



## **LICENSING SUB-COMMITTEE**

---

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

**MONDAY, 17TH JUNE, 2013 AT 10.00 AM**

---

### **MEMBERSHIP**

#### **Councillors**

G Hyde - Killingbeck and Seacroft;  
N Buckley - Alwoodley;  
B Selby - Killingbeck and Seacroft;

---

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

**Helen Gray  
247 4355**

# A G E N D A

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

Item No	Ward	Item Not Open		Page No
3			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</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> <p><b>LATE ITEMS</b></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>	
4				

Item No	Ward	Item Not Open		Page No
5			<b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b>  To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.  <b><u>HEARINGS</u></b>	
6	City and Hunslet		<b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR BROOKLYN BREWERY POP UP, 20-24 THE CALLS, LEEDS, LS2 7EW</b>  To receive and consider the attached report of the Head of Licensing and Registration regarding an application for the grant of a premises licence.	1 - 40
7	City and Hunslet		<b>APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF DARBAR RESTAURANT, 17 KIRKGATE, LEEDS, LS1 6BY</b>  To receive and consider the attached report of the Head of Licensing and Registration regarding an application to vary a premises licence made by Ms L Keenan.	41 - 78



Report author: Mr. Matthew Nelson  
0113 247 4095

## Report of the Head of Licensing and Registration

### Report to the Licensing Sub Committee

**Date:** Monday 17th June 2013

**Subject:** Application for the grant of a premises licence for Brooklyn Brewery Pop Up, 20 - 24 The Calls, Leeds, LS2 7EW

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

### Summary of Main Issues

This is an application for the grant of a premises licence for a premises to be known as Brooklyn Brewery Pop Up, 20 - 24 The Calls, Leeds, LS2 7EW.

The application describes a premises wishing to operate as a temporary arts and cultural space used for the purpose of marketing. The hours and licensable activities applied for are noted at 3.3 of this report.

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

Consequently the application has attracted outright representation on behalf of West Yorkshire Police. In addition to a representation offering suggested measures has been received from Environmental Health, with an agreement to those measures being reached.

It should be noted that these premises are located within an area covered by Cumulative Impact Policy Area 1 – Leeds City Centre.

## **1.0 Purpose of this Report**

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

## **2.0 History of Premises**

- 2.1 This is the first application for a premises licence for these premises.

## **3.0 The Application**

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

Sale by Retail of Alcohol (for consumption on and off the premises)

16:00 until 00:30 hours Wednesday to Thursday

12:00 until 00:30 hours Saturday

16:00 until 00:30 hours Sunday

Late Night Refreshment

23:00 until 00:30 hours Wednesday to Sunday

Recorded Music

16:00 until 01:00 hours Wednesday to Thursday

12:00 until 01:00 hours Saturday

16:00 until 01:00 hours Sunday

Non-Standard Timings

The application does not propose any non-standard timings for bank holidays or special occasions.

## **4.0 Other Matters Relevant to the Application**

- 4.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

## **5.0 Steps to promote the Licensing Objectives**

- 5.1 The application proposes to take the steps identified in section "P" of the application form to promote the licensing objectives.

## **6.0 Proposed Designated Premises Supervisor**

6.1 Mr. Michael Watson intends to be the Designated Premises Supervisor.

## **7.0 Location**

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

## **8.0 Cumulative Impact Policy**

8.1 These premises reside within the Cumulative Impact Area 1 – Leeds City Centre.

8.2 Cumulative impact means the potential impact on the promotion of the licensing objectives where there are a significant number of licensed premises concentrated in one area.

8.3 An applicant wishing to obtain a new licence for a premises falling within any of the cumulative impact areas must identify through the risk assessment process and/or operating schedule the steps that they intend to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.

8.4 Details of the Cumulative Impact Policy specific to Leeds City Centre and an outline of the evidence behind the reason for setting this policy is attached at **Appendix C**.

## **9.0 Representations**

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

### **9.2 Representations from Responsible Authorities**

9.2.1 This application has attracted representations from both West Yorkshire Police and Leeds City Council Environmental Protection Team.

9.2.2 We are in receipt of an outright representation submitted by West Yorkshire Police. This remains a matter for Members consideration with a copy attached at **Appendix D** of this report.

9.2.3 Some representations by responsible authorities may be agreed prior to reaching hearing. In this instance the operating schedule has been amended to include measures agreed with the Environmental Protection Team, a copy of which can be found at **Appendix E**.

### **9.3 Other representations**

9.3.1 There are no representations from other parties.

## **10.0 Options Available to Members**

10.1 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 designated premises supervisor; or
- Reject the whole or part of the application.

10.2 Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

## **11.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from other persons



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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

**I/We** Broomhouse Investments Limited

*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Brooklands Brewery Pop Up 20-24 The Calls			
Post town	Leeds	Post code	LS2 7EW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£19750

**Part 2 - Applicant Details**

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

- |   |   |
|---|---|
| a) an individual or individuals *               | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual *          |   |
| i. as a limited company                         | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/> please complete section (B)            |
| iii. as an unincorporated association or        | <input type="checkbox"/> please complete section (B)            |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                            | <input type="checkbox"/> please complete section (B)            |
| d) a charity                                    | <input type="checkbox"/> please complete section (B)            |

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

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

Please tick yes

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

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

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

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

**(B) OTHER APPLICANTS**

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

Name Broomhouse Investments Limited
Address UNIT 1 GROVE MILLS ELLAND LANE ELLAND WEST YORKSHIRE HX5 9DZ
Registered number (where applicable) 01156457
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year

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

Day	Month	Year

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

Temporary Arts and Cultural Space for the purpose of Marketing

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

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

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

**Provision of regulated entertainment**

**Please tick yes**

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

**Provision of entertainment facilities:**

- |   |                          |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I)   | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

☒

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

☒

In all cases complete boxes N, O and P

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both - please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed					
Thur					
			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 3)</b>		
Mon					
Tue					
			<b>State any seasonal variations for the exhibition of films (please read guidance note 4)</b>		
Wed					
Thur					
			<b>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)</b>		
Fri					
Sat					
Sun					

C

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here (please read guidance note 3)</b>		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</b>		
Thur					
Fri			<b>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)</b>		
Sat					
Sun					



**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish		<b>Please give further details here</b> (please read guidance note 3)	
Mon					
Tue					
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed					
Thur					
			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) PLAYING OF LOW LEVEL BACKGROUND MUSIC.		
Mon	00.00	01.00			
Tue					
Wed	16.00	00.00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	00.00	01.00			
	16.00	00.00			
Fri	00.00	01.00	<b>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</b> (please read guidance note 5)		
	16.00	00.00			
Sat	00.00	01.00			
	12.00	00.00			
Sun	00.00	01.00			
	16.00	00.00			

**G**

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

# H

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

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

J

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

K

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

L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 3)</b>		
Mon	00.00	00.30			
Tue					
Wed	23.00	00.00	<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
Thur	00.00	00.30			
	23.00	00.00			
Fri	00.00	00.30	<b>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)</b>		
	23.00	00.00			
Sat	00.00	00.30			
	23.00	00.00			
Sun	00.00	00.30			
	23.00	00.00			



**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Mon	00.00	00.30			
Tue					
Wed	16.00	00.00			
Thur	00.00	00.30			
	16.00	00.00			
Fri	00.00	00.30	<b>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)</b>		
	16.00	00.00			
Sat	00.00	00.30			
	12.00	00.00			
Sun	00.00	00.30			
	16.00	00.00			

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

<b>Name</b> Michael David Watson	
<b>Address</b> 3 Rialto Court Rodley Leeds	
<b>Postcode</b>	LS13 1QD
<b>Personal Licence number (if known)</b> LEEDS/PERL/031866/06	
<b>Issuing licensing authority (if known)</b> Leeds	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)  
NONE

