

LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 5TH MAY, 2015 AT 10.00 AM

MEMBERSHIP

Councillors

C Townsley

G Wilkinson

G Hyde

Horsforth;

Wetherby;

Killingbeck and Seacroft

A G E N D A

Item No	Ward	Item Not Open		Page No
			<u>PRELIMINARY PROCEDURES</u>	
1			ELECTION OF THE CHAIR	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 15.2 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 15.2, 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>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	



Report author: Mrs Bridget Massey
0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 5th May 2015

Subject: Application to vary a premises licence held by Broadway Hotel Dewsbury Road, Hunslet, Leeds, LS11 5LD

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Beeston & Holbeck		
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 Marston's Plc, for Broadway Hotel Dewsbury Road, Hunslet, Leeds, LS11 5LD

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

The application has attracted representations from responsible authorities

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 The premises has the benefit of a premises licence granted initially in 2005. We then received a full variation in 2007 to increase the hours and a further minor variation to remove obsolete and duplicated conditions in 2011. We then received a further minor variation in 2013 to allow earlier opening of the premises for the purpose of serving breakfast and hot drinks only. The details set out below reflect the present permitted hours and activities.

Sale of Alcohol

Regulated Entertainment

Monday to Thursday 10.00 to 00.00

Friday & Saturday 10.00 to 01:00

Sunday 11.00 to 00.00

Late Night Refreshment

Sunday to Thursday 23.00 to 00.00

Friday & Saturday 23:00 to 01:00

Non Standard Timings

Christmas Day 11.00 to 00.00

New Year's Eve to New Years Day as existing

Bank Holidays and day before Bank Holidays until 01:00

2.2 A copy of the existing licence is attached at **Appendix A**

3.0 The Application

3.1 The applicant is Marston's Plc,

3.2 The application form may be found at **Appendix B** to this report.

3.3 In summary the application is for:

- Variation to change the internal layout of the premises as per the drawing deposited with the Licensing Authority.
- To extend the licensed area to cover the proposed function room in the basement and the rear external area of the premises as more particularised on the drawing deposited with the Licensing Authority.
- To enable the retail sale of alcohol and other licensable activities to commence at 10.00 Sundays only and to terminate at 02:00 hours on Friday and Saturday.
- To remove Christmas Day restrictions and to add other non- standard timings as reflected in the application.
- To add conditions as per the application.

4.0 Other matters relevant to the application

4.1 Please note that Regulated Entertainment will only take place in the external area between 10.00 and 00.00.

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 proposes to take specific steps to promote the licensing objectives identified in the noise management plan which forms part of the application.

6.0 Licensing Hours

6.1 Members are directed to paragraphs 6.8 to 6.15 for the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.

6.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers

it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not impact on the licensing objectives, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.

- 6.3 A list of premises in the local area and their licensed hours and activities is provided at **Appendix F**

7.0 Location

- 7.1 A map which identifies the location of this premises is attached at **Appendix C**.

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 Leeds City Council Environmental Protection Team.

- 8.2.2 Any representations submitted may be agreed prior to hearing. In this instance the operating schedule has been amended to include measures agreed with the West Yorkshire Police. A copy of which can be found at **Appendix D**

- 8.2.3 The representation submitted by the Environmental Protection Team remains a matter for Members consideration. A copy of the same may be found at **Appendix E**

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

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Premises Licence

Part A Schedule 12 Licensing Act 2003

Part 1 – Premises Details

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

Broadway Hotel, Dewsbury Road, Hunslet, Leeds, LS11 5LD

Telephone number: 0113 - 277 4434

Licensable activities authorised by this licence

Sale by retail of alcohol, Provision of late night refreshment, Exhibition of a film, Indoor sporting events, Performance of live music, Performance of recorded music, Performance of dance,

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

Provision of late night refreshment

Friday & Saturday	23:00 - 01:00
Sunday to Thursday	23:00 - 00:00

Location of activity: Indoors

Exhibition of a film

Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

Location of activity: Indoors

Indoor sporting events

Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

Location of activity: Indoors

Performance of live music

Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

Location of activity: Indoors

Performance of recorded music

Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

Location of activity: Indoors

Performance of dance

Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

Location of activity: Indoors

Details relating to all activities

Non standard timings:

Christmas Day 11:00 - 23:00 hours;
New Years Eve 10:00 to New Years Day as existing;
Bank Holidays and the day before Bank Holidays until 01:00.

