



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 26TH MAY, 2015 AT 10.00 AM

MEMBERSHIP

Councillors

K Bruce
R Downes
B Gettings

Rothwell
Otley & Yeadon
Morley North

(Membership subject to approval of Annual Council Meeting on 21st May 2015)

**Agenda compiled by:
Governance Services
Civic Hall
LEEDS LS1 1UR
Tel No: 2243836**

A G E N D A

| Item No | Ward | Item Not Open | | Page No |
|---------|------|---------------|--|---------|
| 1 | | | <p><u>PRELIMINARY PROCEDURES</u></p> <p>ELECTION OF THE CHAIR</p> | |
| 2 | | | <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p> | |

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

| Item No | Ward | Item Not Open | | Page No |
|---------|----------|---------------|--|---------|
| 5 | | | <p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><u>HEARINGS</u></p> | |
| 6 | Wetherby | | <p>APPLICATION TO VARY A PREMISES LICENCE HELD BY THE ANGEL HIGH STREET, WETHERBY, LS22 6LT</p> <p>To consider the report of the Head of Licensing and Registration which sets out detail of an application to vary a premises licence, made by Westgate Leisure Services Limited, for The Angel High Street, Wetherby, LS22 6LT</p> <p>(Report attached)</p> | 1 - 60 |
| | | | | |

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.



Report author: Miss Jane Wood

0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 26th May 2015

Subject: Application to vary a premises licence held by The Angel High Street, Wetherby, LS22 6LT

| | | |
|---|---|--|
| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): | Wetherby | |
| 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 Westgate Leisure Services Limited, for The Angel High Street, Wetherby, LS22 6LT

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

The application has attracted representations from members of the public and 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

An application was received on the 19th July 2005 to convert and vary the existing Justices' On Licence and Public Entertainment Licence in to a premises licence.

The application attracted representations from Leeds City Council's Environmental Health and Health & Safety Team. The agencies objections were later withdrawn subject to the agreements of suggested measures forming part of the operating schedule, and the licence subsequently granted.

At this time the premises licence holder was Mill House Inns Limited. On the 23rd April 2007 the licence became the property of Spirit Group Limited by way of a transfer application. The transfer application progressed through the consultation period without representation from West Yorkshire Police and was duly granted with immediate effect.

Over the course of the following two years, several changes to the Designated Premises Supervisor were made and granted. However the next key change was on 18th August 2009 with the appointment of the current premises licence holders; Franco Del Bueno and Catherine Spence.

Ten days later on the 28th August 2009, an application to specify Gary Lockhart as the Designated Premises Supervisor was received.

Both applications to transfer the licence and change the DPS did not attract representation and were granted as requested.

Also on the 28th August 2009 an application to vary the premises licence was made. The application only proposed to alter the internal layout of the premises, however it attracted a representation from West Yorkshire Police suggesting measures to address their concerns in relation to CCTV retention, proof of age requirement and the prohibition of licensable activities taking place in the outside area.

The above measures were agreed by the licence holder resulting in the representation being withdrawn and the licence being granted with the measures incorporated.

A further application to vary the premises licence was made on the 4th March 2010. On this occasion the proposal was to alter the internal layout of the premises to facilitate a function room, along with an extension to the hours of all licensable activities.

This application was subjected to representation from West Yorkshire Police and the Environmental Protection Team, both offering suggested measures which remained outstanding and a matter for Members consideration at hearing on the 19th April 2010.

Members carefully considered all submissions and remained concerned about the likely impact of granting the application on the licensing objectives regarding public nuisance and the prevention of crime and disorder. The Sub Committee however felt it was possible to take proportionate steps to address the concerns raised, and resolved to grant the application in part.

A terminal hour of 00:30 hours on Friday and Saturday evenings for Late Night Refreshment and the Sale of Alcohol was granted, along with the inclusion of all the measures suggested by the two responsible authorities in to the operating schedule.

On 21st May 2013, a minor variation application was received by the Licensing authority. This application proposed to alter the wording of a condition in relation to door staff requirements which read 'The minimum number of door supervisors for the premises is 2 on a Thursday, Friday and Saturday evening from 19:00 hours until one hour after close of business.'

The wording offered by the licence holders were that 'The minimum number of door supervisors for the premises is 2 on a Friday and Saturday evening from 21:00 hours until one hour after the close of business.'

Concerns to the revision were expressed by West Yorkshire Police who submitted a representation to the application. With a duty to refuse the application on receipt of a representation, save except for an agreement being reached, a meeting was held between West Yorkshire Police and the premises licence holder.

The meeting did result in an agreement which involved further modification to the wording. The measure agreed by both parties was that 'The minimum number of door supervisors for the premises is 2 on a Thursday from 21:00 hours until one hour after the close of business, and on a Friday and Saturday evenings from 20:30 hours until one hour after the close of business.'

On the 26th February 2014 an application for a review of the premise licence under Section 51 of the Licensing Act 2003 was received from West Yorkshire Police. The grounds of this review centered principally on the reports of assaults and disturbances. West Yorkshire Police had received information regarding drugs along with two positive test purchases of under age alcohol sales. Further concerns have also been raised over planning consent and noise issues experienced at the premises.

Violent crime was a major concern at the premises as customers leave. The absence of CCTV was also highlighted. A detailed chronology of events leading up to the review was submitted along with witness statements and press releases and other evidence supporting the review.

The licensing sub committee carefully considered the report and heard from West Yorkshire Police and the premise licence holder's representative.

The Licensing Sub-Committee considered all the evidence, including the opening hours of the other premises in the area, as provided by the Licensing Officer.

They did not feel there was drugs problem at the premises. They did feel that the upper floor area was suffering a disproportionate amount of incidents at the end of the evening. It had become a focal point for late night drinking in the area. They also took into account the comments of the designated premises supervisor, he had stated the reason the premises had operated beyond their permitted hours, as identified by the CCTV, was because they had problems getting people to leave at the end of the evening.

They agreed with West Yorkshire Police that revocation was not necessary at this stage. They felt it was appropriate to modify the conditions. They considered there were no problems with the downstairs operating as a restaurant.

The Licensing Sub Committee resolved to modify the conditions splitting the licensable hours for different areas of the building.

The premise licence holder took the opportunity to appeal the decision made by the licensing sub-committee. Before the appeal was heard at the magistrate's court modified conditions were agreed and the appeal was withdrawn. Parties also agreed to modifications to the hours licensable activities are carried out. The modified conditions now appear on the current Premises Licence

On the 2nd April 2015 an application was received to vary the Designated Premise supervisor at the Premise. No representation was received and the application was duly granted.

An application was also received to Transfer the Premise Licence Holders from Franco Del Buono and Catherine Spence to Westgate Leisure Services Ltd. This application received no representations and the application was duly granted.

A further application was received on 2nd April 2015 to vary the premise licence under section 34 of the Licensing Act. As representation has been received, a hearing was scheduled for the committee to make a decision as to the application.

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

3.0 The Application

3.1 The applicant is Westgate Leisure Services Limited

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

3.4 The variation of licensable activities has not been sought with this application and therefore remains the same.

4.0 Other matters relevant to the application

4.1 It is brought to Members attention that this application is for the removal of conditions attached to the Premise licence relating to crime and disorder. Further amendments are also requested regarding conditions relating to public nuisance.