O

<b>Hours premises are open to the public</b> <b>Standard days and timings (please read guidance note 6)</b>			<b>State any seasonal variations (please read guidance note 4)</b>  
Day	Start	Finish	
Mon	00.00	01.00	
Tue			
Wed	16.00	00.00	
Thur	00.00	01.00	
	16.00	00.00	
Fri	00.00	01.00	
	16.00	00.00	
Sat	00.00	01.00	
	12.00	00.00	
Sun	00.00	01.00	
	16.00	00.00	
<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</b>  			

**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)**

**THE DESIGNATED PREMISES SUPERVISOR WILL FULLY CO-OPERATE WITH ALL RELEVANT AUTHORITIES TO ENSURE THE SMOOTH RUNNING OF THE PREMISES, ANY INCIDENTS WILL BE FULLY RECORDED IN A BOOK MARKED 'INCIDENT RECORD'.**

**THE PREMISES ARE FITTED WITH CCTV, THE SYSTEM WILL RECORD AND THE RECORDINGS WILL BE AVAILABLE TO THE RELEVANT AUTHORITIES AS REQUIRED, AND WILL BE KEPT FOR 30 DAYS.**

**WE WILL OPERATE A STRICT DRUGS FREE POLICY AND SIGNS WILL BE DISPLAYED TO THIS EFFECT, ANY SUSPECTED INCIDENTS INVOLVING DRUGS WILL BE RECORDED AND REPORTED TO THE POLICE.**

**SIA REGISTERED DOOR STAFF SHALL BE EMPLOYED FROM 21.00 HOURS WHENEVER THE VENUE IS OPEN**

**WE WILL OPERATE A 21 AGE PROOF SCHEME WHEREBY DRINKS WILL NOT BE SERVED TO ANYONE WHO APPEARS UNDER 21 WITHOUT PROOF OF AGE.**

**NO ONE WILL BE SERVED WHO APPEARS TO BE UNDER THE INFLUENCE OF DRUGS.**

**NO ONE WILL BE SERVED WHO APPEARS TO BE DRUNK.**

**ALL EMPTY GLASS BOTTLES AND CONTAINERS WILL BE COLLECTED REGULARLY.**

**ALL FIRE EXITS ARE CLEARLY MARKED.**

**EMERGENCY LIGHTING IS WORKING AND IS REGULARLY CHECKED.**

**THE PREMISES WILL OPERATE A FULL FIRE RISK POLICY.**

**FIRE EXTINGUISHES ARE PLACED IN STRATEGIC POSITIONS.**

**THE FIRE ALARM IS TESTED AND IN GOOD WORKING ORDER.**

**EXITS WILL BE KEPT FREE OF OBSTRUCTION AND CLEARLY MARKED.**

**ALL STAFF WILL BE TRAINED TO DEAL WITH EMERGENCY ISSUES VIA AN INDUCTION AND REVIEW TRAINING POLICY**

**A FIRST AID CERTIFICATE HOLDER SHALL BE ON DUTY DURING ALL PERIODS OF LICENSABLE ACTIVITY.**

**ANY SPILLAGES ARE CLEARED IMMEDIATELY**

**MUSIC WILL NOT BE HEARD AT THE NEAREST NOISE SENSITIVE PLACE.**

**SIGNS ARE DISPLAYED ASKING CUSTOMERS TO LEAVE IN A QUIET AND ORDERLY MANNER.**

**A LOCAL TAXI FIRM HAS BEEN APPOINTED TO COLLECT CUSTOMERS AND THERE IS A TAXI RANK WITHIN THE VICINITY.**

**BINS AND BOTTLE BINS WILL NOT BE EMPTIED AND DISPOSED OF BETWEEN THE HOURS OF 23.00 AND 07.00**

**CHILDREN UNDER THE AGE OF 18 SHALL NOT BE ALLOWED INTO THE PREMISES**

**b) The prevention of crime and disorder**

THE DESIGNATED PREMISES SUPERVISOR WILL FULLY CO-OPERATE WITH ALL RELEVANT AUTHORITIES TO ENSURE THE SMOOTH RUNNING OF THE PREMISES, ANY INCIDENTS WILL BE FULLY RECORDED IN A BOOK MARKED 'INCIDENT RECORD'.

THE PREMISES ARE FITTED WITH CCTV, THE SYSTEM WILL RECORD AND THE RECORDINGS WILL BE AVAILABLE TO THE RELEVANT AUTHORITIES AS REQUIRED, AND WILL BE KEPT FOR 30 DAYS.

WE WILL OPERATE A STRICT DRUGS FREE POLICY AND SIGNS WILL BE DISPLAYED TO THIS EFFECT, ANY SUSPECTED INCIDENTS INVOLVING DRUGS WILL BE RECORDED AND REPORTED TO THE POLICE

SIA REGISTERED DOOR STAFF SHALL BE EMPLOYED FROM 21.00 HOURS WHENEVER THE VENUE IS OPEN.

WE WILL OPERATE A 21 AGE PROOF SCHEME WHEREBY DRINKS WILL NOT BE SERVED TO ANYONE WHO APPEARS UNDER 21 WITHOUT PROOF OF AGE.

NO ONE WILL BE SERVED WHO APPEARS TO BE UNDER THE INFLUENCE OF DRUGS.

NO ONE WILL BE SERVED WHO APPEARS TO BE DRUNK.

**c) Public safety**

ALL EMPTY GLASS BOTTLES AND CONTAINERS WILL BE COLLECTED REGULARLY.

ALL FIRE EXITS ARE CLEARLY MARKED.

EMERGENCY LIGHTING IS WORKING AND IS REGULARLY CHECKED

THE PREMISES WILL OPERATE A FULL FIRE RISK POLICY

FIRE EXTINGUISHES ARE PLACED IN STRATEGIC POSITIONS.

THE FIRE ALARM IS TESTED AND IN GOOD WORKING ORDER.

EXITS WILL BE KEPT FREE OF OBSTRUCTION AND CLEARLY MARKED.

ALL STAFF WILL BE TRAINED TO DEAL WITH EMERGENCY ISSUES VIA AN INDUCTION AND REVIEW TRAINING POLICY

A FIRST AID CERTIFICATE HOLDER SHALL BE ON DUTY DURING ALL PERIODS OF LICENSABLE ACTIVITY.

ANY SPILLAGES ARE CLEARED IMMEDIATELY

**d) The prevention of public nuisance**

**MUSIC WILL NOT BE HEARD AT THE NEAREST NOISE SENSITIVE PLACE.**

**SIGNS ARE DISPLAYED ASKING CUSTOMERS TO LEAVE IN A QUIET AND ORDERLY MANNER.**

**A LOCAL TAXI FIRM HAS BEEN APPOINTED TO COLLECT CUSTOMERS AND THERE IS A TAXI RANK WITHIN THE VICINITY.**

**BINS AND BOTTLE BINS WILL NOT BE EMPTIED OR DISPOSED OF BETWEEN THE HOURS OF 23.00 AND 07.00**

**e) The protection of children from harm**

**CHILDREN UNDER THE AGE OF 18 SHALL NOT BE ALLOWED INTO THE PREMISES**

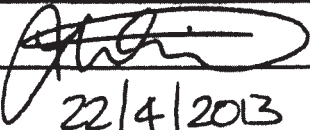
**Please tick yes**

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

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 168 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	22/4/2013
Capacity	AGENT.



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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

John White MIL  
LICENCE TRADE CONSULTANTS  
UPPER FLOOR RECEPTION BUILDINGS  
WATERLOO MILLS  
WATERLOO ROAD  
PUDSEY

Post town	LEEDS	Post code	LS28 8DQ
-----------	-------	-----------	----------

Telephone number (if any)	0113 290 9691
---------------------------	---------------

If you would prefer us to correspond with you by e-mail your e-mail address (optional)  
info@licencetradeconsultants.co.uk

#### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 18:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.

