committee in order to mitigate the risk of legal challenge.

4 Conclusions

4.1 An application has been received under the Licensing Act 2003 which is brought before a licensing sub committee for determination

4.2 The licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant as requested; or
- Reject the application.

5 Recommendations

The committee
is asked to:

- Consider the application and the representation from West Yorkshire Police
- Take any of the steps detailed at 4.2, if any, they consider appropriate for the promotion of the licensing objectives.

6 Background Papers

6.1 Guidance issued under s182 Licensing Act 2003

6.2 Leeds City Council Licensing Policy

ENTERTAINMENT LICENSING

27 JUL 2012

RECEIVED


admiral
T A V E R N S
26TH July 2012

Our ref DK/LICENSING/Swillington

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

Admiral Taverns Ltd
Admiral Taverns
Steam Mill Business Centre
Steam Mill Street | Chester | CH3 5AN

t: 01244 321 171
f: 01244 317 665

www.admiraltaverns.com

Dear Sir / Madam,

Re: Swillington, 40 Wakefield Road, Swillington, Leeds, LS26 8DJ

Please find attached the following application forms to change the DPS at the above site.

1. Application to vary premises licence to specify a DPS
2. DPS consent form
3. Cheque for £23 – **DPS TO PAY OVER PHONE VIA CARD PAYMENT**
4. Original Premises Licence

Please note that the below registered address should be listed on the above premises licence and not our correspondence address.

Admiral Taverns Limited

Address: Milton Gate, 60 Chiswell Street, London, EC1Y 4AG
Registered No: 05438628

Can you please forward the amended licence to our Chester address using the enclosed self addressed envelope.

Can you please change the correspondence address for the above site to our Chester office to ensure any query is dealt with accordingly.

Should you require any further information, please do not hesitate to contact me on 01244 505427.

Yours sincerely,



Darren Kelly
Licensing Supervisor

CC: Licensing Officer, Leeds Police, Operations & Licensing Dept, Millgarth Police Station, Leeds, West Yorkshire, LS2 7HX

PREM/00665/008.

**Application to vary a premises licence to specify an individual as designated premises supervisor
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 **Admiral Taverns Limited**
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify an individual as designated premises supervisor
in this application as the premises supervisor under section 37 of the Licensing Act 2003.

ENTERTAINMENT LICENSING

27 JUL 2012

RECEIVED

Premises licence number

PREM/00665/007

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description

Swillington
40 Wakefield Road
Swillington
Leeds

Post town West Yorkshire

Post code (if known) LS26 8DJ

Telephone number (if any)

Description of premises (please read guidance note 1)

PUBLIC HOUSE

part 2

Full name of proposed designated premises supervisor

Laura Jane Spaldin

personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

licence number: HART/PL/324

issuing authority: Hartlepool Borough Council

Full name of existing designated premises supervisor (if any)

Gary Stafford

please tick yes

I would like this application to have immediate effect under section 38 of the licensing act 2003

I have enclosed the premises licence or relevant part of it

(if you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

reasons why I have failed to enclose the premises licence or relevant part of it

please tick yes

I have made or enclosed payment of the fee

I will give a copy of this application to the chief officer of police

I have enclosed the consent form completed by the proposed premises supervisor

I have enclosed the premises licence, or relevant part of it or explanation

I will give a copy of this form to the existing premises supervisor, if any

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 3 - Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent

(See guidance note 3). If signing on behalf of the applicant please state in what capacity.

signature *Mark Mark Brown*

date *20th July 2012*

capacity *Applicant's Solicitor*

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent
(please read guidance note 4). 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 5)	
CONTACT NAME: <i>Damen Kelly</i> ADMIRAL TAVERNS LIMITED SUITE H3, STEAM MILL BUSINESS CENTRE STEAM MILL STREET	
Post town CHESTER	Post Code CH3 5AN
Telephone number (if any) 01244 505407	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Guidance notes

