



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 23RD JUNE, 2015 AT 10.00 AM

MEMBERSHIP

Councillors

S McKenna - Garforth and Swillington;
B Selby - Killingbeck and Seacroft;
G Wilkinson - Wetherby;

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	Pudsey		<p>"TRINITY" - REVIEW OF THE PREMISES LICENCE FOR TRINITY, WESLEY SQUARE, PUDSEY, LEEDS, LS28 7AB</p> <p>To consider the report of the Head of Licensing and Registration on an application received for the review of a Premises Licence held at Wesley Square, Pudsey, Leeds, LS28 7AB. The application for the review has been made by West Yorkshire Police under Section 51 of the Licensing Act 2003</p>	1 - 66

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: Mr Matthew Nelson
 Tel: 0113 247 4095

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 23rd June 2015

Subject: Review of the Premises Licence for Trinity, Wesley Square, Pudsey, Leeds, LS28 7AB

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

Executive Summary

This report informs Members of an application for the review of a Premises Licence under Section 51 of the Licensing Act 2003, sought by West Yorkshire Police in respect of Trinity, Wesley Square, Pudsey, Leeds, LS28 7AB. The licensing authority is now under a duty to review the premises licence held by these premises.

1.0 Purpose of this Report

- 1.1 This report provides Members with the background and history to the making of the review application made by West Yorkshire Police (attached at **Appendix A**). The report sets out the relevant law when reviewing licences under the Licensing Act 2003 (“the Act”), and informs members of the options available to them when reviewing a premises licence.
- 1.2 Members should note that Leeds City Council Licensing Authority have submitted a representation to supplement the application made by West Yorkshire Police.

2.0 Background Information

An application for the grant of a premises licence was received by the licensing authority on 25th September 2007 for these premises. The application specified the trading name as Wesley's and attracted representations from West Yorkshire Police, Leeds City Council Health & Safety Team and the Environmental Protection Team.

Suggested measures were offered by each of the above authorities and agreements reached negating the need for a hearing. The licence was therefore granted as requested, subject to the agreed measures forming part of the operating schedule of the licence.

Over the years several applications have been made to transfer the licence and vary the Designated Premises Supervisor.

The current holder of the premises licence; Trinity Pub Company Limited, was appointed on the 6th February 2015. West Yorkshire Police were served with a copy of the application and did not make representation. The licence subsequently granted as applied for.

As detailed at 4.1 of this report, Mr Michael Thornton is the current Designated Premises Supervisor. The application to appoint Mr Thornton in this position was received by the local authority on 18th March 2015. As above, no representation was received from West Yorkshire Police.

- 2.1 The history of enforcement action taken at the premises can be found in the licensing authority's representation at 7.2 of this report.

3.0 Premises Licence

- 3.1 The premises licence holder is Trinity Pub Company Limited.

- 3.2 A copy of the premises licence can be found at **Appendix B** of this report. In summary, the premises licence permits the following:

Sale by retail of alcohol

Indoor sporting events

Boxing or wrestling entertainment

Performance of live music

Performance of dance

Entertainment similar to live music, recorded music or dance

10:30 until 01:00 hours Sunday to Wednesday

10:30 until 03:00 hours Thursday to Saturday

Performance of Recorded Music

10:30 until 01:30 hours Sunday to Wednesday

10:30 until 03:30 hours Thursday to Saturday

Times when the premises are open to the public:

10:30 until 02:00 hours Sunday to Wednesday

10:30 until 04:00 hours Thursday to Saturday

The non-standard timings are authorised by the licence:

An additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May day, Spring/Whitsun and August Bank Holiday weekends.

An additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for each Easter Bank Holiday weekends.

An additional hour into the morning following every Christmas Eve, Boxing Day and New Year's Eve.

4.0 Designated Premises Supervisor

4.1 The Designated Premises Supervisor for the premises is Michael Craig Thornton.

5.0 Location

5.1 A map which identifies the location of the premises can be found at **Appendix C** of this report.

6.0 Main Issues

6.1 The application to review the licence relates to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

In summary, the grounds for review are that from August 2014 to the present time there have been increased calls for service at the premises in relation to assaults, rape, disorder, wounding and serious assault.

Despite meetings with the premises licence holder, designated premises supervisor and other managers in October, November and January, further woundings and serious assaults have taken place at the venue in November, December and February.

A further breach of licence conditions and complaints regarding fireworks, children and capacity numbers at an event in March 2015 required West Yorkshire Police to serve a Section 19 Closure Notice on the premises.

A witness statement provided by the Divisional Licensing Officer for West Yorkshire Police can be found at **Appendix D** of this report. The statement expresses belief that the current Designated Premises Supervisor should be allowed to try and ensure the safety of his customers whilst upholding the licensing objectives.