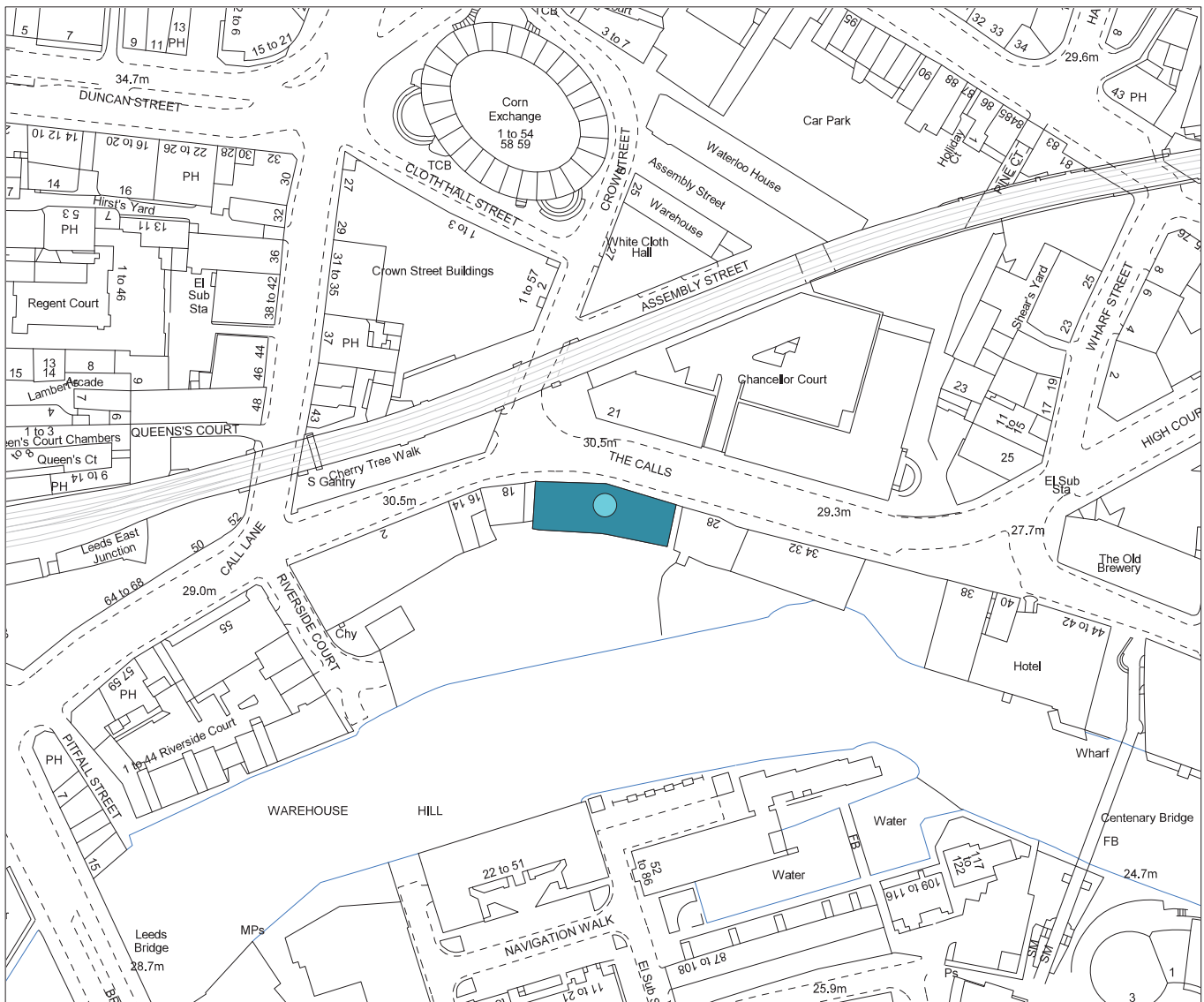


**Leeds**  
CITY COUNCIL

**Leeds City Council**  
Entertainment Licensing

**PREM/03319/001**

**Brooklyn Brewery Pop Up, 20-24 The Calls, Leeds, LS2 7EW**



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

© Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Leeds City Council O.S. Licence No 100019567  
© Crown Copyright all rights reserved

<b>Date:</b>	28 May 2013
<b>Scale:</b>	1:1750

This page is intentionally left blank



# Cumulative Impact Policy

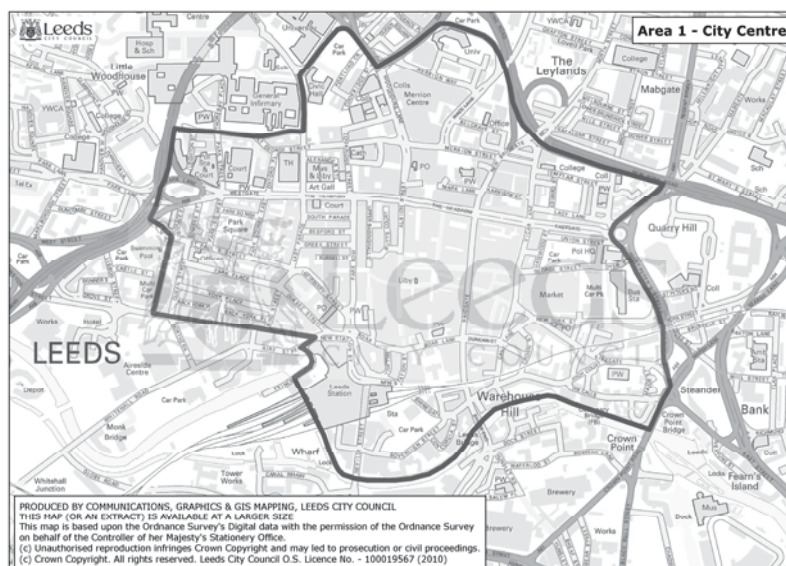
## Area 1 - City Centre



### Cumulative Impact Policy

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

**Fig 1**



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

### Rationale

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

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

Other areas of concern include the Eastgate area and Briggate.

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

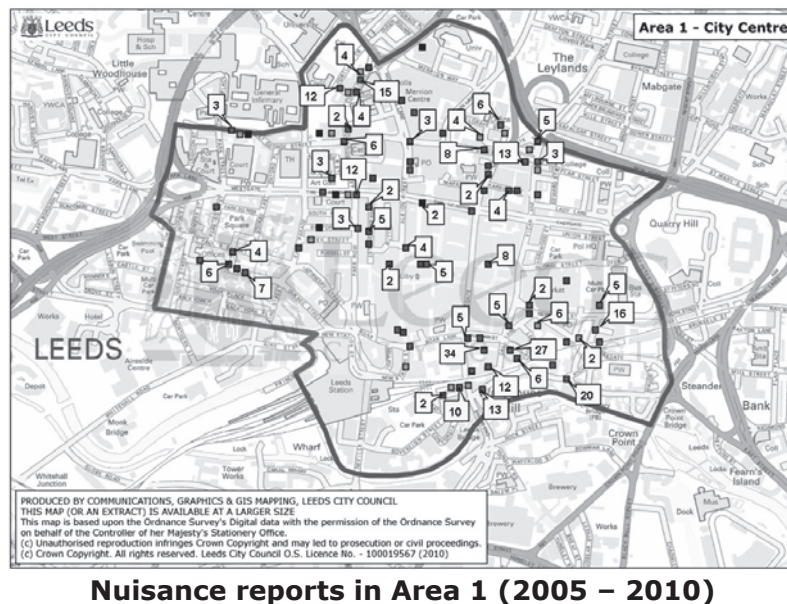
On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots and the Park Square area.