- 1 Describe the premises. For example the type of premises it is.
- 2 The application form must be signed.
- 3 An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so
- 4 Where there is more than one applicant, both applicants or their respective agents must sign the application form.
- 5 This is the address which we shall use to correspond with you about this application

Consent of individual to being specified as premises supervisor

I LAURA JANE SPALDIN
(full name of prospective premises supervisor)

of [REDACTED]
[REDACTED]

(home address of prospective premises supervisor)

DOB: [REDACTED] Place of Birth: HARTLEPOOL Tel: [REDACTED]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

DPS VARIATION APPLICATION (type of application)

by ADMIRAL TAVERNS LIMITED (name of applicant)

relating to a premises licence Prem /00665 /007 (number of existing licence, if any)

for SWILLINGTON, 40 WAKEFIELD ROAD, SWILLINGTON, LEEDS, LS26 8DS.

(name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application made by ADMIRAL TAVERNS LIMITED (name of applicant)

concerning the supply of alcohol at SWILLINGTON, 40 WAKEFIELD ROAD,
SWILLINGTON, LEEDS, LS26 8DS

(name and address of premises to which application relates)

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number: [REDACTED]
(insert personal licence number, if any)

Personal licence issuing authority: HARTLEPOOL BOROUGH COUNCIL
(insert name and address and telephone number of personal licence issuing authority, if any)

Signed: [REDACTED]

Name (please print): LAURA JANE SPALDIN

Date: 26/1/2012

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NOT PROTECTIVELY MARKED**Licensing Department**

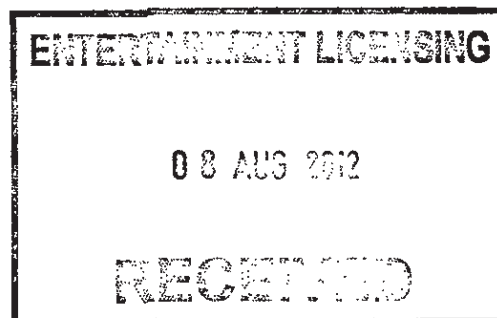
Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

Leeds District Licensing

Tel: 0113-2414023
 Fax: 0113-2413123
 Email: lynn.dobson@westyorkshire.pnn.police.uk

7 August 2012

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



OBJECTION NOTICE:
VARY PREMISES LICENCE - DESIGNATED PREMISES SUPERVISOR:
SECTION 37(5) & 37(6) LICENSING ACT 2003

PREMISES SUPERVISOR: LAURA SPALDIN
PREMISES: THE SWILLINGTON, WAKEFIELD ROAD, SWILLINGTON, LEEDS LS26 8DJ

West Yorkshire Police serve notice to this application, which we received at Millgarth Police Station on 27 July 2012.

If granted, West Yorkshire Police are satisfied that the exceptional circumstances of the case would undermine the crime prevention objective.

The Swillington is set on the roadside in the village of Swillington. Swillington as a village does not have particularly good transport links so many people drink locally; it is a local pub for local people. The premises have had the same designated premises supervisor (DPS) for a number of years. However, the premises have changed hands recently and the area manager, Gary Stafford, has been DPS for a number of weeks and a manager has been appointed. This person is:

Sam Donnelly
 Born. 250289

Mr Donnelly is not a personal licence holder in his own right, but an application has been received. This application has attracted an objection and the application will go before the licensing committee on 3 September 2012.

On 12 July 2012 a test purchase operation was conducted by the Garforth Neighbourhood Policing Team that covers the Swillington area. Sam Donnelly served two test purchase children alcohol. He identified himself to the officers as the DPS; therefore he was not dealt with by way of a fixed penalty ticket but was reported for summons.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

Following a test purchase sale of this nature it is standard procedure that the DPS and/or area manager are invited in for a meeting to discuss the sale, any training issues and to make it perfectly clear the consequences of failing more test purchase operations. Mr Donnelly had told officers that he had an eighteenth birthday party booked in for 28 July 2012 so this was an added concern.