4.2 The Designated Premise Supervisor at the premise is now Mr Smail Beladjal.

4.3 Equality and Diversity / Cohesion and Integration

4.4 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 As the removal and amendment of conditions forms the whole of this application, no further steps to promote the licensing objectives were offered as 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 C**

7.0 Location

7.1 A map which identifies the location of this premise 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

8.3 Representation has been received from West Yorkshire Police and Environmental Protection Team in their capacity as a responsible authority under the Licensing Act 2003.

8.4 An agreement has been reached with Environmental Protection Team. In this instance the operating schedule has been amended to include the measures agreed. A copy of which can be found at **Appendix E**

8.5 The representation submitted by West Yorkshire Police remains outstanding as a matter for member's consideration. A copy of the same may be found at **Appendix F**

Other representations

8.5.1 The application has attracted representations from members of the public.

8.5.2 The Licensing Section is in receipt of seven individual letters of objection for this application from local residents who have concerns regarding public nuisance and crime and disorder.

8.5.3 Copies of the representations can be found at **Appendix G** for Members consideration.

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.
- 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

Part A Schedule 12 Licensing Act 2003

Part 1 – Premises Details

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

The Angel, High Street, Wetherby, LS22 6LT

Licensable activities authorised by this licence

Sale by retail of alcohol, Provision of late night refreshment, Performance of live music, Performance of recorded music, Performance of dance, Entertainment similar to live music, recorded music or dance,

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

| | |
|--------------------|---------------|
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 00:00 |

Provision of late night refreshment

| | |
|--------------------|---------------|
| Monday to Saturday | 23:00 - 00:00 |
|--------------------|---------------|

| | |
|-----------------------|---------|
| Location of activity: | Indoors |
|-----------------------|---------|

Performance of live music

| | |
|--------------------|---------------|
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 00:00 |

| | |
|-----------------------|---------|
| Location of activity: | Indoors |
|-----------------------|---------|

Performance of recorded music

| | |
|--------------------|---------------|
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 00:00 |

| | |
|-----------------------|---------|
| Location of activity: | Indoors |
|-----------------------|---------|

Performance of dance

| | |
|--------------------|---------------|
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 00:00 |

| | |
|-----------------------|---------|
| Location of activity: | Indoors |
|-----------------------|---------|

Entertainment similar to live music, recorded music or dance

| | |
|--------------------|---------------|
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 00:00 |

Location of activity: Indoors

Details relating to all activities

Non standard timings:

None

Opening hours of the premises

Monday to Saturday 10:00 - 00:30
Sunday 10:00 - 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

Westgate Leisure Services Limited
The Angel
High Street
Wetherby
LS22 6LT

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

Registered business number: 02813998

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

Mr Smail Beladjal



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: PERL/07849/15 Licensing authority: Leeds City Council

Licence issued under the authority of Leeds City Council



Miss Jane Wood
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 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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 6. 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.

7. 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.

8. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

- a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b. "permitted price" is the price found by applying the formula $P = D + (D \times V)$ where -
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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.

Annex 2 – Conditions consistent with the operating schedule

The prevention of crime and disorder

11. The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty. (Verified by the individual's signature).
12. The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, admissions, refusals and ejections from the premises.
13. The PLH/DPS staff will ask for photographic proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol.
14. No licensable activities of any description including no Mobile bars or any other type of alcohol dispense point shall be used any time in the external area (as identified on Plan 20113/328 refer produced by Phoenix Architecture and Interiors Ltd).
15. No consumption of alcohol or food shall take place in any external place in any external area after 24:00 hours Monday to Sunday (as identified on plan 20113/328 refer produced by Phoenix Architecture and Interiors Ltd).
16. A Supervisor's Register will be maintained at the licensed premises showing the names, addresses and up to date contact details for the DPS and all personal licence holders.
17. The Supervisor's Register will state the names 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 any authorised officer.

18. The Incident Report Register will contain consecutively numbered pages, the date, time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.
19. The Incident Report Register will be produced for inspection immediately on the request of any authorised officer.
20. A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.
21. The PLH/DPS will risk assess the requirement for door supervisors on an event by event basis for any private event taking place in the first floor function rooms.
22. The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists whose aims include the promotion of the licensing objectives.
23. 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 customers.
24. The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.
25. Plastic or toughened poly carbonate (or similar) glasses/bottles will be used in all outdoor areas.
26. Notices will be prominently displayed at the entrances of the premises which state: A search will be conducted as a condition of entry to the premises;

Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the Incident Report Register;
Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or who appears to be under the influence of drugs;
Entry will be refused to any person who has been convicted of an offence of drunkenness, violence or threatening behaviour or the use or distribution of illegal substances.
27. A suitable purpose made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.
28. The PLH/DPS will inform West Yorkshire Police as soon as possible of any search resulting in a seizure of drugs or offensive weapons.
29. The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.
30. The upstairs area marked as function rooms 1 and 2 on the plan will only be used for private events where guests are attending by invitation only. The licence holder will maintain a register of events which will include the date and time of the event, the contact details of the person(s) who have booked the event to include name, address and telephone number. This register will be available for inspection of at all times when the premises are open by an authorised officer.
31. The Premises Licence Holder/Designated Premises Supervisor will ensure that only guests attending private events will be in the Function Rooms 1 and 2 at any time.

32. No events organised by external promoters will be allowed to take place in Functions Rooms 1 and 2.
33. No events for "under 18's only" will be allowed in Function Rooms 1 and 2.
34. The Premises Licence Holder/Designated Premises Supervisor will give 14 days' notice to the police and the licensing authority of all events to be held in Function Rooms 1 and 2.
35. The Premises Licence holder will maintain 120 covers downstairs apart from when the premises are operating one of their cabaret/tribute nights when the minimum number of covers will be 80 covers. Or if the premises are being used for a wedding or similar function and the numbers attending are less than 120.
36. A suitable Closed-Circuit Television (CCTV) system will be operated 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.
37. The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).
38. The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
39. The CCTV system will cover all external areas of the premises occupied by the public, ie queuing areas, beer gardens, smoking areas and car parks.
40. The locations of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority.
41. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities and other fine details such as vehicle registration number plates.
42. The CCTV system will contain the correct time and date stamp information.
43. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
44. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.
45. A designated member I 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.
46. The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images caught on cameras on the premises will, on the lawful request of an authorised officer of a Responsible Authority (under the Licensing Act 2003), will be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that it is secured to prevent any overwriting.
47. The CCTV system will be capable of securing relevant pictures for review or export at a later date.

48. The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
49. The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.
50. It must be possible to replay exported files immediately, e.g. no re-indexing of files or verification checks.

Public Safety

51. During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.
52. Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
53. If used, any temporary electrical wiring and distributions will be inspected by a suitably qualified and competent person before they are put in use. An inspection record/certificate will be retained for inspection by an authorised officer.
54. Regular safety checks of guarding to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour including climbing which may lead to a fall from height.
55. Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.
56. All floor surfaces will be suitably slip resistant, kept in good condition and free of obstructions to prevent slips, trips and falls.
57. Where strobes, lasers, smoke machines or any other special effects 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.