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

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

## Evidence

Fig 2



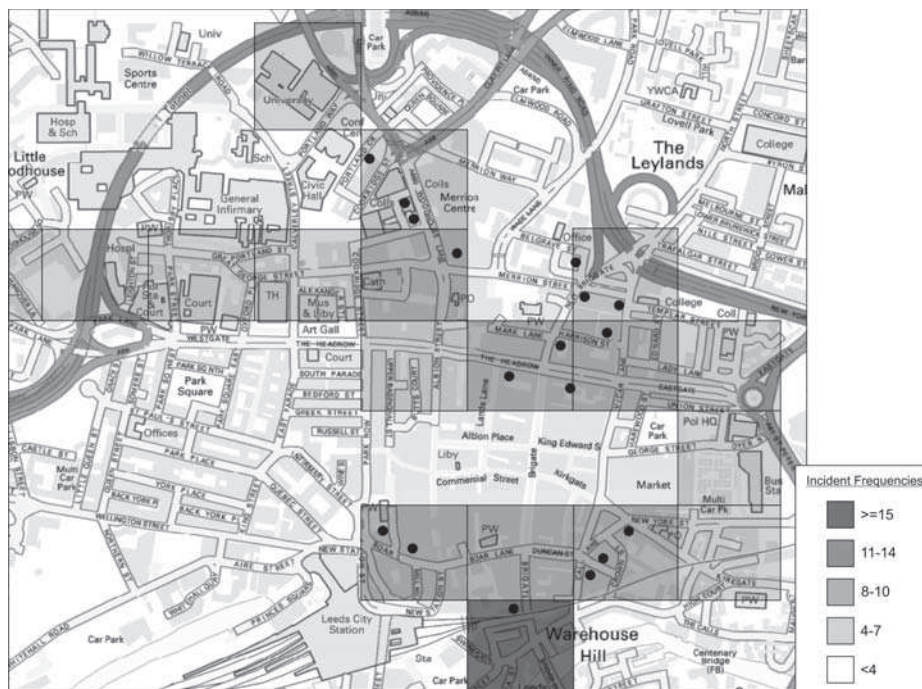
**Nuisance reports in Area 1 (2005 – 2010)**

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

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

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

Fig 3

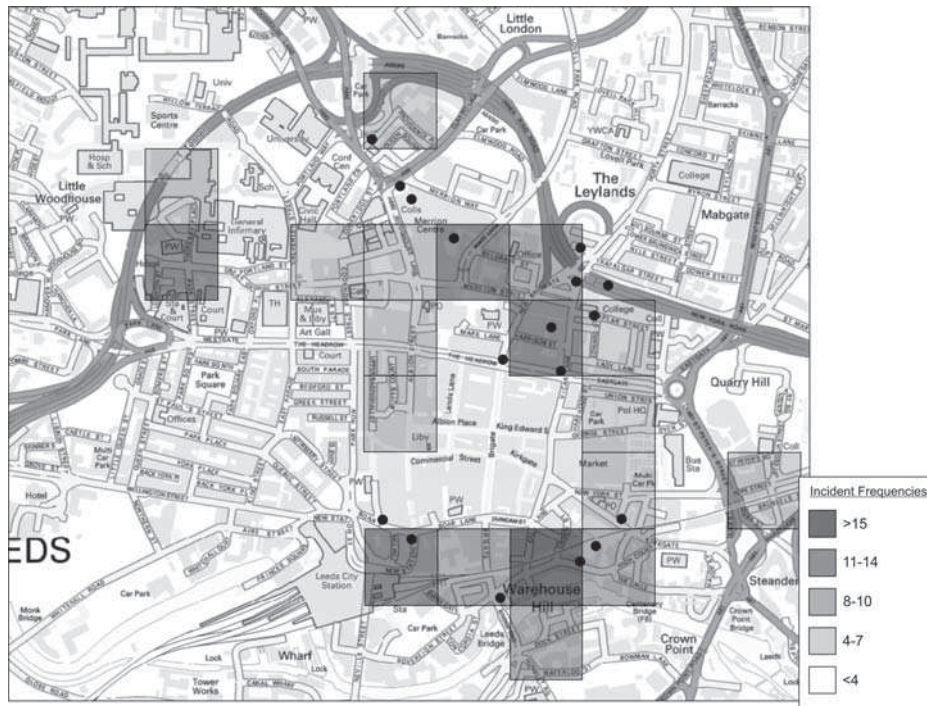


**Serious Violent Crime hot-spots**

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



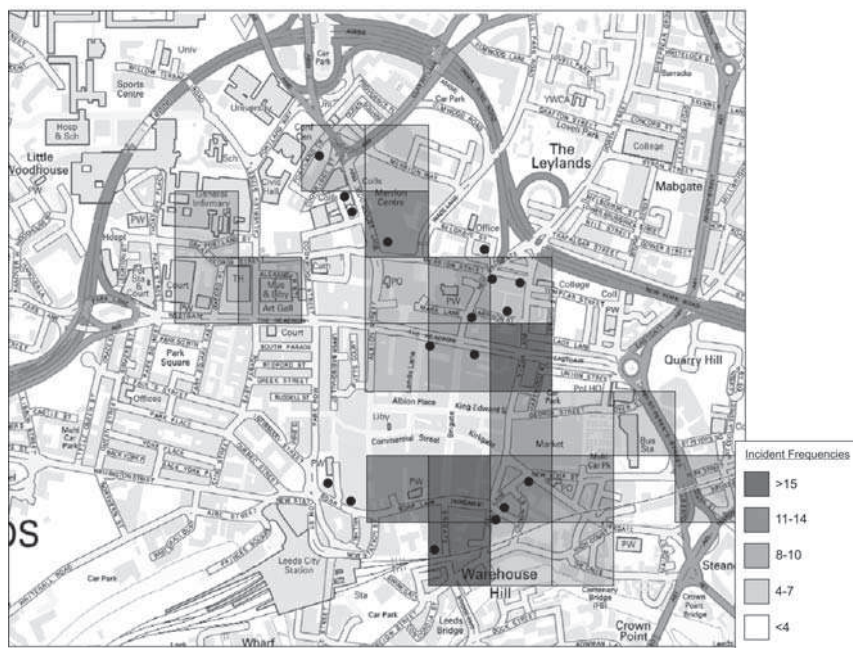
**Fig 4**



### Assault hot-spots

Fig 4 shows density of assault offences in Area 1.

**Fig 5**



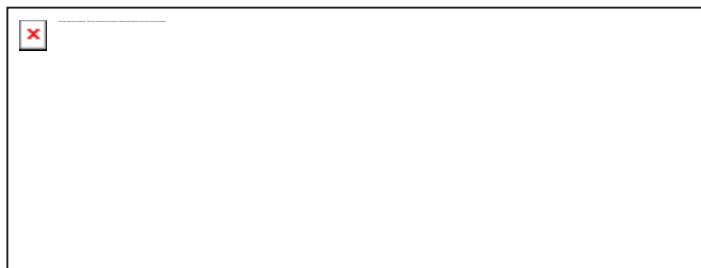
### Anti-Social Behaviour hot-spots

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

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

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

This page is intentionally left blank

**NOT PROTECTIVELY MARKED**

*Leeds District Licensing Department*

**Licensing Department**

Millgarth Police Station  
Millgarth Street  
Leeds  
LS2 7HX

Tel: 0113-2413072

Fax: 0113-2413123

Email:

catherine.arkle@westyorkshire.pnn.police.uk

Website:

Your ref:

Our ref:

20<sup>th</sup> May 2013

**Mr. John White**  
**Licence Trade Consultants**  
**Upper Floor Reception Buildings**  
**Waterloo Buildings**  
**Waterloo Road**  
**Pudsey**  
**Leeds**  
**LS28 8DQ**

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

**RE: BROOKLANDS BREWERY POP UP, 20-24, THE CALLS, LEEDS, LS2 7EW**  
**APPLICATION FOR NEW PREMISES LICENCE – LICENSING ACT 2003:**  
**POLICE – LETTER OF REPRESENTATION – CUMULATIVE IMPACT POLICY:**

Thank you for submitting your application for the above premises, received at the address above on 29<sup>th</sup> April 2013.