In addition to the application, West Yorkshire Police have provided supplementary evidence to support the review application which is attached at **Appendix E** for Members consideration. Included is a chronology of events leading up to the review, minutes following meetings with management at the premises, e-mail exchanges, promotional material and a suggestion of measures for Member's consideration.

7.0 Relevant Representations/Letters of Support

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

7.2 A letter in support of the review application has been received from the Licensing authority outlining enforcement measures that have been taken at these premises. Member's attention is drawn to **Appendix F**.

8.0 Matters Relevant to the Application

8.1 Members of the Licensing Sub Committee must make decisions which are appropriate to the promotion of the licensing objectives which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

8.2 In making their decision Members are obliged to have regard to guidance issued under Section 182 of the Act. A copy of the relevant section is attached at **Appendix G**. Members must also have regard to the Council's licensing policy, the relevant representations made and evidence they hear.

9.0 Implications for Council Policy and Government

9.1 It is the stated licensing policy of the Council that when considering a review the authority will take into account all relevant circumstances, but will view the matters listed in paragraph 13.15 of the policy with particular seriousness.

10.0 Legal and Resource Implications

10.1 There are no resource implications in determining the review.

10.2 The Act provides the right to appeal on any decision reached on review. The right of appeal is to the Magistrate's Court.

11.0 Recommendations

11.1 Members are requested to determine this review. The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- to modify the conditions of the licence (which includes adding new conditions or any alteration or omission of an existing condition);
- exclude any licensable activities to which the application relates;
- to remove the Designated Premises Supervisor;
- to suspend the licence for a period not exceeding 3 months; and/or
- to revoke the licence.

11.2 Members may decide that no action is necessary and that the circumstance of the review does not require the Committee to take any steps to promote the licensing objectives.

- 11.3 Members should note the guidance also suggests it is open to Members to issue an informal warning to the licence holder or to recommend improvement within a particular time. However the Guidance further provides that where responsible authorities have already issued such warnings, the issuing of another warning should not be repeated.
- 11.4 Where the Committee decide that a modification of conditions or exclusion of licensable activities may be imposed, this can either be permanently or for a temporary period of up to three months.
- 11.5 Members are directed to paragraphs 11.25 to 11.31 of the Statutory Guidance which related to reviews arising in connection with crime.
- 11.6 Members of the Licensing Committee are asked to note that they may not take any of the steps outlined above merely because they consider it desirable to do so. It must be appropriate for the promotion of the licensing objectives.

12.0 Background Papers

- 12.1 Guidance issued under s182 Licensing Act 2003
12.2 Leeds City Council Statement of Licensing Policy

Appendices

- | | |
|------------|--------------------------------------|
| Appendix A | Review Application |
| Appendix B | Premises Licence |
| Appendix C | Location Map |
| Appendix D | Witness Statement |
| Appendix E | Supplementary Information |
| Appendix F | Licensing Authority's Representation |
| Appendix G | Extract from S182 Guidance |

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REV1

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

Application for a review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Cat Sanderson apply for the review of a premises licence under section 51/apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description			
Trinity Wesley Square Pudsey			
Post town	Leeds	Post code	LS28 7AB

Name of premises licence holder or club holding club premises certificate (if known)
Trinity Pub Company

Number of premises licence or club premises certificate (if known)
PREM/02507/008



Part 2 – Applicant details

- I am Please tick ✓ yes
- 1 An individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
 - 2 A responsible authority (please complete (C) below)
 - 3 A member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname First names

Please tick ✓ Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name
Address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name	West Yorkshire Police
Address	Leeds District Licensing Department Leeds District Head Quarters Elland Road Leeds LS11 8BU
Telephone number (if any)	0113 385 9416
E-mail (optional)	catherine.sanderson@westyorkshire.pnn.police.uk

This application to review relates to the following licensing objectives(s)

Please tick one or more boxes ✓

- | | | |
|----|--------------------------------------|---|
| 1. | the prevention of crime and disorder | X |
| 2. | public safety | X |
| 3. | the prevention of public nuisance | X |
| 4. | the protection of children from harm | X |

Please state the ground(s) for review (please read guidance note 2)

Trinity have drawn attention from West Yorkshire Police (WYP) for a considerable period of time, due to the nature and frequency of incidents which have occurred at the premises.

Meetings were being held with the venue to ensure that the licensing objectives were being met and to discuss issues which had arisen. Whilst trying to make contact with the designated premises supervisor (DPS), we were informed that the premises were under new ownership. Paperwork was received in early February 2014 to transfer the licence and change the DPS.

A meeting was held with the new DPS, Steve Thomas and it transpired that he assisted in the running of the club prior to the change in ownership, so was fully aware of the issues which had previously been experienced and discussed.