On 26 July 2012 a meeting took place at Garforth Police Station to discuss The Swillington. Present were, PS Goodwill, PC Dobson, Gary Stafford (outgoing DPS), Laura Spaldin (incoming DPS) and Sam Donnelly. The test purchase operation was discussed and whilst Mr Stafford and Ms Spaldin were concerned regarding the sale, Mr Donnelly was less so, almost dismissive.

The proposed eighteenth birthday party was discussed to which Mr Donnelly said that he would cancel it 'he couldn't be bothered'. It was made clear that if he was successful in his application to obtain a personal licence and it was the intention to propose him as the new DPS, which was confirmed in the meeting, he would have to be bothered. Again Mr Donnelly was dismissive and became agitated at being asked to account for the test purchase sale and how he would run the eighteenth birthday party. The group left the police station with Mr Donnelly saying that he would still cancel the party.

I subsequently received a phone call from Ms Spaldin to say the party would go ahead, as planned, and two door staff had been employed to oversee the evening. They would be present half an hour before the party was due to start and would be present at the end of the evening to make sure everyone dispersed safely. I said that officers from the NPT may call into The Swillington or at the very least would pay passing attention. This was welcomed by Ms Spaldin.

On Monday 30 July 2012 I received an e-mail from an Insp Jones from the Garforth NPT to say that there had been an incident outside The Swillington in the early hours of the 29 July 2012. An 18 year old boy had been taken to hospital. This male was detained over night in hospital because of the alcohol he had consumed. A statement from the officer who attended the scene is attached to this letter.

On 2 August I spoke to Ms Spaldin, who in turn had spoken to Mr Donnelly, who painted a very different picture of the night of the 28 July 2012. I was informed that Mr Donnelly had thought the night was a success and that there had been no incidents to report. Ms Spaldin had taken Mr Donnelly at his word when the true picture was very different.

Whilst it is quite common for an area manager to place their name on a licence during a transitional period, this application concerns me because of the distance the DPS lives from the property and the person who has been left in charge. Whilst it is accepted that premises do operate without the DPS being on site at all times, the people left in charge should engage and cooperate with the authorities. Offences should not be committed, children should not be able to obtain alcohol and excessive alcohol consumption should not be encouraged. This premises has failed on a number of fronts despite being give a 'clear steer' to be vigilant and uphold the licencing objectives.

West Yorkshire Police would ask any presiding Sub-Committee to refuse this application.

Lynn Dobson
PC 5783
North East Leeds Licensing

NOT PROTECTIVELY MARKED

WEST YORKSHIRE POLICE
RESTRICTED (when complete)

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:	<input type="text"/>	URN:	<input type="text"/>
Statement of:	Tom White		
Date of birth:	Over 18	Occupation:	SC 8131
This statement (consisting of: <input type="text"/> page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.			
Signature:		Date:	

Check box if witness evidence is visually recorded (supply witness details on rear)

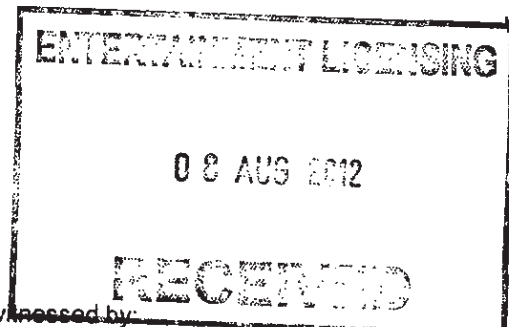
I am a Special Constable within West Yorkshire Police currently based at Garforth Police station, Leeds.

On the evening of SATURDAY 28th JULY 2012 I was on duty in full Police uniform in a marked Police vehicle. On this evening I was aware that there was an 18th BIRTHDAY PARTY taking place at THE SWILLINGTON public house on WAKEFIELD ROAD, SWILLINGTON. I was tasked with conducting high visibility patrols around the area to discourage any trouble.