Opening hours of the premises

Monday to Thursday	09:00 - 00:30
Friday & Saturday	09:00 - 01:30
Sunday	09:00 - 00:30

Alcohol is sold for consumption on and off the premises

Part 2

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

Marston's Plc
Marston's House
Wolverhampton
WV1 4JT

Daytime Contact Telephone Number: 01902 711 811

Registered number of holder, for example company number, charity number (where applicable)

Registered business number: 31461

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

Craig Webster

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: NCCOOCJ0886

Licensing authority: Newcastle Upon Tyne City Council

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 admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made
 - a. By the British Board of Film Classification (BBFC,) Where the film has been classified by the Board, or
 - b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or,
 - c. where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.
5. The responsible person must 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 -

- a. games or other 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 other public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- 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 in a manner which carries a significant risk of undermining a licensing objective;
- d. 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 glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

- e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 7. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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 either -

- a. a holographic mark, or
- b. an ultraviolet feature.
- 8. The responsible person must 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: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml;
 - b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and
 - c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the operating schedule

The prevention of crime and disorder

- 9. No temporary external bars to be located without prior permission of West Yorkshire Police.
- 10. Adopt the proof of age scheme in accordance with guidance issued by West Yorkshire Police.
- 11. Participate in a local pubwatch scheme or licensing association where one exists, that is recognised by West Yorkshire Police.
- 12. When permission is sought for the sale of supply of alcohol during non standard hours for any Bank Holiday period, an event of national interest or a televised sporting event of national interest, then the following will apply:-

The applicant must give West Yorkshire Police at least ten clear working days written notice of any Bank Holiday period or any other event of national interest.

The non standard hours shall apply to one hour before and one hour before and one hour after a televised sporting event of national interest and a maximum of two additional hours in any one day to any other event of national interest.

The applicant must have made no more than 12 applications relating to either an event of national interest or televised sporting event of national interest in any one calendar year.

If after the 5th working day commencing the day after the request is received West Yorkshire Police do not respond, then consent will be deemed granted.

In relation to any request for non standard hours, West Yorkshire Police retain the right to suggest any reasonable variation in promoting the prevention of crime and disorder objective.

13. The character of the premises as a food led public house will not substantially alter.
14. A supervisors register will be maintained at the licensed premises, showing the names, addresses and up to date contact details for the DPS and all personal licence holders.
15. The Licensee will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, and ejections from the premises.
16. 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.
17. The Licensee will prominently display notices which informs customers that open bottles or glasses may not be taken off the premises save for consumption in any designated external area.
18. At least thirty minutes will be allowed between the final sales of alcohol and closing the premises. The DPS will permit customers to finish their drinks and leave the premises in an orderly manner.

Public Safety

19. Before opening to the public a check of emergency access and exit points shall be carried out to ensure that they are unobstructed, and regular checks of emergency access and exit points shall be carried out when the premises are trading to ensure that they are unobstructed.
20. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
21. Electrical installations will be inspected in a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
22. A suitably trained first aider or appointed person will be provided at all times when the premises are open.
23. A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.
24. Where strobes, lasers, smoke machines or any other special effect equipment may be used, a written health and safety policy covering all aspects of their use will be provided and staff will be appropriately trained.
25. A written spillage policy will be kept to ensure spillages are dealt with both timely and safely.
26. The Licensee will ensure that there is a procedure for the safe evacuation of disabled persons.
27. Staff will be trained in the procedure and a record kept of such training.

The prevention of public nuisance

28. No nuisance will be caused by noise or vibration emanating from the premises. Licensable activities will be conducted and the facilities for licensed activities will be designed and operated so to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
29. Empty bottles will be stored in suitable receptacles immediately outside of the premises prior to collection. Receptacles will be used in a manner to minimise noise disturbance to adjoining properties. Bottles will not be placed in the external receptacle after 23:00 hours to minimise noise disturbance to adjoining premises.
30. Deliveries, collections of refuse and bottles, and operational servicing will be carried out to minimise noise disturbance to adjoining premises. Instructions will be provided to drivers requiring them to switch off engines during deliveries, collections and servicing, and to minimise other noise caused by their activities. Deliveries will be carried out between 07:00 and 19:00 except where unavoidable.
31. No nuisance will be caused by noise or vibration emanating from the premises from external plant or equipment.
32. The rating level of noise from plant and machinery will be 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 will be regularly serviced and maintained to continue to meet the rating level.
33. The Licensee will ensure all lighting in the premises is of a suitable intensity and positioning. All lighting on or at the premises will be operated in a manner which will not cause a nuisance to nearby properties.
34. The premises will operate a suitable ventilation and extraction system. The system will be cleaned and maintained to the manufacturer's instructions to prevent unwanted odours occurring.
35. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos.
36. A facility will be provided for customers to order taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent location.
37. Customers will be provided with a designated area on the premises where they may wait for their transport.
38. Patrons shall not use the beer garden located on the front terrace or the rear garden for the consumption of alcohol after 23:20. This condition does not apply to the all weather smoking shelter located to the side of the premises in the main car park which shall operate to the terminal hour of the premises.
39. Noise shall be inaudible at the nearest noise sensitive premises after 23:00 hours and when entertainment takes place on a regular basis at all times.
40. Ensure that all sets of doors (especially the emergency fire exit) and windows on the premises shall be kept closed at all times whilst the entertainment is still in operation.
41. A cooling down period with reduced music volume shall be operated before the premises close.