The prevention of public nuisance

58. To ensure that no nuisance is caused by noise or vibration emanating from the premises.
59. Noise from any licensable activity within the application premises 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.
60. No bottles shall be placed in the external receptacle after 23:00 hours to minimise noise disturbance to adjoining premises.
61. Clear and legible notices shall be displayed at exits 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 and anti-social behaviour. The activity of persons leaving the premises shall be monitored and they shall be reminded to leave quietly where necessary.
62. Licensable activities shall be conducted and the facilities for licensable activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
63. Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises after 23:00 hours and at all times if entertainment takes place on more than 30 occasions per year.

64. There shall be no external loudspeakers.
65. Ensure all doors and windows are kept closed to reduce noise nuisance from the premises when regulated entertainment takes place.
66. Noise from plant or machinery shall be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
67. The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 23:00 hours.
68. The activities of persons using the external areas shall be monitored after 23:00 hours 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.
69. The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will adopt a cooling down period where music volume is reduced towards the closing time of the premises.
70. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.
71. The Designated Premises Supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
72. SIA registered door staff will be employed and used where queues are likely to form to manage the queues and ensure that queues are restricted to cordoned areas to prevent those obstructing footpaths and spilling out onto roads, and to keep the noise and obstructions away from residential property.
73. A facility will be provided for customers to order Hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

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

Jw

00580/009

Leeds City Council

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.

I/We Westgate Leisure Services Limited

(Insert name(s) of applicant)

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/00580/005

Part 1 – Premises Details

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

The Angel
High Street

Post town

Wetherby

Postcode

LS22 6LT

Telephone number at premises (if any)

Non-domestic rateable value of premises

£70,500.00

ENTERTAINMENT LICENSING

02 APR 2015

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if different
from premises address

Same as above.

RECEIVED

Post town

Page 17

Postcode

Part 3 - Variation

Please tick as appropriate

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

No

If not, from what date do you want the variation to take effect?

| | | |
|----|----|------|
| DD | MM | YYYY |
| | | |

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

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

The proposed variation is to remove the following conditions from the Premises Licence which read as follows:-

Annex 2 – Conditions consistent with the operating schedule

The prevention of crime and disorder

11. The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty. (Verified by the individual's signature).

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

17. The Supervisor's Register will state the names 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 any authorised officer.

20. A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.

25. Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.

26. Notices will be prominently displayed at the entrances of the premises which state: A search will be conducted as a condition of entry to the premises;

Incidents of crime and disorder will be reported to the plicy and a full recorded entry will be made in the Incident Report Register;

Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or who appears to be under the influence of drugs;

Entry will be refused to any person who has been convicted of an offence of drunkenness, violence or threatening behaviour or the use or distribution of illegal substances.

29. The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.

34. The Premises Licence Holder/Designated Premises Supervisor will give 14 days' notice to the police and the licensing authority of all events to be held in Function Rooms 1 and 2.

The Prevention of Public Nuisance

63. Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises after 23:00 hours and at all times if entertainment takes place on more than 30 occasions per year.

To amend condition 14 of Annex 2 which currently reads:- "No licensable activities of any description including no Mobile bars or any other type of alcohol dispense point shall be used at any time in the external area (as identified on Plan 20113/328 refer produced by Phoenix Architecture and Interiors Limited)" to the proposed wording of "No licensable activities of any description, including no Mobile bars or any other type of alcohol dispense point shall be used at any time in the external area (as identified on Plan 20113/328 refer produced by Phoenix Architecture and Interiors Limited), except the sale of alcohol by way of waiter/waitress service".

To remove the following wording from condition 66 of Annex 2 "Noise from plant or machinery shall be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery". The condition will then read "Plant and machinery shall be regularly serviced and maintained to meet this level".

To amend condition 67 of Annex 2 which currently reads:- "The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 23:00 hours" to the proposed wording of "The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after **Midnight**".

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

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 all that apply

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

B

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

| | | | |
|-----|--|--|---|
| Fri | | | <u>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)</u> |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

C

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

D

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

E

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

| | | | |
|-----|--|--|---|
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)</u> |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

F

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

G

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

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 | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | | Indoors | <input type="checkbox"/> |
| Mon | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | | |
| Wed | | | | | | |

| | | | |
|------|--|--|--|
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</u> |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</u> |
| | | | |
| Sun | | | |
| | | | |

I

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

J

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

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).

N/A

L

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | <u>State any seasonal variations</u> (please read guidance note 4) |
|--|-------|--------|---|
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| Tue | | | |
| | | | |
| Wed | | | |
| | | | |
| Thur | | | |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

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

As stated in the details of the variation

- 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 not enclosed 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 and e) (please read guidance note 9)

The style and operation of the premises will not change and the remaining conditions attached to the Premises Licence will continue to be adhered to.

b) The prevention of crime and disorder

Please see a) above.

c) Public safety

Please see a) above.

d) The prevention of public nuisance

Please see a) above.

e) The protection of children from harm

Please see a) above.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 |  |
| Date | 1 April 2015 |
| Capacity | Woods Whur 2014 Limited – Solicitors for the applicant |

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) Christopher Rees-Gay Woods Whur 2014 Limited Devonshire House 38 York Place | | | |
| Post town | Leeds | Post code | LS1 2ED |
| Telephone number (if any) | 0113 234 3055 | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) chris@woodswhur.co.uk | | | |



woodswhur

Devonshire House
38 York Place
Leeds
LS1 2ED

33 Cavendish Square
London
W1 0PW

Tel: 0113 234 3055

info@woodswhur.co.uk
www.woodswhur.co.uk

00580/008
1009

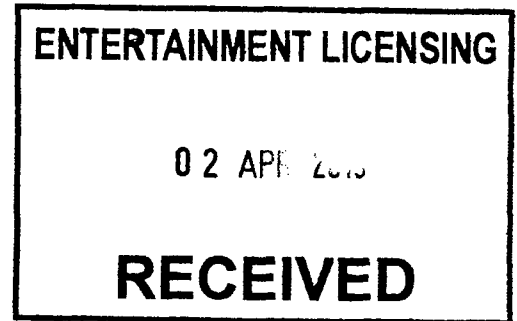
Jw

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

Our ref PW/KB/WES002-3-1/2012

Your ref

01 April 2015



Dear Sirs

The Angel, High Street, Wetherby, LS22 6LT
Transfer and Variation of Premises Licence

We act on behalf of Westgate Leisure Services Limited, the operator of these premises and we are instructed to submit an application to vary the premises licence in respect of the above named premises.

Accordingly, please find enclosed the following:

- 1 Notice of application – transfer
- 2 Consent form
- 3 Notice of application - variation
- 4 Premises Licence
- 5 Cheque in the sum of £338.00

We confirm arrangements are being made for the public notice to be advertised in a local paper and displayed at the premises.

We should be obliged if you would acknowledge receipt of this letter and enclosure and if you require any further information, please contact Chris Rees-Gay at this office.