Calls for service appeared to be reduced under the new DPS' management and meetings were not required as frequently.

A routine licensing visit was carried out at the premises on 26th July 2014. During this visit it was established that a Paul Allan had started running the club. The DPS had unfortunately been diagnosed with a terminal illness and was struggling to fulfil his duties. A couple of issues were raised during this visit and advice was given.

Unfortunately the calls for service to WYP started to increase after this.

During August and September 2014 reports were being received in relation to assaults occurring at the premises. One of the most prevalent points noted within the complaints and from officers concerns, was the level of intoxication of customers.

One incident of note in relation to this issue was a report of rape. Whilst the offence did not happen at the venue, the complainant had been socialising in the club prior to the offence being committed

and officers advised that she was so heavily intoxicated that she could not remember anything after leaving the premises, therefore any sexual activity which took place could not have taken place with consent.

Only 2 weeks later, an email was received from a Sergeant who had attended a call to say he had attended a disorder incident outside the venue. Concerns were raised again about the levels of intoxication. It was explained that customers were leaving as the premises were closing for the evening and it was noted 'that a vast number of people leaving were not just drunk but extremely heavily intoxicated.' He went on to say that he 'saw at least 5 different people so drunk they were unable to stand and were being carried by others. Two unconnected people fell heavily down the steps'.

Due to the issues raised a meeting was arranged for the 14th October 2014.

Prior to the meeting taking place, a change of DPS notification came in. Paul Allan had now transferred to this position.

On the 11th October 2014 a serious incident occurred at the premises, a Section 18 wounding with intent. Customers called WYP reporting a fight involving approximately 10 people. It transpired that an assault had occurred inside the venue, where a male had sustained a head injury, so the premises closed immediately and threw their customers out which had caused them to be disgruntled. Door staff working at the time of the incident had allowed the suspect in the venue even though he was banned from the club, and when officers requested a statement the door man that was left on duty refused to give a statement. This is unacceptable.

A meeting was held where the DPS, PLH Mark Neave and a male called Michael Thornton, a manager at the premises, were present. The issues were raised and addressed in the meeting; door staff concerns, levels of intoxication and how to responsibly manage over inebriated customers. During this meeting concerns were raised about an advertised boxing event that had been held. The PLH advised that they employed several door staff for these events, due to an incident which had occurred a few weeks earlier, but the police had not been called and were not aware of the fight.

Again, only two weeks later, another Section 18 wounding with intent occurred at the premises. An argument started inside the premises where the suspect and victim were ejected from the club. Once outside the suspect attacked another female and attacked a male who tried to assist. The latter was kicked and punched to the floor where he lost consciousness and it appeared that bones had been fractured during the attack.

An action plan meeting was scheduled to be held on 20th November 2014 due to this second serious assault taking place at the venue within a period of a month. The Authorities needed to ensure that the management could uphold the licensing objectives. The DPS and the manager were in attendance at the meeting. The PLH was working elsewhere and was unable to participate. Discussion took place about the latest incident and WYP were very concerned as to how the DPS was running the premises. He admitted that he had no control over the door staff and it appeared as though he was having to take on some of their duties. During that meeting WYP recommended, from the information given in the meeting and prior events, that they would benefit from looking at changing their door team as they were not helping the premises adhere to the licensing objectives. Even more concerning during that meeting was a comment made by the DPS, that he was going over and above what was required on the licence. It was made clear at that point, to be a responsible operator you could not go over and above what was required to ensure the safety of customers and staff.

On 17th December 2014 a complaint was received about a Bassline event which was being hosted at the club, it was advertised as finishing at 0400hrs, an hour after licensable activities were due to cease.

During that event another assault occurred where someone had been knocked unconscious, which officers had been called to and again comments were made as to the intoxication levels of

customers. It had also been reported that the caller to the police on that occasion had subsequently been banned from the venue for calling the police.

A further action plan meeting was arranged for the 9th January 2015 with the venue to discuss issues and put steps in place to prevent reoccurrences. It was made known that any more incidents would result in a premises licence review application and WYP wanted the DPS to change due to lack of confidence in Mr Allan's abilities.

On 22nd February 2015 yet another Section 18 wounding with intent was reported where a customer had their jaw broken.

At the end of February 2015 it came to the attention of WYP licensing that there had been a serious disorder at the venue during a boxing match held in August 2014. WYP Licensing believed this could have been what the PLH had referred to back in the October meeting. Video footage had been captured of the incident which showed a large scale disorder within the venue, where someone had even been picked up and thrown over the suspects head into the melee. The scale of the disorder was such that it was concerning that no one had called the police and that the event had been played down when the premises licence holder mentioned it in the meeting.

On 9th March 2015, the premises had still not notified Leeds City Council or WYP of a DPS change and were informed that the form needed to be submitted by 15th March 2015 to prevent enforcement action being taken.