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

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

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

**NOT PROTECTIVELY MARKED**

## NOT PROTECTIVELY MARKED

### **CIP - Area 1 – Leeds City Centre:**

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

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

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

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

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

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

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

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

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

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

For instance:-

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

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

**“It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless**

NOT PROTECTIVELY MARKED

## NOT PROTECTIVELY MARKED

**the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area”.**

The application for a new premises licence does not adequately outline exactly how the proposed venue will operate. On page 4 of the application it is said that it will be a ‘Temporary Arts and Cultural Space for the purpose of Marketing’. However, it does not state when the applicant would wish for the premises licence to start or, indeed, if the licence is to be valid for a limited period – something which is suggested in it being described as ‘temporary’. Given the proposed premises’ close proximity to an area of Leeds which is an alcohol related crime hotspot, Call Lane, and the scant information on how it intends to operate West Yorkshire Police have no option other than to lodge a full objection.

***PC Cath Arkle  
Divisional Licensing Officer  
City & Holbeck***

NOT PROTECTIVELY MARKED

This page is intentionally left blank





Mr John White  
 Licence Trade Consultants  
 Upper Floor  
 Reception Buildings  
 Waterloo Mills  
 Waterloo Road  
 Pudsey  
 Leeds  
 LS28 8DQ

Environmental protection team  
 Leeds City Council  
 Millshaw Park Way  
 Leeds  
 LS11 0LS

Contact: M Bird  
 Tel: 0113 3951162  
 Fax:

Our reference: PREM/03319/001  
 17 May 2013

Dear Mr White

**Licensing Act 2003**

**Name of Premises: Brooklands Brewery Pop Up**

**Address: 20 - 24 The Calls, Leeds, LS2 7EW**

Thank you for submitting your application for the above premises.

Leeds City Council's environmental action service is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

However you could meet this objective by incorporating certain identified measures within your operating schedule. Therefore, please find enclosed a document which at part 1 contains the suggested measures which we consider are proportionate and appropriate to the nature of your application.

If you are in agreement with the suggested measures then please complete and sign part 2 of the enclosed form and return the complete document to me as soon as possible. Once we receive this it will be taken that you wish the licensing authority to amend your operating schedule to incorporate the proposed measures. If you have any questions please do not hesitate to contact me.

If you disagree with the suggested measures, then please complete part 3 and return the complete document to me as soon as possible. If the opening hours as proposed under this application are different to those on the current planning approval, then you should also make an application for variation of hours to planning services. If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours sincerely

M Bird  
 Senior Environmental Health Officer



## **PART 1**

**To be completed by the responsible authority**

### **Leeds City Council's Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: Brooklands Brewery Pop Up**  
**Address: 20 - 24 The Calls, Leeds, LS2 7EW**

#### **Premises Summary**

The application premises is a commercial warehouse type building towards the South of Leeds city centre.

The surrounding area contains a mixture of commercial premises (restaurants/offices etc) and residential dwellings. The closest block of flats being approximately 20 metres to the East at 32 The Calls.

The application is for recorded music, supply of alcohol, and late night refreshment; with licensable activities until 1am in the morning. The proposals have the potential to create noise disturbance from the premises due to music and the activity of patrons, especially to the occupiers of nearby flats. In addition, the application may increase the number of late night revellers in the area. Therefore, there is a greater potential for public nuisance to noise sensitive occupants if this application is granted.

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

The applicant has submitted various steps that are intended to be taken to promote the prevention of public nuisance. Unfortunately, the measures proposed would not seem to adequately control all the relevant issues, especially those in relation to an increase in late night revellers in the area or the activity of patrons smoking outside the premises.

However, it is noted that the applicant has described the proposals as a temporary arts and cultural space for the purpose of marketing. In addition, no external drinking area is shown on the submitted plans. Therefore, if the premises is not going to operate in the manner of a city centre drinking establishment then the potential for public nuisance is greatly reduced. Confirmation of the use as proposed would allow this service to consider that a full objection to this application is not necessary.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

- Prevention of public nuisance

## **Noise and Vibration**

1. At any time that the Premises Licence has effect, the licensable activities will be ancillary to the use of the premises as an arts and cultural space for the purpose of marketing.
2. Patrons shall not be permitted to use any external areas of the premises for the consumption of food or drink.
3. During hours of licensable activity, smoking by patrons shall only be permitted to the front of the premises which faces onto The Calls.
4. The activities of persons using the external areas shall be monitored after 11 pm and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.

Signed:

Dated:



## PART 2

To be completed by the applicant or applicant's representative

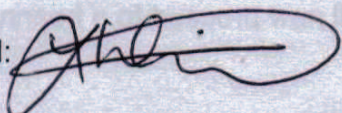
### Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: <sup>BROOKLYN</sup> Brooklands Brewery Pop Up  
Address: 20 - 24 The Calls, Leeds, LS2 7EW

I/we JOHN WHITE, LICENCE TRADE CONSULTANTS

confirm that I am / ~~we are the applicant~~ the applicant's representative (delete as appropriate)  
for the premises as stated above.

In signing this document I / we agree with the measures proposed by Leeds City Council's  
environmental action service, and we provide our consent for the licensing authority to  
incorporate the said measures into the operating schedule for the stated premises.

Signed: 

Dated: 28/5/13

Please return this document to:

Environmental protection team  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS



Report author: Mrs Victoria Radford  
0113 2474095

## Report of the Head of Licensing and Registration

### Report to the Licensing Sub Committee

**Date: Monday 17<sup>th</sup> June 2013**

**Subject: Application to vary a premises licence made by Lynne Keenan in respect of Darbar Restaurant 17 Kirkgate, Leeds, LS1 6BY**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

### Summary of main issues

This is an application to vary a premises licence, made by Lynne Keenan, for Darbar Restaurant 17 Kirkgate, Leeds, LS1 6BY

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

The application has attracted representations from responsible authorities including West Yorkshire Police and Environmental Health.

Please refer to paragraph 3.3 for details of the application.

The premises are located within an area covered by a Cumulative Impact Policy.

## **1.0 Purpose of this Report**

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") for a premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

## **2.0 History of Premises**

- 2.1 An application for the conversion of the former licence into a premises licence was submitted in July 2005 under the Licensing Act 2003. No objection to the conversion application was received and a premise licence was duly granted for the existing hours and activities.
- 2.2 In March 2008 an application to vary the licence was submitted to extend the hours for licensable activities until 05:00 hours. Representations were received from Leeds City Council Environmental Health and West Yorkshire Police, agreements were reached with all parties and a licence was granted as applied for.
- 2.3 A minor variation was submitted in April 2010 applying to remove certain conditions attached to the premises licence and to make structural alterations. The application was refused due to receipt of representation from West Yorkshire Police as they felt the application would significantly change the nature of the business and result in the licensing objectives being undermined.
- 2.4 The licence was transferred from Raza Hussai to Lynne Keenan in May 2012.
- 2.5 A copy of the existing licence is attached at Appendix A

## **3.0 The Application**

- 3.1 The applicant is Lynne Keenan
- 3.2 The application form may be found at Appendix B to this report.
- 3.3 In summary the application is to change the primary use of the premises from a restaurant to a bar, in order to do this the applicant has applied to remove the following conditions;
  - At any time that the Premises Licence has effect, the sale of alcohol for consumption on the premises will be ancillary to the service of table meals.
  - At any time that the Premises Licence has effect a minimum of 60 covers shall be maintained at the premises.

Members are to note that all licensable activities and timings are to remain as existing.

#### **4.0 Other matters relevant to the application**

4.1 Members are to note that although the premises licence has the benefit of sale by retail of alcohol, the premises do not have an individual specified as the designated premises supervisor resulting in no alcohol sales to take place at the premises until the licence holder submits an application to nominate a person.

#### **4.2 Equality and Diversity / Cohesion and Integration**

4.3 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 does not propose any further measures to promote the licensing objectives.