Protection of children from harm

- 42. The Licensee's staff will ask for evidence of age from any person appearing to be under the age of 18 who is attempting to purchase alcohol at the premises.
- 43. Signs will be provided informing customers that sales will not be made to under 18s, and that age identification may be required.

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

The prevention of public nuisance

- 44. There shall be no external loudspeakers.

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.

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.

We Marston's PLC 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/00704/011

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Broadway Hotel, Dewsbury Road, Hunslet	
Post town Leeds	Post code LS11 5LD

Telephone number of premises (if any)

0113 277 4434

Non-domestic rateable value of premises

£65000

Part 2 – Applicant Details

Daytime contact telephone number

c/o 01142 668664

Email address
(optional)

Current postal
address if
different from
premises address

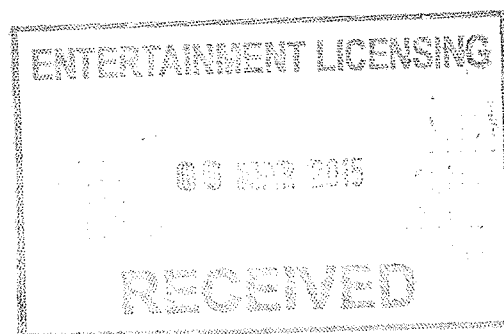
Marston's House, Brewery Road, Wolverhampton, WV1 4JT

Post Town

Wolverhampton

Postcode

WV1 4JT



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.

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A) ☐
- b) Films (if ticking yes, fill in box B) ☒
- c) indoor sporting events (if ticking yes, fill in box C) ☒
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☒
- f) recorded music (if ticking yes, fill in box F) ☒
- g) 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 late night refreshment (if ticking yes, fill in box I) ☒

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	As existing	As existing	Please give further details here (please read guidance note 3)	Both	
Tue	As existing	As existing			
Wed	As existing	As existing			
Thur	As existing	As existing	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Fri	As existing	02:00			
Sat	As existing	02:00			
Sun	10:00	As existing	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) When the hours for the sale of alcohol are extended hereunder these hours are also extended (See Box J below)		

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	As existing	As existing	
Tue	As existing	As existing	State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed	As existing	As existing	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) When the hours for the sale of alcohol are extended hereunder these hours are also extended (See Box J below)
Thur	As existing	As existing	
Fri	As existing	02:00	
Sat	As existing	02:00	
Sun	10:00	As existing	

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish			
Mon	As existing	As existing	Please give further details here (please read guidance note 3)		
Tue	As existing	As existing			
Wed	As existing	As existing	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	As existing	As existing			
Fri	As existing	02:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the sale of alcohol are extended hereunder these hours are also extended (See Box J below)		
Sat	As existing	02:00			
Sun	10:00	As existing			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish			
Mon	As existing	As existing	Please give further details here (please read guidance note 3)		
Tue	As existing	As existing			
Wed	As existing	As existing	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	As existing	As existing			
Fri	As existing	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the sale of alcohol are extended hereunder these hours are also extended (See Box J below)		
Sat	As existing	02:00			
Sun	10:00	As existing			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon	As existing	As existing	Please give further details here (please read guidance note 3)	Both	✓
Tue	As existing	As existing			
Wed	As existing	As existing			
Thur	As existing	As existing	State any seasonal variations for the performance of dance (please read guidance note 4)		
Fri	As existing	02:00			
Sat	As existing	02:00			
Sun	10:00	As existing	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the sale of alcohol are extended hereunder these hours are also extended (See Box J below)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Mon					Outdoors
Tue			Both		
Wed					
Thur			Please give further details here (please read guidance note 3)		
Fri					
Sat					
Sun			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
			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)		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	As existing	As existing			
Tue	As existing	As existing	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	As existing	As existing			
Thur	As existing	As existing			
Fri	As existing	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) When the hours for the sale of alcohol are extended hereunder these hours are also extended (See Box J below)		
Sat	As existing	02:00			
Sun	As existing	As existing			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	As existing	As existing			
Tue	As existing	As existing			
Wed	As existing	As existing			
Thur	As existing	As existing	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)		
Fri	As existing	02:00	As existing save for the removal of the Christmas Day restriction, the amendment to Bank Holiday Sunday timings insertion of a new timing on Christmas Eve and Boxing Day to allow all licensable activities to take place until 02:00 hours and to allow an additional hour on the commencement of British Summertime to replace the hour lost.		
Sat	As existing	02:00			
Sun	10:00	As existing			