At 00:15 hrs I was travelling along WAKEFIELD ROAD, SWILLINGTON when I noticed a large group of people outside of THE SWILLINGTON. The doors were shut and the lights were turned off, the venue appeared to be closed and there were no door staff present. The large group were drinking and smoking outside of the venue with pint glasses and glass bottles and my attention was not only drawn to them because of the size of the group but also because of the high amount of noise they were making.

At this time I saw a male laid down against a wall whom appeared to be asleep. Upon approaching the male to check on his welfare I noticed immediately he had been sick on the pavement and on his clothes. The male was extremely drunk and smelt strongly of intoxicants. His details are;

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~



Signature:

Signature witnessed by:

MG11

RESTRICTED (when complete)

(Revised 1.9.11)

NICHE Ref. No:		URN:	
----------------	--	------	--

Continuation Statement of Tom White

He was unable to stand up and was unresponsive. The group informed me [REDACTED] was drunk and they were taking him home, a small part of the group appeared to become obstructive so I re-positioned myself further down the road to maintain observation on the group and [REDACTED].

A short while later I saw his friends try and move the male. As I re-approached the male I saw he was being sick and he did not appear to be conscious. I placed [REDACTED] in the recover position and made sure his airway was kept clear. I immediately requested an Ambulance to attend. Whilst the ambulance attended the group re-located outside of TESCO EXPRESS, WAKEFIELD ROAD, SWILLINGTON. The group were smashing glass bottles on the floor and urinating outside the front of the shop and acting in a general anti-social manner.

The group of males were continually being verbally abusive towards myself and the paramedic who attended and as such the ACR could hear a disturbance in the background and requested other Police units to attend. [REDACTED] was prescribed as having alcohol poisoning by the attending medics and as such was transported to PINDERFIELD hospital where he was kept in for observation.

All of the above group had admitted they had been drinking for the majority of the afternoon and all evening at THE SWILLINGTON. The age range of the group ranged from members looking about 16 years old to late twenties.

Signature:

Signature Witnessed by:

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 3rd September

Subject: Application for the grant of a Personal Licence for Mr Sam Donnelly

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Garforth & Swillington	
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:10.4(1)		
Appendix number: A and C		
These Appendices are regarded as exempt under provision of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)		

Summary of main issues

This is an application for the grant of a personal licence for Sam Donnelly Swillington Hotel, 40 Wakefield Road, Swillington, Leeds, LS26 8DJ. The application has attracted a representation from West Yorkshire Police in respect of Mr Donnelly criminal convictions as detailed in **Appendix C**

Recommendations

The committee is asked to:

Consider the application and the representation made by West Yorkshire Police.

1.0 Purpose of this Report

- 1.1 To advise Members of an application made under section 117 (1)(a) of the Licensing Act 2003 ("the Act") for a personal licence in respect of Mr Sam Donnelly
- 1.2 Members are required to consider this application due to the receipt of representation from West Yorkshire Police

2.0 Main Issues

2.1 A copy of the application is attached at **Appendix A** of this report. It should be noted that certain information submitted within the application is potentially exempt information under the Access to information Rule 10.4 (1) as it includes information relating to an individual, this information is also replicated in **Appendix C**

3.0 Relevant Representations

3.1 Under the Act, representations can be received from West Yorkshire Police. Please find attached a copy of the representation at **Appendix B**

4.0 Matters relevant to the application

4.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the Licensing Objectives which are:

- The prevention of Crime and Disorder

5.0 Corporate Considerations

5.1 The application was subject to a 14 days consultation period with West Yorkshire Police in accordance with the Licensing Act 2003.

5.2 Equality and Diversity / Cohesion and Integration

5.3 The council has adopted a Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003 and in which care has been taken in matters of equality, diversity and human rights. This policy is reviewed every three years. The council has completed equality, diversity, cohesion and integration screening and impact assessments with regards to the consultation process undertaken during the review of the policy.