Yours faithfully

Woods Whur
Woods Whur

Enc

Issued premises licences and club certificates within an area



PREM/00440/015 - Brunswick Bar, 22 High Street, Wetherby, Leeds, LS22 6LT

| | |
|--|---------------|
| Sale by retail of alcohol | |
| Monday to Thursday | 10:00 - 23:30 |
| Friday & Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 22:30 |
| Provision of late night refreshment | |
| Monday to Thursday | 23:00 - 23:30 |
| Friday & Saturday | 23:00 - 00:00 |
| Exhibition of a film | |
| Monday to Thursday | 10:00 - 23:30 |
| Friday & Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 22:30 |
| Performance of live music | |
| Monday to Thursday | 10:00 - 23:00 |
| Friday & Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 22:30 |
| Performance of recorded music | |
| Monday to Thursday | 10:00 - 23:30 |
| Friday & Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 22:30 |
| Entertainment similar to live music, recorded music or dance | |
| Monday to Thursday | 10:00 - 23:30 |
| Friday & Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 22:30 |

PREM/01570/010 - ASK, 1 Market Place, Wetherby, Leeds, LS22 6LQ

| | |
|-------------------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 23:30 |
| Provision of late night refreshment | |
| Monday to Saturday | 23:00 - 00:30 |
| Sunday | 23:00 - 00:00 |
| Performance of recorded music | |
| Every Day | 00:00 - 23:59 |

PREM/01336/006 - Black Bull, 53 Market Place , Wetherby, Leeds, LS22 6LN

| | |
|---------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Saturday | 10:30 - 00:30 |
| Sunday | 12:00 - 00:00 |
| Exhibition of a film | |
| Monday to Saturday | 10:30 - 00:30 |
| Sunday | 12:00 - 00:00 |
| Indoor sporting events | |
| Monday to Saturday | 10:30 - 00:30 |
| Sunday | 12:00 - 00:00 |
| Performance of live music | |
| Monday to Saturday | 10:30 - 00:30 |

| | |
|--|---------------|
| Sunday | 12:00 - 00:00 |
| Performance of recorded music | |
| Monday to Saturday | 10:30 - 00:30 |
| Sunday | 12:00 - 00:00 |
| Performance of dance | |
| Monday to Saturday | 10:30 - 00:30 |
| Sunday | 12:00 - 00:00 |
| Entertainment similar to live music, recorded music or dance | |
| Monday to Saturday | 10:30 - 00:30 |
| Sunday | 12:00 - 00:00 |

PREM/01694/005 - Pomfrets Of Wetherby, 9 The Shambles, Wetherby, Leeds, LS22 6NG

| | |
|-------------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Saturday | 11:00 - 23:00 |
| Sunday | 12:00 - 22:30 |
| Performance of recorded music | |
| Every Day | 00:00 - 23:59 |

PREM/00652 - Nicolla Florist, 1 Bank Street, Wetherby, Leeds, LS22 6NQ

| | |
|---------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Saturday | 08:00 - 23:00 |
| Sunday | 10:00 - 22:30 |

PREM/00217/003 - Muse Ale & Wine Bar, 16 Bank Street, Wetherby, Leeds, LS22 6NQ

| | |
|-------------------------------------|---------------|
| Sale by retail of alcohol | |
| Every Day | 10:00 - 23:00 |
| Provision of late night refreshment | |
| Every Day | 23:00 - 00:00 |
| Performance of live music | |
| Every Day | 10:00 - 23:00 |
| Performance of recorded music | |
| Every Day | 10:00 - 23:00 |

PREM/00738/008 - Swan & Talbot Inn, North Street, Wetherby, Leeds, LS22 6NN

| | |
|-------------------------------------|---------------|
| Sale by retail of alcohol | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Provision of late night refreshment | |
| Friday & Saturday | 23:00 - 01:00 |
| Sunday to Thursday | 23:00 - 00:00 |
| Exhibition of a film | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Indoor sporting events | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Performance of live music | |
| Friday & Saturday | 09:00 - 00:30 |
| Sunday to Thursday | 09:00 - 23:30 |
| Performance of recorded music | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Performance of dance | |
| Friday & Saturday | 09:00 - 01:00 |

Sunday to Thursday 09:00 - 00:00

PREM/01665 - Wetherby Methodist Church Centre, Bank Street, Wetherby, Leeds, LS22 6NQ

Performance of live music (Multi Purpose Hall & Function Room)

Monday to Saturday 08:00 - 11:00

Performance of recorded music (Multi Purpose Hall & Function Room)

Monday to Saturday 08:00 - 11:00

Performance of dance (Multi Purpose Hall & Function Room)

Monday to Saturday 08:00 - 11:00

Entertainment similar to live music, recorded music or dance (Multi Purpose Hall & Function Room)

Monday to Saturday 08:00 - 11:00

PREM/01069 - Sunrise Restaurant, First Floor Restaurant, Westgate, Wetherby, Leeds, LS22 6LL

Sale by retail of alcohol

Monday to Thursday 17:30 - 00:00

Friday & Saturday 12:00 - 00:00

Sunday 15:00 - 23:30

Provision of late night refreshment

Monday to Saturday 23:00 - 00:00

Sunday 23:00 - 23:30

Performance of recorded music

Monday to Thursday 17:30 - 00:00

Friday & Saturday 12:00 - 00:00

Sunday 15:00 - 00:00

PREM/03108/002 - Bengal Brasserie, Victoria Court, Wetherby, LS22 6JA,

Sale by retail of alcohol

Every Day 11:00 - 23:00

Performance of recorded music

Every Day 11:00 - 23:00

PREM/01904 - Spice 4 U, 36 North Street, Wetherby, Leeds, LS22 6NN

Sale by retail of alcohol

Monday to Saturday 11:00 - 23:00

Sunday 12:00 - 22:30

PREM/00580/008 - The Angel, High Street, Wetherby, LS22 6LT,

Sale by retail of alcohol

Monday to Saturday 10:00 - 00:00

Sunday 12:00 - 00:00

Provision of late night refreshment

Monday to Saturday 23:00 - 00:00

Performance of live music

Monday to Saturday 10:00 - 00:00

Sunday 12:00 - 00:00

Performance of recorded music

Monday to Saturday 10:00 - 00:00

Sunday 12:00 - 00:00

Performance of dance

Monday to Saturday 10:00 - 00:00

Sunday 12:00 - 00:00

| | |
|---|---------------|
| Entertainment similar to live music, recorded music or dance | |
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 00:00 |
| PREM/01818/004 - Sir Dukes, 6 Bank Street, Wetherby, Leeds, LS22 6NQ | |
| Sale by retail of alcohol | |
| Monday to Saturday | 11:00 - 00:00 |
| Sunday | 12:00 - 23:30 |
| Performance of recorded music | |
| Every Day | 00:00 - 23:59 |
| PREM/00737/008 - Bar THR3, Market Place, Wetherby, Leeds, LS22 6LQ | |
| Sale by retail of alcohol | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Provision of late night refreshment | |
| Friday & Saturday | 23:00 - 01:00 |
| Sunday to Thursday | 23:00 - 00:00 |
| Exhibition of a film | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Indoor sporting events | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Performance of live music | |
| Friday & Saturday | 09:00 - 00:00 |
| Sunday to Thursday | 09:00 - 23:00 |
| Performance of recorded music | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| Performance of dance | |
| Friday & Saturday | 09:00 - 01:00 |
| Sunday to Thursday | 09:00 - 00:00 |
| PREM/00079/V01 - New Inn, Westgate, Wetherby, Leeds, LS22 6LL | |
| Sale by retail of alcohol | |
| Monday to Thursday | 09:00 - 23:00 |
| Friday & Saturday | 09:00 - 00:00 |
| Sunday | 09:00 - 23:00 |
| Provision of late night refreshment | |
| Monday to Thursday | 23:00 - 23:30 |
| Friday & Saturday | 23:00 - 00:30 |
| Sunday | 23:00 - 23:30 |
| Performance of live music | |
| Monday to Thursday | 09:00 - 23:00 |
| Friday & Saturday | 09:00 - 00:00 |
| Sunday | 09:00 - 23:00 |
| Performance of recorded music | |
| Monday to Thursday | 09:00 - 23:00 |
| Friday & Saturday | 09:00 - 00:00 |
| Sunday | 09:00 - 23:00 |