#### **6.0 Location**

6.1 A map which identifies the location of this premises is attached at Appendix C.

#### **7.0 Cumulative Impact Policy**

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

7.2 Cumulative impact means that the potential impact on the promotion of the licensing objectives here there are a significant number of licensed premises concentrated in one area.

7.3 An applicant wishing to obtain a new licence for premises falling within the cumulative impact areas must identify through the risk assessment process and/or operating schedule the steps that they intends to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

7.4 Details of the Cumulative Impact Policy specific to Area 1 – City Centre and an outline of the evidence behind the reason for setting this Policy is attached at Appendix D.

#### **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**

8.2.1 Representations have been received from West Yorkshire Police and Environmental Health in their capacity as Responsible Authorities.



8.2.2 The representation submitted by West Yorkshire Police remains as a matter for members consideration. A copy of the same may be found at Appendix E.

8.2.3 The representation submitted by Leeds City Council Environmental Health remains as a matter for members consideration. A copy of the same may be found at Appendix F.

### 8.3 Other representations

8.3.1 There are no other representations.

## 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 variation as requested.
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

9.2 Members of the licensing sub- committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

## 10.0 **Background Papers**

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

# Premises Licence

Premises licence number:

PREM/01376/004

Initial licence from:

24th November 2005

## Part A

Schedule 12 Licensing Act 2003

Current Licence effective from:

25th May 2012

# Appendix A

## Part 1 – Premises details

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

Darbar Restaurant, 17 Kirkgate, Leeds, LS1 6BY

### Licensable activities authorised by this licence

Sale by retail of alcohol, Performance of live music, Performance of recorded music, Performance of dance, Provision of facilities for dancing, Late Night Refreshment,

### Times the licence authorises the carrying out of licensable activities

#### *Sale by retail of alcohol*

Monday to Saturday

11:00 - 05:00

Sunday

12:00 - 05:00

#### *Provision of facilities for dancing*

Monday to Saturday

11:00 - 05:00

Sunday

12:00 - 05:00

#### *Performance of live music*

Monday to Saturday

11:00 - 05:00

Sunday

12:00 - 05:00

#### *Late Night Refreshment*

Every Day

23:00 - 05:00

#### *Performance of recorded music*

Monday to Saturday

11:00 - 05:00

Sunday

12:00 - 05:00

### The opening hours of the premises

The hours of licensable activities for the premises are as above. There are no regulated opening hours for non-licensable activities.

#### *Performance of dance*

Monday to Saturday

11:00 - 05:00

Sunday

12:00 - 05:00

Alcohol is sold for consumption on the premises

## Part 2

### **Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Lynne Keenan  
17 Scott Street  
Largs  
KA30 6NR

Daytime Contact Telephone Number: 01475 670429

### **Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

There is no designated premises supervisor specified. Therefore no sales of alcohol can take place under the authority of this licence.

Licence issued under the authority of Leeds City Council



Mrs Emma White  
Licensing Officer  
Entertainment Licensing  
Licensing and Registration



## Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
  - a. unauthorised access or occupation (e.g. through door supervision), or
  - b. outbreaks of disorder, or
  - c. damage
2. No supply of alcohol may be made under this licence
  - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. games or activities which require or encourage, or are designed to require or encourage, individuals to -
  - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
- b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- d. provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
  - i. the outcome of a race, competition or other event or process, or
  - ii. the likelihood of anything occurring or not occurring;
- e. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

8. The responsible person shall ensure that -
  - a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - i. beer or cider. 1/2 pint;
    - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml; and
  - b. customers are made aware of the availability of these measures

#### **Embedded Restrictions**

9. Alcohol shall not be sold or supplied except during the hours stated on this licence and:
  - a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
  - b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
10. The above restrictions do not prohibit:
  - a. the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first thirty minutes after above hours;
  - b. the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals.
  - c. consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
  - d. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
  - e. the sale of alcohol to a trader or club for the purposes of the trade or club;
  - f. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
  - g. the taking of alcohol from the premises by a person residing there; or



- h. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
  - i. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
11. Suitable non-alcoholic beverage, including drinking water, shall equally be available for consumption with or otherwise as an ancillary to meals served in the licensed premises.
  12. The premises must be bona fide used for the purpose of habitually providing the customary main meal at midday or in the evening, or both for the accommodation of persons frequenting the premises.
  13. The premises must be bona fide used for the purpose of habitually providing for reward board and lodging including breakfast and at least one of the other customary main meals.
  14. Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

## **Annex 2 – Conditions consistent with the operating schedule**

### **Additional details in respect of licensable activities authorised by this licence**

#### Performance of live music

Location of activity: Indoors

#### Performance of recorded music

Location of activity: Indoors

#### Performance of dance

Location of activity: Indoors

#### Provision of facilities for dancing

Location of activity: Indoors

#### Late Night Refreshment

Location of activity: Indoors

### **Conditions consistent with the operating schedule relating to the licensing objectives**

#### **The prevention of crime and disorder**

15. A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out.
16. The siting and standard of the CCTV system will be agreed with WYP prior to installation and will comply with that agreement at all times.
17. Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police.

18. Security footage will be made secure and retained for a period of time to the satisfaction of WYP.
19. A Supervisors Register will be maintained at the licensed premises, showing the name, addresses and up-to-date contact details for the DPS and all personal licence holders.
20. 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 authorized officer.
21. A policy for searching patrons at the entrance to premises will be adopted.
22. The Licensee will inform West Yorkshire Police of any search resulting in a seizure of drugs or offensive weapons.
23. A suitable 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.
24. Any police instructions or directions given via the link will be complied with whenever given.
25. All incidents of crime or disorder will be reported via the link to an agreed police contact point.
26. The licensee will adopt a proof of age scheme which is approved by WYP and West Yorkshire Trading Standards (WYTS).
27. The Licensee's staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.
28. The Licensee's staff will ask for evidence from any person appearing to be under the age of 18 who attempts to purchase alcohol at the premises.
29. 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.
30. The Licensee will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.
31. Plastic or toughened glasses/bottles will be used in all outdoor areas.
32. Plastic or toughened glasses or bottles will be used when requested by West Yorkshire Police (e.g. football match days).
33. Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be displayed at the exits to the premises.
34. At any time that the Premises Licence has effect, the sale of alcohol for consumption on the premises will be ancillary to the service of table meals.
35. At any time that the Premises Licence has effect a minimum of 60 covers shall be maintained at the premises

#### **The prevention of public nuisance**

36. Ensure that no nuisance is caused by noise or vibration emanating from the premises.
37. Noise from the premises shall be inaudible at the nearest noise sensitive premises (i) after 23:00 hours and (ii) at any time when entertainment, as defined by paragraph 2 of schedule 1 of the Licensing Act 2003, takes place on more than 30 occasions per year.



38. Ensure that all licensable activities are conducted 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.
39. No bottles shall be placed in the external receptacle after 23:00 hours to minimise noise disturbance to adjoining properties
40. Ensure that the rating level of noise from plant and machinery is no higher than 5dB below the lowest background level at the most affected noise sensitive premises during the operation of the plant. Plant and machinery shall be regularly serviced and maintained to continue to meet the rating level.
41. Ensure that the premises are operated as to prevent the emission of odours which are a nuisance at nearby premises or to persons in the immediate area.
42. Ensure that business waste is stored inside closed containers awaiting collection; that litter arising from people using the premises is cleared away regularly that promotional materials such as flyers do not create litter; and that other street advertising is carried out lawfully.

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

None

### **Annex 4 – Plans**

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council licensing authority.