K

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

L

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

Day	Start	Finish
Mon	As existing	As existing
Tue	As existing	As existing
Wed	As existing	As existing
Thur	As existing	As existing
Fri	As existing	02:30
Sat	As existing	02:30
Sun	10:00	As existing

State any seasonal variation (please read guidance note 4)

Non standard timings. Where you intend to use 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)

The premises will close for service to the public 30 minutes after the end of non standard timings as identified in Box J above.

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

None

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

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

M

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)

No additional conditions are offered

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed

c) Public safety

No further risks have been identified which need to be addressed

d) The prevention of public nuisance

No further risks have been identified which need to be addressed

e) The protection of children from harm

No further risks have been identified which need to be addressed.

Part 3 – Variation

Please tick ✓/yes

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

☒

If not do you want the variation to take effect from

Day Month Year

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

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.

N/A

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

Application is made to vary the Licence as follows:-

1. As per drawing number 2095/D/202 Rev A attached and as follows

Internally – redecoration of interior at ground floor level including fixtures and fittings etc.

At the basement level the garage is to be transformed into a function room. A bar shall be located within the function room. Further a servery hatch will be incorporated into the wall.

2. Licensed Areas.

To extend the licensed area to cover the function room at basement level (drawing number 2095/D/202 Rev A) for all licensable activities and the rear external area (drawing number E0913/91633/5.0) for regulated entertainment only.

The rear external area shall operate events including live music. At least ten working days notice shall be provided to both Environmental Health Services, the Police and the Licensing Authority prior to any external event taking place. Regulated entertainment will only take place in the rear external area between 10:00 hours and 00:00 hours. The premises shall also operate with a Noise Management Plan which is attached to the application.

3. Hours

The commencement hour for all licensable activities shall be brought forward to 10:00 hours from 11:00 hours on Sunday to bring in line with all other days.

The terminal hour for all licensable activities is to be extended to 02:00 hours on a Friday and Saturday (currently 01:00 hours). The premises shall close 30 minutes after.

With regard non standard timings, the existing non standard timing in relation to Christmas Day is to be removed, the premises shall therefore operate as on any other standard day on Christmas Day.

Further an additional non standard timing is sought on the commencement of British Summertime when all licensable activities shall be extended by 1 hour to replace the hour lost. Further non standard timings in relation to Bank Holiday Sunday, Christmas Eve and Boxing Day are to be extended to 02:00 hours for licensable activities.

4. Conditions.

The following CCTV conditions as requested by West Yorkshire Police are to be added to the Licence under the heading Crime and Disorder:-

- A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
- The CCTV system will cover all external areas of the premises occupied by the public, i.e. beer gardens, smoking areas and car parks.
- The CCTV system will contain the correct time and date stamp information.
- The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
- A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.

The following conditions are to be added under the heading Prevention of Public Nuisance:-

- Regulated entertainment will only take place in the external area between 10:00 and 00:00 hours.
- External regulated entertainment will only take place in accordance with a prepared Noise Management Plan

It is considered that the work to be undertaken at the site will be a substantial improvement to its operation and no risk will arise to the four licensing objectives as a result therefore.

The application is submitted following consultation with West Yorkshire Police and Leeds City Council Licensing Authority, Leeds City Council Licensing Authority and Environmental Health Services.

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



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: John Gaunt & Partners..... *John Gaunt & Partners*

Date: *5/3/2015*

Capacity: 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: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

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

John Gaunt & Partners
Omega Court
372 Cemetery Road

Post town
Sheffield

Post code
S11 8FT

Telephone number (if any)
0114 266 8664

If you would prefer us to correspond with you by email your email address (optional)
jhylton@john-gaunt.co.uk

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.