PREM/01942 - Mojis Pizzeria Wetherby Ltd, 2 Castle Gate, Wetherby, Leeds, LS22 6LE

Provision of late night refreshment

Friday & Saturday 23:00 - 02:00
Sunday to Thursday 23:00 - 01:00

PREM/01415 - Jaflong Tandoori Restaurant, 31 High Street, Wetherby, Leeds, LS22 6LR

Sale by retail of alcohol

Monday to Saturday 10:00 - 00:00
Sunday 12:00 - 23:30

Provision of late night refreshment

Monday to Saturday 23:00 - 00:00
Sunday 23:00 - 23:30

Performance of recorded music

Every Day 00:00 - 23:59

PREM/01073 - Mister Yiks, Chinese Takeaway, 4 Victoria Street, Wetherby, Leeds, LS22 6RE

Provision of late night refreshment

Every Day 23:00 - 00:00

PREM/01637 - St.Joseph's Church Hall, 20 Westgate, Wetherby, Leeds, LS22 6NJ

Performance of live music

Monday to Friday 08:00 - 01:00
Saturday 08:00 - 00:00

Performance of recorded music

Monday to Friday 08:00 - 01:00
Saturday 08:00 - 00:00

Performance of dance

Monday to Friday 08:00 - 01:00
Saturday 08:00 - 00:00

Entertainment similar to live music, recorded music or dance

Monday to Friday 08:00 - 01:00
Saturday 08:00 - 00:00

PREM/02933 - Yum Yum Thai Restaurant And Takeaway, 9 Bank Street, Wetherby, LS22 6NQ

Sale by retail of alcohol

Every Day 11:30 - 00:00

Provision of late night refreshment

Every Day 23:00 - 00:00

Exhibition of a film

Every Day 11:30 - 00:00

Performance of recorded music

Every Day 11:30 - 00:00

PREM/02315/007 - Marks & Spencer Simply Foods Ltd, The Cattle Market, Horsefair, Wetherby, LS22 6RF

Sale by retail of alcohol

Every Day 00:01 - 00:00

PREM/00926/009 - Morrisons, 7 The Horsefair Centre, 22 - 28 North Street, Wetherby, Leeds, LS22 6JG

| | |
|---------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Saturday | 07:00 - 22:00 |
| Sunday | 10:00 - 16:00 |

PREM/03253/001 - Filmore And Union, 61 Market Place, Wetherby, LS22 6LN

| | |
|-------------------------------|---------------|
| Sale by retail of alcohol | |
| Every Day | 11:00 - 23:00 |
| Performance of recorded music | |
| Every Day | 08:00 - 23:00 |

PREM/00634 - Oriental Chinese Takeaway, 11 Westgate, Wetherby, LS22 6LL

| | |
|-------------------------------------|---------------|
| Provision of late night refreshment | |
| Every Day | 23:00 - 00:30 |

PREM/01544 - Mango Vegetarian Restaurant, 12-14 Bank Street, Wetherby, Leeds, LS22 6NQ

| | |
|-------------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Saturday | 10:00 - 00:00 |
| Sunday | 12:00 - 23:30 |
| Performance of recorded music | |
| Every Day | 00:00 - 23:59 |

PREM/00909/003 - Crown Inn, 25 High Street, Wetherby, Leeds, LS22 6LR

| | |
|---------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Saturday | 10:00 - 23:00 |
| Sunday | 12:00 - 22:30 |

PREM/02023/002 - Wetherby Whaler, 18 Market Place, Wetherby, Leeds, LS22 6NE

| | |
|-------------------------------------|---------------|
| Sale by retail of alcohol | |
| Every Day | 11:30 - 23:00 |
| Provision of late night refreshment | |
| Every Day | 23:00 - 23:45 |

PREM/02207/006 - Pizza Bella, 32 Market Place, Wetherby, Leeds, LS22 6NE

| | |
|-------------------------------------|---------------|
| Sale by retail of alcohol | |
| Friday & Saturday | 17:00 - 00:30 |
| Sunday to Thursday | 17:00 - 00:00 |
| Provision of late night refreshment | |
| Monday to Thursday | 23:00 - 00:00 |
| Friday to Sunday | 23:00 - 01:00 |

PREM/03240/001 - Pizza Milano, 26A High Street, Wetherby, LS22 6LT

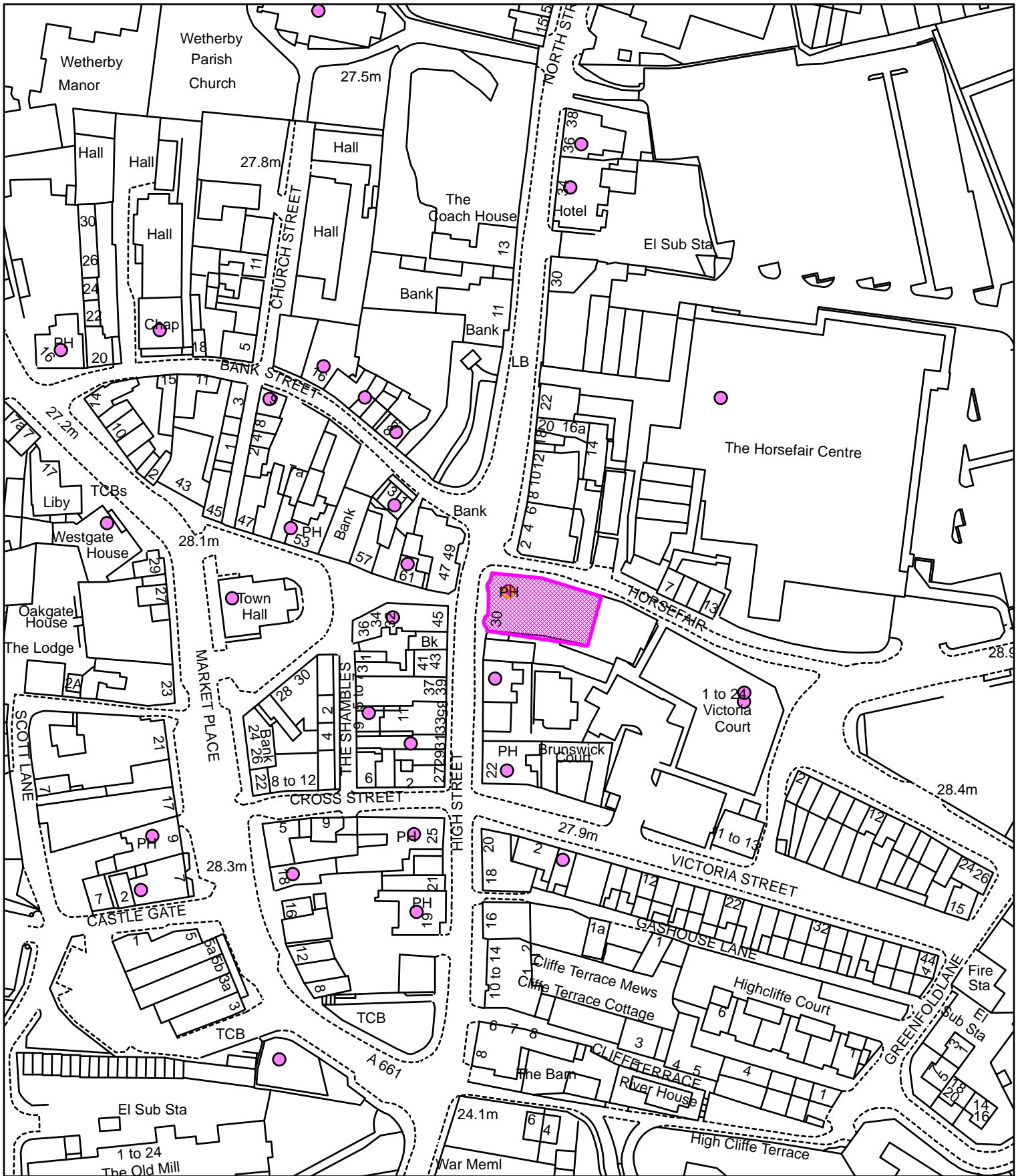
| | |
|-------------------------------------|---------------|
| Provision of late night refreshment | |
| Monday to Thursday | 23:00 - 00:30 |
| Friday & Saturday | 23:00 - 01:00 |
| Sunday | 23:00 - 00:00 |