This page is intentionally left blank

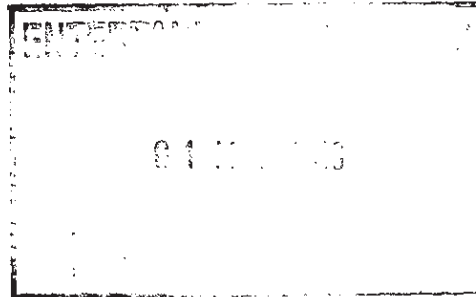
Prem/01376/005

Hanover House, 22 Clarendon Road, Leeds, LS2 9NZ  
Tel: (0113) 2070000 Fax: (0113) 2279347 DX 721080 Leeds 50 Website: www.LawBlacks.com

BY SPECIAL DELIVERY  
Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR

Our Ref: CW/MB/SUB9/2  
Email: CWaddingham@LawBlacks.com  
Telephone: 0113 2070000

30 April 2013



Dear Sirs

**Re: Premises Licence: A80/PREM/01376/004**  
**Property: Darbar Premises, 17 Kirkgate, Leeds LS1 6BY**

We act on behalf of the premises licence holder for the above property. We enclose our application and a cheque for your fees of £190 to vary the premises licence to remove two conditions.

We confirm that a copy of the application has been also been served on the interested parties and a notice has been served in the local press.

We will let you have a copy of the notice in due course.

We look forward to hearing from you.

Yours faithfully

**Blacks Solicitors LLP**

[Insert name and address of relevant licensing authority and its reference number (optional)]

Licensing Team  
Leeds City Council  
Civic Hall  
Leeds LS1 1UR

1376/005

### Application to Vary a Premises Licence 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.

(1) Delete as applicable.

(2) Insert name(s) of applicant(s).

(1) ~~[Name]~~ (2) Lynne Keenan

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PREM/01376/004

#### Part 1 - Premises details

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

Darbar Resteraunt  
17 Kirkgate

Post town Leeds

Post code LS1 6BY

Telephone number at premises (if any)

Non-domestic rateable value of premises £ 32,000.00

#### Part 2 - Applicant details

Daytime contact telephone number 01475 670429

E-mail address (optional)

Current postal address if different from premises address  
17 Scott Street

Post Town Largs

Postcode KA30 GNR

#### Part 3 - Variation

Please tick ☒ Yes

Do you want the proposed variation to have effect as soon as possible?

☒

Day Month Year

If not do you want the variation to take effect from

--	--	--	--	--	--	--	--

**Please describe briefly the nature of the proposed variation (Please read guidance note 1)**

The Premises Licence holder is changing the primary use of the premises from a restaurant to a bar and requires the removal of conditions 34 & 35 from the current licence in order to be able to do so.

Appendix E

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

#### **Part 4 - Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

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

Please tick ☒ yes

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

☐  
☐  
☐  
☐  
☐  
☐  
☐  
☐

##### **Provision of entertainment facilities 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**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)</b>	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

**B**

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

# D

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



# E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)</b>		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)			
Wed						
Thur						
Fri			<b>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</b> (please read guidance note 5)			
Sat						
Sun						

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)</b>		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)			
Wed						
Thur						
Fri			<b>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</b> (please read guidance note 5)			
Sat						
Sun						

# G

<b>Performances of dance</b>			<b>Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)</b>	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here (please read guidance note 3)</b>		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of dance (please read guidance note 4)</b>		
Thur					
Fri			<b>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)</b>		
Sat					
Sun					

# H

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

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

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)</b>	
			<b>Please give a description of the facilities for dancing you will be providing</b>	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	
Mon			<b>Please give further details here</b> (please read guidance note 3)	
Tue				
Wed			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)	
Thur				
Fri			<b>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</b> (please read guidance note 5)	
Sat				
Sun				

# K

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)	
Thur				
Fri			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)	
Sat				
Sun				

# L

<b>Late night refreshment</b> 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)	
			Indoors	
Day	Start	Finish	Outdoors	
			Both	
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur				
Fri			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)	
Sat				
Sun				

# M

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption</b> (Please tick box <input checked="" type="checkbox"/> ) (please read guidance note 7)		On the premises	
					Off the premises	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat			<b>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</b> (please read guidance note 5)			
Sun						

# 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)

As per current licence.

\\Ferret\LUN5\Docs\SI\UB\SUB9\2\Application to Vary Premises Licence\_8093080\_1.pdf

**Hours premises are open to the public**  
Standard days and timings  
(please read guidance note 6)

Day	Start	Finish
Mon	10:00am	2:00am
Tue	10:00am	2:00am
Wed	10:00am	2:00am
Thur	10:00am	2:00am
Fri	10:00am	3:00am
Sat	10:00am	3:00am
Sun	10:00am	2:00am

**State any seasonal variations** (please read guidance note 4)

Please see current licence.

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 5)

Please see current licence.

**Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking**

Conditions 34 & 35, which restrict the use of the premises to that of a restaurant.

Please tick ☒ yes

I have enclosed the premises licence

☐

I have enclosed the relevant part of the premises licence

☒

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

**Reasons why I have failed to enclose the premises licence or relevant part of premises licence**

The original premises licence will follow shortly as it is awaited from the Premises Licence holder. A certified copy is enclosed.

**P.**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

None, save as under the current licence.

**(b) The prevention of crime and disorder**

None, save as under the current licence.

**(c) Public safety**

None, save as under the current licence.

**(d) The prevention of public nuisance**

None, save as under the current licence.

**(e) The protection of children from harm**

None, save as under the current licence.



Please tick ☒ yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

x
x
x
x
x

**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 5 - Signatures** (please read guidance note 10)

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

Signature ALAN

Date 30/4/2013

Capacity Applicant's Solicitors

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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 13)

Chris Waddingham  
Blacks Solicitors LLP, Hanover House, 22 Clarendon Road

**Post town** Leeds

**Post code** LS2 9NZ

**Telephone number (if any)** 0113 2070000

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**  
CWaddingham@lawblacks.com

**Notes for Guidance**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (eg 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on. If you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

This page is intentionally left blank



Appendix C

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

© Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Leeds City Council O.S. Licence No 1000019567

© Crown Copyright all rights reserved

Title:	PREM/01376/005 Darbar Restaurant
Sub Title:	17 Kirkgate Leeds LS1 6BY
Date:	04 June 2013
Scale:	1:1000





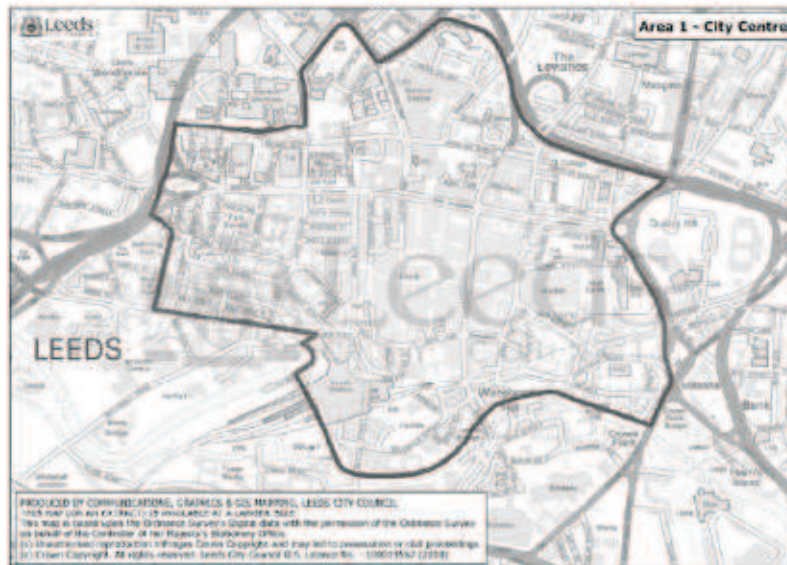
This page is intentionally left blank

### Cumulative Impact Policy

## Appendix D

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

**Fig 1**



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

### Rationale

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

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

Other areas of concern include the Eastgate area and Briggate.