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 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 (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not 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.

BROADWAY, LEEDS

NOISE MANAGEMENT PLAN

Introduction

The Designated Premises Supervisor (DPS) acknowledges that they have a primary responsibility to ensure that the proposed use of the premises and in particular licensable activities in the rear external area do not generate excessive noise disturbance to nearby residents. The purpose of this noise management plan is to detail the procedures which the DPS aims to adopt to ensure, as far as possible, the minimisation of disturbance to local residents by activities at the Broadway.

A balance of needs must be achieved by ensuring social activity is not marred whilst controlling potential adverse noise effects. The aim is to adopt the best practicable means to ensure that licensing objectives are met.

The plan is designed to promote the prevention of public nuisance and to meet the licensing objectives under the Licensing Act 2003.

The following measures are proposed in respect of the provision of musical regulated entertainment and the control of noise from people:

- A risk assessment approach to events to be held at the premises (both inside and outside) with regard to noise control.
- Training procedures for managers and other staff
- An ongoing review process.
- A detailed complaints monitoring system.

Noise Management Strategy

The noise management strategy is intended to control noise from the provision of regulated entertainment and in particular amplified or unamplified and amplified speech to ensure that regulated entertainment does not cause a public nuisance and would also be unlikely to result in any intrusive noise that could be deemed a statutory nuisance.

Key elements of this plan are:-

- Minimise impact to local residents.
- To satisfy the Licensing Authority.
- A detailed list of steps taken to manage noise pollution.
- A complaints procedure.

Identification of the range of potential Noise Sources relating to the premises and its vicinity.

Sources of noise include:

- Amplified music (recorded) with particular attention to low frequency bass levels, public address systems.
- External Areas

Steps taken to manage noise pollution

Generally, the overriding requirement is for control of noise “at source” by considering:-

The specification, selection and operation of amplified music and equipment.
Managing operations on site.
Making customers aware of the consequences of noise and to be proactive in dealing with the problem by internal and external signage etc.

Managing Operations on site

1. Regulated entertainment in the rear external area shall end at 00.00hrs.

The DPS will be responsible for all licensable activity taking place both inside the premises and in the rear external area.

Both the DPS and any deputy managers will be fully aware and conversant with the noise management plan.

Any events where amplified music is employed will be wound down in a professional manner. Music will reduce in sound and style to reflect a calmer end to an event.

The management of noise relies on the DPS, who through good management can have considerable positive impact on the noise generated as a result of measures to be adopted at the premises, which will include:

- Staff reminding people to take notice of the signage if they are ignoring them, and keep the noise down when they are in areas that may lead to their voices causing disturbance.
- Regularly checking that the noise from people and music, is reasonable on boundary of the property, to gain confidence that residents are not likely to be being disturbed.
- Providing residents with a formalised route for making a complaint, and if one is received then acting quickly to investigate it, and where possible addressing anything that may not be in accordance with the agreed control measures.
- Keeping a log of any complaints and the checks made and any action taken, making sure that it is up to date, and available for scrutiny on request by Environmental Health.

Making customers aware of the consequences of late night noise and to be proactive in dealing with the problem.

Notices will be displayed on external doors asking customers to leave the premises in a quiet and orderly fashion and to show respect to local neighbours.

Verbal announcements prior to dispersal will be made at the end of each event.

Complaints procedure

All complaints relating to the premises will be logged on an incident reporting system.

If the complaint relates to the external yard area, the DPS will then investigate the issue and take appropriate action to investigate whether the noise management plan has been implemented correctly and if not then correcting the error and then monitoring the outcome.

Should a response be required immediately (on the night) back to the complainant this will be done by the DPS or the Duty Manager.



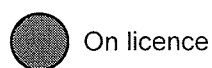
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Key



On licence



Late night refreshment



Off licence



Other

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Deighton, Charlotte

BM

00704/012

From: Jonathan Hyldon <JHyldon@john-gaunt.co.uk>
Sent: 02 April 2015 11:45
To: Sanderson, Catherine; Entertainment Licensing
Cc: Patterson, Bob
Subject: Broadway, Leeds - Variation Premises Licence Qualified Objection [NOT PROTECTIVELY MARKED]
Attachments: 300315 BROADWAY.DOC
Importance: High

Hi Cat,

I write to confirm that my clients are agreeable to the conditions in the attached document being placed upon the premises licence if the application to vary is granted.