PREM/00668/002 - Red Lion, High Street, Wetherby, Leeds, LS22 6LR

| | |
|---------------------------|---------------|
| Sale by retail of alcohol | |
| Monday to Wednesday | 10:00 - 00:00 |
| Thursday to Saturday | 10:00 - 01:00 |
| Sunday | 10:00 - 23:30 |

| | |
|--|---------------|
| Provision of late night refreshment | |
| Monday to Wednesday | 23:00 - 00:30 |
| Thursday to Saturday | 23:00 - 01:30 |
| Sunday | 23:00 - 00:00 |
| Performance of live music | |
| Monday to Wednesday | 10:00 - 00:00 |
| Thursday to Saturday | 10:00 - 01:00 |
| Sunday | 10:00 - 23:30 |
| Performance of recorded music | |
| Monday to Wednesday | 10:00 - 00:00 |
| Thursday to Saturday | 10:00 - 01:00 |
| Sunday | 10:00 - 23:30 |
| Entertainment similar to live music, recorded music or dance | |
| Monday to Wednesday | 10:00 - 00:00 |
| Thursday to Saturday | 10:00 - 01:00 |
| Sunday | 10:00 - 23:30 |

This page is intentionally left blank







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

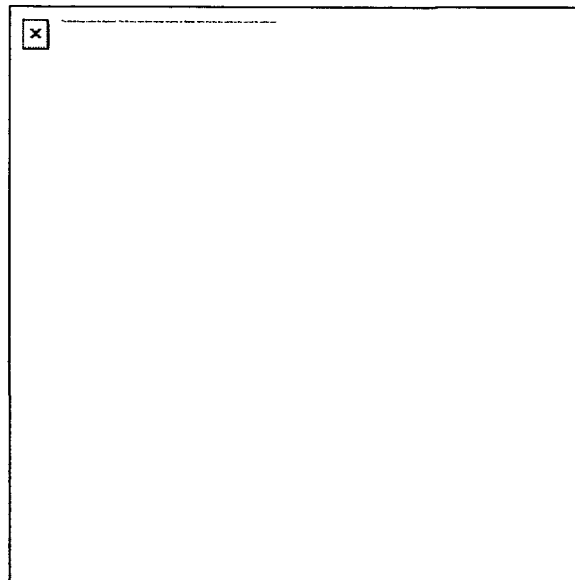
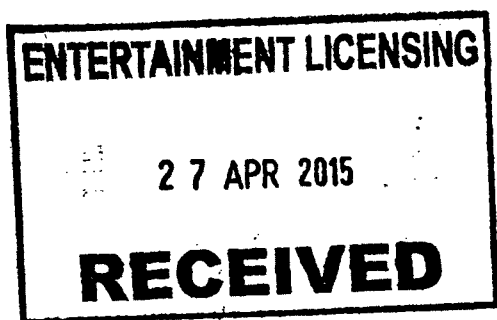
© Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Leeds City Council O.S. Licence No 1000019567
 © Crown Copyright all rights reserved

Key

| | | | |
|---|-------------|---|------------------------|
|  | On licence |  | Late night refreshment |
|  | Off licence |  | Other |

This page is intentionally left blank



Mr Chris Rees- Gay
Woodswhur
Devonshire HOuse
38 York Place
Leeds
LS1 2ED

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

Contact: Mr Gurdip Mudhar
Tel: 0113 247 7630
Fax: 0113 247 4947
gurdip.mudhar@leeds.gov.uk
Our reference: 15/16559/EPLA01
Date: 27 April 2015

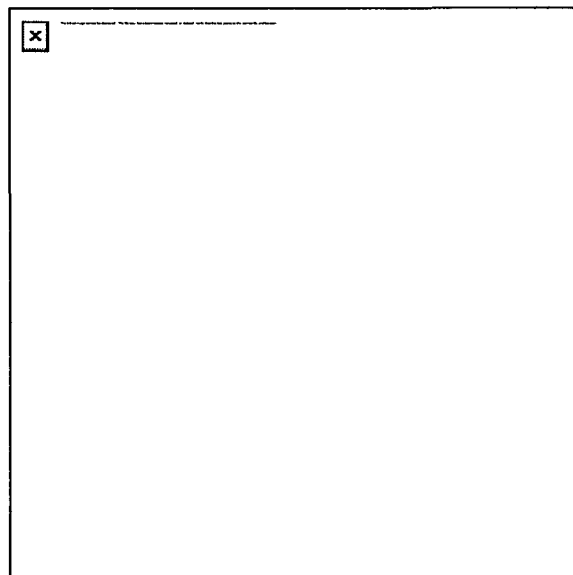
Dear Sir

Licensing Act 2003: Full Variation of Premises Licence
Name and Address of Premises: Sant Angelo, High Street, Wetherby, LS22 6LT

We refer to your licensing application for the variation of the premises license in respect of the above-mentioned premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We

www.leeds.gov.uk

general enquiries 0113 222
4444



therefore submit a formal objection to your application that includes information specifically associated with the premises .

You could meet the Prevention of public nuisance objective by agreeing to certain measures (Please see part 1 of the enclosed document) that we suggest are reasonable and relevant to your application. These measures have already been discussed and acceptable to Mr. Franco Del Buono who I believe is the Director of the Westgate Leisure Services Limited.