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- Our services meet the diverse needs of our changing population
- Everyone is proud to live and work

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- Opportunities to work with secure, flexible employment and good wages

By 2030, all Leeds' communities will be successful

- Communities are safe and people feel safe

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Best city... for communities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

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5.9 Legal Implications, Access to Information and Call In

Applicants and people making representations are able to challenge the licensing sub-committee's decision by appealing to the Magistrates Court. Legal advice is provided during the sub-committee hearing and during deliberations to mitigate the risk to the council.

6.0 Risk Management

Full training and legal advice is provided to members sitting on Licensing Sub Committee in order to mitigate the risk of legal challenge.

7.0 **Conclusions**

7.1 An application has been received under the Licensing Act 2003 which is brought before a licensing sub-committee for determination.

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

- Grant as requested; or
- Reject the application.

7.3 Recommendations

The committee is asked to:

- Consider the application and the representation from West Yorkshire Police
- Take any of the steps detailed at 4.1, if any, they consider necessary for the promotion of the licensing objectives.

7.4 Background Papers

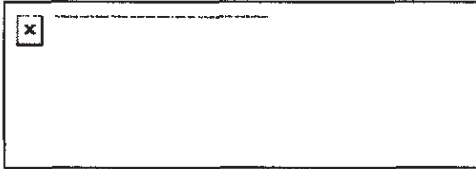
- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy

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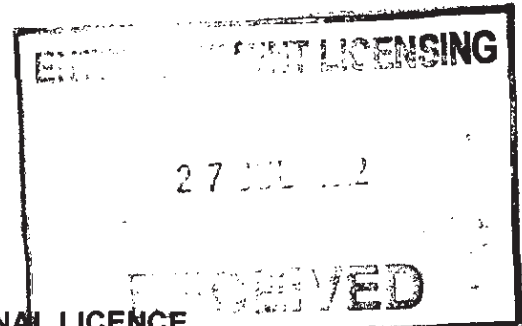
Licensing Department
 Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

Leeds District Licensing Office

Tel: 0113-2414023
 Fax: 0113-2413123
 Email: lynn.dobson@westyorkshire.pnn.police.uk

27 July 2012

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



NOTICE OF OBJECTION – PERSONAL LICENCE
SECTION 120(5) – LICENSING ACT 2003

APPLICANT: SAM DONNELLY

In accordance with section 120(4) Licensing Act 2003, we received notification from Leeds City Council of an application for a personal licence by the person named above. The notification from the licensing authority was received in this office on 20 July 2012.

I **PC 5783 Dobson, North East Leeds Licensing Officer for West Yorkshire Police**, hereby give you notice that I intend to object to this application for a personal licence.

West Yorkshire Police are satisfied that granting the licence would undermine the crime prevention objective, for the following reasons:-

- The applicant has one relevant unspent conviction for driving whilst over the prescribed limit. This offence will not be considered spent until November 2013.
- On 12 July 2012 the Neighbourhood Policing Team for the Swillington area conducted a test purchase operation. The Swillington public house was visited and the test purchase children were sold alcohol. The seller at this time was Sam Donnelly. Mr Donnelly was reported for this offence and a court hearing is pending. It is unlikely that this matter will be dealt with, through the court system, prior to the personal licence hearing.
- When checks have been conducted with Disclosure Scotland, on West Yorkshire Police Systems and the Police National Computer, the applicant has come to our attention on a number of occasions. However, his recent conviction is the basis for this objection.

The information provided above, leaves West Yorkshire Police in no doubt that this person is unsuitable to be authorised to supply alcohol by way of being granted a personal licence.

NOT PROTECTIVELY MARKED

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Because of the 'unspent' relevant offence which prompted Leeds City Council to contact us in the first place, West Yorkshire Police are of the opinion that granting this personal licence would undermine the crime prevention objective, and consequently West Yorkshire Police would invite the presiding sub-committee at a hearing to refuse this application

**L. Dobson
Leeds District Licensing Officer.**

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