I have copied licensing in for their records.

In the meantime if you require any further information on this matter please do not hesitate to contact me.

Regards

Jonathan Hyldon
Associate

JHyldon@john-gaunt.co.uk | www.john-gaunt.co.uk
T: 0114 266 8664 | M: 07909 330 455 | F: 0114 267 9613

JG&P | John Gaunt
& Partners

ENTERTAINMENT LICENSING

02 APR 2015

RECEIVED

Omega Court | 372-374 Cemetery Road | Sheffield | S11 8FT

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APLH Courses | Reviews | Due Diligence | Betting and Gaming | eLearningPlus

For more details on our services please click on the links above.

From: Sanderson, Catherine [<mailto:catherine.sanderson@westyorkshire.pnn.police.uk>]
Sent: 30 March 2015 14:41
To: 'Entertainment Licensing'
Cc: Jonathan Hyldon; Patterson, Bob
Subject: Qualified Objection [NOT PROTECTIVELY MARKED]

Afternoon

Please find attached a letter of representation, qualified objection, to the variation application for The Broadway Hotel, Dewsbury Road, LS11 5LD

I have spoken with the applicants representative and included him on the email.

Kind regards

Cat

Cat Sanderson
Licensing Officer
Leeds District
Elland Road, Leeds, LS11 8BU
Internal: 50216
External: 0113 385 9416

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Partners: John Gaunt (569711) Katharine Redford (569712) Tim Shield (569713) Michelle Hazlewood (569714)
Associates: Christopher Grunert Jonathan Hyldon
Practice Manager: Jonathan Pupius

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**WEST YORKSHIRE
POLICE**

Leeds District Licensing Department

Leeds District Licensing Department
West Yorkshire Police
District Headquarters
Elland Road
Leeds
LS11 8BU

Tel: 0113 385 9416

Fax:

Email:

catherine.sanderson@westyorkshire.pnn.police.co.uk

30th March 2015

**JOHN GAUNT & PARTNERS
OMEGA COURT
372 CEMETERY ROAD
SHEFFIELD
S11 8FT**

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

**RE: BROADWAY HOTEL, DEWSBURY ROAD, HUNSLET, LS11 5LD
VARIATION OF PREMISES LICENCE – PREM/00704/012 - LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for the above premises, received at the address above on 6th March 2015.

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

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

1. the prevention of crime & disorder
2. the prevention of public nuisance

However, West Yorkshire Police are also of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule, in addition to what you may have offered in your application.

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in agreement with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible, but no later than 3rd April 2015.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

Upon receipt of your consent at **Part 2**, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

Alternatively should you disagree with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible, but no later than 3rd April 2015.

PART 1 - to be completed by the Responsible Authority:

West Yorkshire Police propose the following control measures under the Licensing Act 2003 (in **addition** to those that you may have already offered), for the premises:

**BROADWAY HOTEL
DEWSBURY ROAD
HUNSLET
LEEDS
LS11 5LD**

Having considered the application under the Licensing Act 2003 for the above premises, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives:

- the prevention of crime & disorder
- the prevention of public nuisance

Measures / Additional measures proposed:

- A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
- The CCTV system will cover all external areas of the premises occupied by the public, i.e. beer gardens, smoking areas and car parks.
- The CCTV system will contain the correct time and date stamp information.
- The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
- A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.
- The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.
- A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police.
- Events and functions will be risk assessed by the premises management and SIA door supervision will be deployed if deemed necessary.
- Where door supervision are deployed, written notice must be given to West Yorkshire Police prior to the event taking place.

NOT PROTECTIVELY MARKED

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures within the Operating Schedule for the said premises.

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

Cat Sanderson
Leeds District Licensing Officer

Date: 30th March 2015

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

PART 2 – to be completed by the applicant or applicant's representative:

Consent for all proposed control measures under the Licensing Act 2003.

Name & Address of Premises:

BROADWAY HOTEL
DEWSBURY ROAD
HUNSLET
LEEDS
LS11 5LD

I/We John Cant & Partners

confirm that ~~we~~ we are ~~the applicant~~ the applicants representative (delete as appropriate) for the premises as stated above.

In signing this document:

- ~~I~~/ we agree with the measures proposed by West Yorkshire Police,
- ~~I~~/ we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises, and furthermore,
- ~~I~~/ we confirm the premises will then operate in accordance with those measures agreed to.