If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

Yours faithfully

Gurdip Mudhar
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 and Address of Premises: Sant Angelo, High Street, Wetherby, LS22 6LT

The application premises are located within a mixed commercial and residential part of Wetherby Town Centre. This Department has previously received justified complaints from nearby residents who were affected by an entertainment noise that emanated from the application premises. It is, therefore recommended that the following conditions be imposed to prevent any public nuisance arising from the application premises.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the conditions that need removing, adding or amending are as follows in order to meet the following aim of the licence:

a) Condition number 63 has been amended and should now read as follows:

“Noise from regulated entertainment within the application premises shall be inaudible at the noise sensitive residential apartments situated above the Marks and Spencer Store and residential properties situated on the Horsfair between the hours of 23:00 and 10:00 the next day “.

b) Condition 14 of Annex 2 should now read as follows i.e as proposed by the applicant:

“No licensable activities of any description including no Mobile bars or any other type of alcohol dispense point shall be used any time in the external area (as identified on Plan 20113/328 refer produced by Phoenix Architecture and Interiors Ltd), except the sale of alcohol by way of waiter / waitress service”.

c) Condition 66 of Annex 2 should now read as follows:

“Plant and machinery shall be regularly serviced and maintained to prevent noise nuisance to the occupiers of the neighbouring properties”.

d) Condition 67 of Annex 2 (This condition should not be changed)

The above condition has been discussed at length with Mr. Franco and it has been agreed that this condition should not be changed. The outside drinking area / roof terrace is located too close to the residential apartments and it will be impossible to control any raised voices of the patrons by way of any acoustic barriers / screens or by displaying any signage requesting the patrons to keep their voices down.

In addition to the above-mentioned the following new conditions shall also be incorporated into the premises licence:

Electronic Noise Limiting Device

1. The noise limiting devices (on the ground floor restaurant and the first floor function rooms) shall be kept at the settings approved by the by the Council through an

authorised officer of the Leeds City Council's Environmental Health Service. If deemed necessary the device shall only be reset with the authority of the Council's authorised officer.

2. The noise limiting devices shall be used in relation to all sound amplification equipment used in conjunction with the premises licence.

PART 2

To be completed by the applicant or applicant's representative:

Proposed Controlled Measures under the Licensing Act 2003

Name and Address of Premises: , Sant Angelo, High Street, Wetherby, LS22 6LT

I / We

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:

Please return this document to:

Gurdip Mudhar

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

PART 3

Name and Address of Premises: Sant Angelo, High Street, Wetherby, LS22 6LT

I / We

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

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council's Environmental Action Service.

In this instance we understand that Leeds City Council's environmental action service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

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

PART 2

To be completed by the applicant or applicant's representative:

Proposed Controlled Measures under the Licensing Act 2003

Name and Address of Premises: , Sant Angelo, High Street, Wetherby, LS22 6LT

I / We WOODS WHOLE

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: Woods Whole

Dated: 1 MAY 2015

Please return this document to:

Gurdip Mudhar

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

This page is intentionally left blank

NOT PROTECTIVELY MARKED



**WEST YORKSHIRE
POLICE**

Leeds District Licensing Department

Leeds District Licensing Department
Leeds District HQ
Elland Road
Leeds
LS11 8BU

T: 0113 3859415
E: lynn.dobson@westyorkshire.pnn.police.uk

ENTERTAINMENT LICENSING

30 APR 2015

RECEIVED

30 April 2015

Woods Whur
Devonshire House
38 York Place
Leeds LS1 2ED

cc. Westgate Leisure Services Ltd, The Angel, High Street, Wetherby, LS22 6LT
cc. Leeds City Council. Entertainment Licensing Section, Civic Hall, Leeds. LS1 1UR

**RE: THE ANGEL, HIGH STREET, WETHERBY, LEEDS LS22 6LT
VARIATION TO EXISTING PREMISES LICENCE – LICENSING ACT 2003
POLICE – LETTER OF REPRESENTATION – FULL OBJECTION:**

Thank you for your application which is dated 1 April 2015 which was received at the above office on 7 April 2015.

This application is for a variation to an existing premises licence for the above named premises. The application seeks to remove a number of conditions as set out below:

11. The daily record register will contain consequetively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty. (verified by the individuals signature)
16. A supervisors register will be maintained at the licensed premuses showing the names, addresses and up to date contact details for the DPS and all personal licence holders.
17. The supervisors register will state the names 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 any authorised officer.
20. A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.
25. Plastic or toughened polycarbonate (or simiar) glass/bottles will be used in all outdoor areas.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after midnight.

It is the opinion of West Yorkshire Police, that your application contains insufficient information on how you will achieve the licensing objectives. In particular, we cannot be satisfied at this stage that, if granted the premises would not adversely affect crime and disorder and/or public nuisance in the locality.

The premises went to review on 22 April 2014 following five years of evidence gathering and action planning. The problems associated with the premises referred mainly to the upstairs bar, the roof terrace, the access to the upstairs and the outside space where crime was attributable to the venue. During the action planning phase, prior to review, numerous meetings took place to try and engage with the premises licence holder and after each occasion, and throughout the five year period, crime and disorder attributable to the premises continued.

On a 22 April 2014 a decision was made by the the Licensing Committee made a decision which impacted on both the upstairs bar and the downstairs restaurant and this decision was challenged and went to appeal. On 3 September 2014, agreement was reached, on appeal, prior to a court hearing and the conditions are those which appear on the current premises licence. It is only eight months since this agreement was reached and the conditions are still appropriate and should remain on the premises licence.

On page 13 of the variation application, section M subsection (a) it has been noted that 'The style of operation of the premises will not change and the remaining conditions attached to the premises licence will continue to be adhered to. If the style of operation is to remain the same the same conditions are still relevant to the premises licence.

Since the premises licence review, recorded crime, in the Wetherby Town Centre, has reduced. There has been minimal displacement to other venues with no one operator taking the majority of the clientele from The Angel. West Yorkshire Police have continued to work with other operators to ensure they manage any change and any increase in violent crime. This engagement has been met with a positive response and has had a positive impact on the town centre.

FOR THE REASONS SET OUT ABOVE WEST YORKSHIRE POLICE ARE OF THE OPINION THAT THIS APPLICATION SHOULD BE REFUSED IN FULL.

***Lynn Dobson
PC 5783
Leeds District Licensing
West Yorkshire Police.***

NOT PROTECTIVELY MARKED

Wood, Jane

From: Planning.Comments@leeds.gov.uk
Sent: 27 April 2015 17:20
To: Wood, Jane
Subject: Comments for Licensing Application PREM/00580/009

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 5:20 PM on 27 Apr 2015 from [REDACTED]

Application Summary

Address: High Street Wetherby LS22 6LT
Proposal: Premises Licence - Full Variation
Case Officer: Miss Jane Wood
[Click for further information](#)



Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED] Victoria Court, Wetherby, Leeds LS22 6JA

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 5:20 PM on 27 Apr 2015 Dear Sir, I wish to object to the Licensing application PREM/00580/009 made by The Angel, Westgate, Wetherby. We live in the block of flats opposite Sant Angelo. We find the noise and behaviour of certain of the people using this place wholly unacceptable. It has improved since certain conditions were applied about a year ago and I find it difficult to understand how you could possibly entertain an application to remove these conditions without implicitly condoning drunkenness and drug taking. I also wish to advise that they make a very loud noise late in the evening as they empty crates or boxes of empty wine bottles into the rubbish bins. It sounds like a car crash and often startles visitors. We have learnt to tolerate this noise as we often enjoy a bottle of wine there ourselves. That said the management should consider disposing of these bottles the next day instead of late at night.