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

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

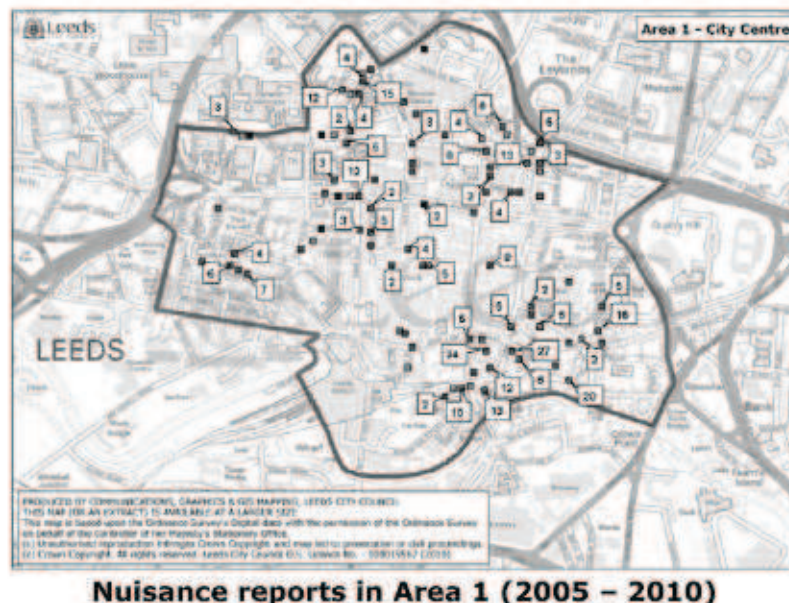
In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

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



## Evidence

Fig 2



**Nuisance reports in Area 1 (2005 – 2010)**

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

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

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

Fig 3



**Serious Violent Crime hot-spots**

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



**Fig 4**



### **Assault hot-spots**

Fig 4 shows density of assault offences in Area 1.

**Fig 5**



### **Anti-Social Behaviour hot-spots**

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

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

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



This page is intentionally left blank

**From:** Arkle, Catherine <catherine.arkle@westyorkshire.pnn.police.uk>  
**Sent:** 21 May 2013 11:09  
**To:** Entertainment Licensing  
**Cc:** Patterson, Bob; 'CWaddingham@lawblacks.com';  
robert.fullilove@westyorkshire.pnn.police.uk  
**Subject:** Darbar Restaurant - Police Objection - Cumulative Impact [NOT PROTECTIVELY  
MARKED]  
**Attachments:** DARBARREST21052013.doc

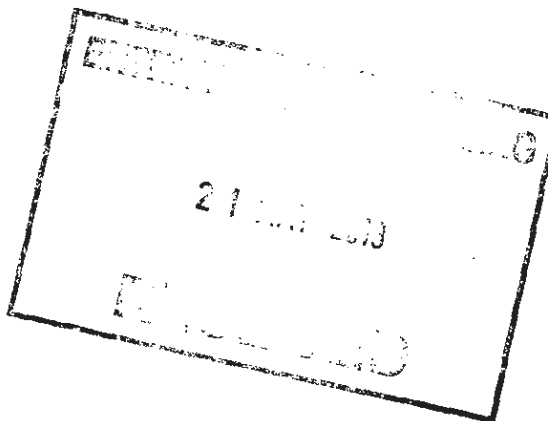
Entertainment Licensing

Please accept the below attachment which is a police objection to a variation of a premises licence. The objection is made under Cumulative Impact.

Yours faithfully

Cath Arkle

PC 5548 Catherine Arkle  
Divisional Licensing Officer  
City & Holbeck  
x53072  
0113 2413072



---

REPORT MINOR CRIME ONLINE: Report a West Yorkshire crime online, request a callback or report lost property, all via our website <http://www.westyorkshire.police.uk/>

This email carries a disclaimer, a copy of which may be read at <http://www.westyorkshire.police.uk/emailDisclaimer.asp>

## NOT PROTECTIVELY MARKED



**Leeds District Licensing Department**

### **Licensing Department**

Millgarth Police Station  
Millgarth Street  
Leeds  
LS2 7HX

Tel: 0113-2413072

Fax: 0113-2413123

Email:

catherine.arkle@westyorkshire.pnn.police.uk

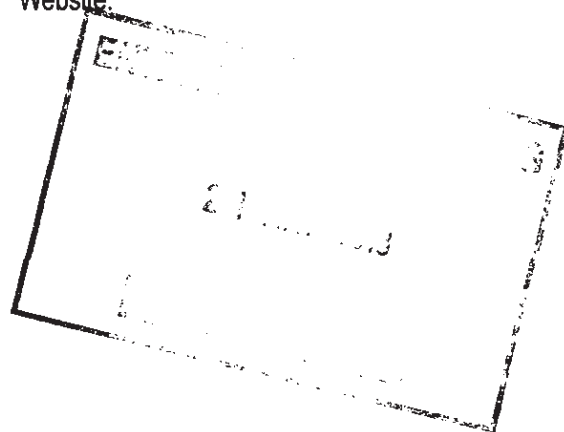
Website:

Your ref:

Our ref:

21st May 2013

**Mr. Chris Waddingham**  
**Blacks Solicitors LLP**  
**Hanover House**  
**22, Clarendon Road**  
**Leeds**  
**LS2 9NZ**



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

**RE: DARBAR RESTAURANT, 17, KIRKGATE, LEEDS, LS1 6BY**  
**APPLICATION TO VARY PREMISES LICENCE – LICENSING ACT 2003:**  
**POLICE – LETTER OF REPRESENTATION – CUMULATIVE IMPACT POLICY:**

Thank you for submitting your application for the above premises, received at the address above on 1st May 2013.

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

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

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

### **CIP - Area 1 – Leeds City Centre:**

There has been a policy of cumulative impact in Leeds City Centre since January 2005, as a part of the

## NOT PROTECTIVELY MARKED

## NOT PROTECTIVELY MARKED

original Statement of Licensing Policy issued by Leeds City Council, made to introduce the 'transitional provisions' of Licensing Act 2003 in February 2005 to full implementation in November 2005.

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

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

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

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

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

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

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

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

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

For instance:-

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

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

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

NOT PROTECTIVELY MARKED

Therefore, in terms of location, in terms of operating as a late night bar/nightclub, and in terms of the proposed variation which seeks to remove two conditions specifically on the licence to restrict the operation to being a restaurant West Yorkshire Police consider that this application implicates the current policy of cumulative impact for Leeds City Centre in every respect, and would rely on paragraphs 13.29 and 13.30 of the current Section 182 guidance in making this representation.

***PC Cath Arkle  
Divisional Licensing Officer  
City & Holbeck***

Mr Chris Waddingham  
Blacks Solicitors LLP  
Hanover House  
22 Clarendon Road  
Leeds  
LS2 9NZ

Environmental Protection Team  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS

Contact: Mr S Higgins  
Tel: 0113 395 1168  
Fax: 0113 247 6282  
Email: [scott.higgins@leeds.gov.uk](mailto:scott.higgins@leeds.gov.uk)  
Our reference: PREM/01376/005  
28 May 2013

Dear Mr Waddingham

**Licensing Act 2003 – The Prevention of Public Nuisance**

**Name of Premises: Darbar Restaurant**

**Address: 17 Kirkgate, Leeds, LS1 6BY**

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

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

[www.leeds.gov.uk](http://www.leeds.gov.uk)

general enquiries 0113 222  
4444



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

It was noted that various steps intended to be taken to promote the prevention of public nuisance are already included in the existing licence. Unfortunately, the measures proposed would not seem to adequately control all the relevant issues. It also seems unlikely that the applicant would be able to comply with appropriate conditions for the prevention of public nuisance.

Therefore, Leeds City Council Environmental Health Service is of the opinion that your application contains insufficient information about how you intended to meet the licensing objective of the prevention of public nuisance and we regret to inform you that we are fully objecting to your application.

Yours sincerely

Mr S Higgins  
Senior Environmental Health Officer