Signed



(JOHN CANT & PARTNERS)

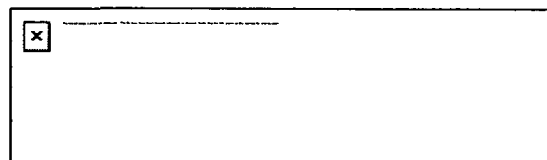
~ JOHN CANT & PARTNERS

SOLICITORS REPRESENTING THE APPLICANT.

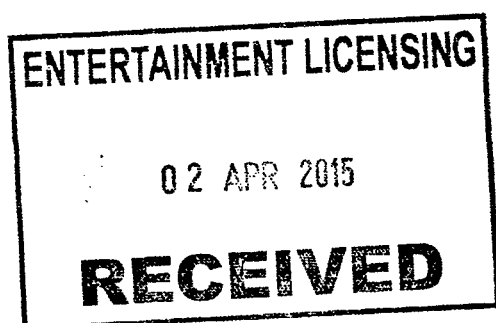
Dated

7/4/15

NOT PROTECTIVELY MARKED



Marston's Plc
Marston's House
Wolverhampton
WV1 4JT



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

Contact: Mr Gary Mann
Tel: 0113 395 1265
Fax: 0113 247 6282
Gary.mann@leeds.gov.uk
Our reference: PREM/00704/012
2 April 2015

Dear Sir / Madam

Licensing Act 2003

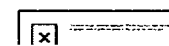
Name and Address of Premises: BroadWay Hotel, Dewsbury Road, Hunslet, Leeds, LS11 5LD

We refer to your licensing application for the above premises. We believe that your application does not give enough information about how you intend to meet an important objective of the licence, which is to prevent public nuisance. We therefore confirm that we are submitting a formal objection to your application.

We base our objection on the following matters:

- The potential for noise disturbance associated with licensable activities to break out of the premises or pass through the fabric of the building to cause noise disturbance to nearby residential premises.
- The potential for noise disturbance from the use of outside areas whilst smoking/drinking in the area/s provided/whilst arriving/leaving, including that from vehicles.
- The potential for the alleged sources of nuisance described in the items above to continue into hours where such disturbance may adversely affect sleep and other loss of the use and enjoyment of a property.

This Department is of the opinion that due to the operating hours applied for the premises has the potential to cause noise disturbance to nearby residents from customers congregating in external areas. Noise may be associated with raised voices, clapping, cheering, arrival and departure of vehicles, slamming of car doors, revving of engines, sounding of horns and loud use of car stereos. If granted the application is likely to increase the number of late night revelers in the area. Therefore increasing potential for public nuisance to noise sensitive occupants.



Environmental Health has no enforcement powers to deal with noise associated customers causing noise disturbance in the streets immediately surrounding the application premises.

In addition, we believe they may not comply with the code of practice on Environmental Noise Control at Concerts and the related conditions. In addition, common complaints related to live music are the effects of low frequency bass, which even at low levels can cause disturbance.

We also base our objection on experience including that specifically associated with the premises and the area including data relating to complaints received from members of the public.

Description of the surrounding area

Please refer to Appendix 1 Map of Surrounding Area

The surrounding area is predominantly domestic housing, North, West and South of the site. An industrial estate is to the East of the site. The closest properties (blue) appear to be approximately 41 m South East of the site on Westland Road, with clear line of view to the outdoor area. There are more properties further down Westland Road. There are also properties on Dewsbury road that may be affected once traffic levels die down. The area is a mixture of hard standing (pink) and soft ground (green). There is another outside seating area closer to Westland Road and at the front of the pub (green).

Description of the applicant venue and the application:

The onus is on the applicant to demonstrate such matters (Items 8.33 to 8.41 of the amended guidance issued under Section 182 of the Licensing Act 2003 – June 2014)

The premises currently operates:

The opening hours of the premises

Monday to Thursday 10:00 - 00:30

Friday & Saturday 10:00 - 01:30

Sunday 11:00 - 00:30

Performance of live music

Monday to Thursday 10:00 - 00:00

Friday & Saturday 10:00 - 01:00

Sunday 11:00 - 00:00

Performance of recorded music

Monday to Thursday 10:00 - 00:00

Friday & Saturday 10:00 - 01:00

Sunday 11:00 - 00:00

The applicant proposes to extend the licensed area to cover the function room at basement level for licensable activities and the rear external area for live music between 2200 and 0000 (red). The applicant has advised 10 working days will be provided to LCC and the police prior to external events taking place and will only take place in accordance with a prepared Noise Management Plan.