Jw

(2) 00580/009

Wood, Jane

From: Planning.Comments@leeds.gov.uk
Sent: 25 April 2015 21:00
To: Wood, Jane
Subject: Comments for Licensing Application PREM/00580/009

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 8:59 PM on 25 Apr 2015 from [REDACTED]

Application Summary

Address: High Street Wetherby LS22 6LT
Proposal: Premises Licence - Full Variation
Case Officer: Miss Jane Wood
[Click for further information](#)



Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED] Victoria Court, Wetherby, Leeds LS22 6JA

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 8:59 PM on 25 Apr 2015 I would like to object to the application to remove all the conditions which were applied a year ago because of numerous complaints from local residents, following which the local police asked for the license to be reviewed. These conditions were applied so that the restaurant/bar would be run in a proper manner. Since applying these conditions the incidences of noise/trouble has improved considerably and I would be very upset if it degenerated back to the way it was. I was lead to believe that the restaurant had been taken over as there has been a change of ownership but having checked with companies house, the directors of the new company are the same as previously. I should be grateful if the Licensing Authority would take into account the previous reputation of this establishment and the nearness of residential housing.

Carville, Philomena

JW

(3)

00580/009

From: [REDACTED]
Sent: 27 April 2015 18:38
To: Entertainment Licensing
Subject: You have a new Enquiry from Web

Importance: High

Please find below the details of the new enquiry submitted by the public user on the Leeds WebSite :

Name : [REDACTED]

Source : <http://www.leeds.gov.uk/Business/Pages/Alcohol-and-Entertainment.aspx>

Message : please note I wish to complain very strongly regarding ref prem/00580/009 the angel westgate wetherby to have removal of all conditions to their license which were imposed on them if this is granted we are doomed to the awful noise and fighting created by this pub we are residents who live just opposite and dread any change to this pub surely we should be heard .

Thanks
LCC Web Master

Jw

00580/009 (4)

Wood, Jane

From: Planning.Comments@leeds.gov.uk
Sent: 29 April 2015 08:22
To: Wood, Jane
Subject: Comments for Licensing Application PREM/00580/008

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 8:21 AM on 29 Apr 2015 from [REDACTED]

Application Summary

Address: High Street Wetherby LS22 6LT
Proposal: Premises Licence - Transfer
Case Officer: Miss Jane Wood
[Click for further information](#)

Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED] Victoria Court, Wetherby, Leeds LS22 6JA

Comments Details

Commenter Type: Member of Parliament
Stance: Customer objects to the Licensing Application
Reasons for comment:
Comments: 8:21 AM on 29 Apr 2015 The transfer of licence from the individuals (F Buaono and C Spence) to Westgage Leisure Limited (controlled by the previously named individuals and whose registered address is the licensed premises) must not be used as a reason to make the Full Variation request (PREM/00580/009) as "under new management". Therefore, I object to this change



Jw

00580/009

(4)

Wood, Jane

From: Planning.Comments@leeds.gov.uk
Sent: 29 April 2015 08:23
To: Wood, Jane
Subject: Comments for Licensing Application PREM/00580/009

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 8:22 AM on 29 Apr 2015 from [REDACTED]

Application Summary

Address: High Street Wetherby LS22 6LT
Proposal: Premises Licence - Full Variation
Case Officer: Miss Jane Wood
[Click for further information](#)

Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED] Victoria Court, Wetherby, Leeds LS22 6JA

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application
Reasons for comment:
Comments: 8:22 AM on 29 Apr 2015 The Angel (or Sant Angelo as it now goes by) consistently breach existing conditions relating to noise and with no change in licensee I fail to see anything that would support the lifing of the conditions previously imposed to compensate for poor management. I therefore object to this application



Jw (5) 00580/009

Deighton, Charlotte

From: [Redacted]
Sent: 30 April 2015 14:58
To: Entertainment Licensing
Subject: Licenc.e Variation PREM/00580/009 St Angelos Wetherby

Please note the following comments on the above Licensing Variation Conditions:

Annex 2 Prevention of crime and disorder.

The current licence conditions were imposed fairly recently by the Police to improve previous unsatisfactory activities at the premises.

The present conditions therefore reflect the Police view of what is "Best Practice" crime and disorder management. The improvement experienced by local residents justifies the Police action.

I am therefore confident that the Police input to this consultative process will result in a balanced input on behalf of local residents, the general public and the Business concerned.

Prevention of public nuisance

Comments under this heading relate to the fact that the outside seating area has been significantly enlarged to accommodate more tables in an area leading up to the boundary fence alongside a narrow alley way. The other side of this alley is the outside wall of of the 24 residential flats Victoria Court. This will clearly result in increasing noise levels, especially during the long daylight hour summer months.

On specific issues Firstly ,removal of Condition 63 and its current relationship with Condition 59 is of significance. It would appear at first glance that there is little difference between the two.However, Condition 63 refers to noise **AT** the premises, which infers **ALL** the premises, including outside areas.Whereas condition 59 refers to **within** the premises inferring noise from inside area only. With this interpretation the elimination of Condition 63 is not in the best interests of third parties.

Secondly the current wording of Condition 66 gives a clear indication of the "acceptable noise level" ie inaudible at the nearest sensitive premises. Removal of this clear indicator and replacing it by "to be maintained at that level" begs the question "what level".

[Redacted]



(6)

Wood, Jane

From: Planning.Comments@leeds.gov.uk
Sent: 30 April 2015 10:59
To: Wood, Jane
Subject: Comments for Licensing Application PREM/00580/009

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:58 AM on 30 Apr 2015 from [REDACTED]

Application Summary

Address: High Street Wetherby LS22 6LT
Proposal: Premises Licence - Full Variation
Case Officer: Miss Jane Wood

[Click for further information](#)



Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED] Victoria Court, Wetherby, Leeds LS22 6JA

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 10:58 AM on 30 Apr 2015 I strongly object to the proposal to re-open the Angel pub upstairs at St'Angelo's. There has historically been a lot of drug taking, under-age drinking and late night noise, vandalism and violence associated with the operation of this part of the premises. Since it has been closed we have had months of quiet enjoyment and do not want to see this spoiled for us. Our building is only a matter of feet from the bar in question and the disturbance due to noise especially in the summer is appalling.



Wood, Jane

From: Planning.Comments@leeds.gov.uk
Sent: 30 April 2015 11:04
To: Wood, Jane
Subject: Comments for Licensing Application PREM/00580/009

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:03 AM on 30 Apr 2015 from [REDACTED]

Application Summary

Address: High Street Wetherby LS22 6LT
Proposal: Premises Licence - Full Variation
Case Officer: Miss Jane Wood

[Click for further information](#)



Customer Details

Name: [REDACTED]
Email: [REDACTED]
Address: [REDACTED] Victoria Court, Wetherby, Leeds LS22 6JA

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 11:03 AM on 30 Apr 2015 I DO NOT WANT THIS PLACE TO RE-OPEN, THERE WERE TOO MANY PROBLEMS AND TOO MUCH CRIME ASSOCIATED WITH IT IN THE PAST, DRUG TAKING WAS COMMONPLACE AND LATE NIGHT DRUNKENNESS A CONSTANT PROBLEM