The application also proposes an extension to current opening hours to 2.30am on a Friday

The applicant has offered measures in their application aimed to prevent public nuisance.

Complaint and other history specific to the applicant premises

Please see appendix 2 which is a list of complaints received by our team since 2006 associated with the Broadway pub. Since 2010 the department has received repeated complaints relating to live music. None of the complaints were substantiated and they appear to have been temporarily resolved through contact with the Designated Premises Supervisor and license holders.

Conclusions reached

There is a history of complaints relating to noise from live music that takes place inside the premises. Music played outside will be louder as there will be no attenuation from the building. There is no indication from the applicant how often the events will occur, if this variation is granted these events could occur frequently.

There will also be noise from patrons in external areas, clapping, cheering, talking and shouting. The measures mentioned in the noise management plan include signage, door staff monitoring patrons, checking noise from the site boundary. This department receives numerous annual complaints relating to noise from outdoor events, the measures in the plan have not worked for other events.

Low frequency bass will be difficult to monitor because background noise levels will be higher outside than inside a domestic property. Therefore, low frequency noise will be more noticeable indoors because buildings and distance provide reduced attenuation than for higher frequencies.

We recommend that the Sub-Committee refuse the application.

We do not believe that further conditions will resolve the application as it stands.

Yours sincerely

Mr Gary Mann
Environmental Health Officer

Appendix 1 Map of Surrounding Area



Appendix 2 Complaints History

Any complaints involving the applicant premises are indicated*, otherwise the alleged source of complaint is redacted. Details may be provided after the agreement of the Licensing Sub-committee.

	Ref	Date Rcvd	Details
1	06/00757/XNOILI	22.4.06	Daytime noise. bouncy castle, people in beer garden, doors open. Loud music and shouting.
2	07/18425/NOILIC	23.8.07	Alleged loud music after permitted hours
3	10/14417/XNOILI	15.05.10	Loud music from live band going on until 2330 most weekends. Letter to license holder. No further action.
4	10/24757/XNOILI	30.7.10	Loud music from live bands, shouting drinking outside. Letter to DPS and license holder. Further contact with DPS.
5	11/11184/XNOILI	30.4.11	Live music Fridays and Saturdays, doors open. Letter and contact with DPS. NFA
6	12/30965/NOILIC	20.8.12	Complaint regarding loud music. Letter sent to DPS and license holder. NFA
7	14/15697/XNOILI	29.3.14	Complainant called out of hours regarding loud music. Letter to DPS and license holder. No further contact, appears isolated incident.

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Appendix F

Issued premises licences and club certificates within an area

PREM/00704/011 - Broadway Hotel, Dewsbury Road, Hunslet, Leeds, LS11 5LD

Sale by retail of alcohol	
Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00
Provision of late night refreshment	
Friday & Saturday	23:00 - 01:00
Sunday to Thursday	23:00 - 00:00
Exhibition of a film	
Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00
Indoor sporting events	
Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00
Performance of live music	
Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00
Performance of recorded music	
Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00
Performance of dance	
Monday to Thursday	10:00 - 00:00
Friday & Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

PREM/03257/001 - Mamas Pizzeria, 384 Dewsbury Road, Hunslet, Leeds, LS11 7JX,

Provision of late night refreshment	
Every Day	23:00 - 00:00

PREM/03232/001 - Apple International Foods Store, 292 Cross Flatts Grove, Cross Flatts, Leeds, LS11 7BS,

Sale by retail of alcohol	
Monday to Friday	07:00 - 23:00
Saturday	09:00 - 23:00
Sunday	09:00 - 22:00

PREM/02579 - Dragon Palace, 400 Dewsbury Road, Hunslet, Leeds, LS11 7JX,

Provision of late night refreshment	
Every Day	23:00 - 00:00

PREM/01083 - KFC, Kentucky Fried Chicken, 380 Dewsbury Road, Hunslet, Leeds, LS11 7JX,

Provision of late night refreshment	
Monday to Saturday	23:00 - 23:30

PREM/01573 - Turner Food & Wine, 388 - 390 Dewsbury Road, Hunslet, Leeds, LS11 7JX

Sale by retail of alcohol

Monday to Saturday

08:00 - 23:00

Sunday

10:00 - 22:30

PREM/01851 - Pizza Way, 398 Dewsbury Road, Hunslet, Leeds, LS11 7JX,

Provision of late night refreshment

Every Day

23:00 - 00:30