Information was later received about an event which was held on 17th March 2015. Initially it was believed that the premises were holding an under 18 birthday party, but a temporary event notice had not been applied for to allow under 18's in the venue after 2100hrs. Further information came through that it was a different event, for families to attend at the venue. Concerns were raised in relation to fireworks, children and capacity numbers. WYP and West Yorkshire Fire and Rescue Service (WYFRS) both attended on the evening as a direct consequence of the complaint. Whilst fireworks were not being used inside the venue, fire exits were blocked and other issues found. WYP attended separately at 2200hrs and found that young children were running round the premises. Due to this WYP had no alternative but to serve a Section 19 closure notice.

A new DPS transfer form was received by WYP on the 18th March 2015 for Michael Thornton.

Please provide as much information as possible to support the application (please read guidance note 3)

Please see above and attached.

Have you made an application for review relating to this premises before? Please tick ✓ yes

If yes please state the date of that application

Day		Month		Year			

If you have made representations before relating to this premises please state what they were and when you made them


Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (See guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature .. 

Date 22nd April 2015.....

CapacityLicensing Officer, West Yorkshire Police.....

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 6)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Initial licence from:

23rd October 2007

Current version effective from:

18th March 2015

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

Trinity, Wesley Square, Pudsey, Leeds, LS28 7AB

Licensable activities authorised by this licence

Sale by retail of alcohol, Indoor sporting events, Boxing or wrestling entertainment, 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

Thursday to Saturday	10:30 - 03:00
Sunday to Wednesday	10:30 - 01:00

Indoor sporting events

Thursday to Saturday	10:30 - 03:00
Sunday to Wednesday	10:30 - 01:00

Location of activity: Indoors

Further details: Tournaments and charity events may be held on an ad hoc basis

Boxing or wrestling entertainment

Thursday to Saturday	10:30 - 03:00
Sunday to Wednesday	10:30 - 01:00

Location of activity: Indoors

Further details: Boxing and Wrestling and Thai boxing events will take place on an ad hoc basis these will involve juniors and seniors. Junior events will finish by 21:00 hours.

Performance of live music

Thursday to Saturday	10:30 - 03:00
Sunday to Wednesday	10:30 - 01:00

Location of activity: Indoors

Further details: Live bands and entertainers providing live music will perform during the hours of licensable activities.

Performance of recorded music

Thursday to Saturday	10:30 - 03:30
Sunday to Wednesday	10:30 - 01:30

Location of activity: Indoors

Further details: Recorded music may be from a background system, TV recordings or Cd and tape by in house DJ.

30 minutes have been added to the end of other activities to allow a wind down process and to assist in the staggering of customers leaving the premises. The music will be purely background for the further 30 minutes

Performance of dance

Thursday to Saturday 10:30 - 03:00
Sunday to Wednesday 10:30 - 01:00

Location of activity: Indoors

Further details: Charity events are held and dancers may provide entertainment, this will not be of an adult nature.

Entertainment similar to live music, recorded music or dance

Thursday to Saturday 10:30 - 03:00
Sunday to Wednesday 10:30 - 01:00

Location of activity: Indoors

Further details: Karaoke, Singers, Talent Nights, Comedy, all provided on an ad hoc basis

Details relating to all activities

Non standard timings:

An additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May day, Spring/Whitsun and August Bank Holiday weekends.

An additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for each Easter Bank Holiday weekends.

An additional hour into the morning following every Christmas Eve, Boxing Day and New Years Eve.

Opening hours of the premises

Thursday to Saturday 10:30 - 04:00
Sunday to Wednesday 10:30 - 02:00

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

Trinity Pub Company Ltd
Trinity
Wesley Square
Pudsey
Leeds
LS28 7AB

Mobile Telephone Number: 07739515507

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

Registered business number: 08876184

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

Michael Craig Thornton



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: LEEDS/PERL/07852/15 Licensing authority: Leeds City Council

Licence issued under the authority of Leeds City Council



Mrs Victoria Radford
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.

Annex 2 – Conditions consistent with the operating schedule

The prevention of crime and disorder

9. Adopt the Check 21 proof of age scheme in accordance with guidance issued by West Yorkshire Police.
10. Participate in a local pub watch scheme or licensing association, (where one exists) that is recognised by West Yorkshire Police.
11. Implement a dispersal policy agreed with West Yorkshire Police.

This may include the halt on the sale of alcohol up to 1 hour before close of business (depending on capacity). It may also include a restriction of entry beyond a specific hour. Where appropriate change the music to a relaxed mood, occasional public address encouraging the sale of soft drinks, water and promoting transport options. Agree protocols and call priorities with local taxi firms. Ensure transport options are suitably advertised at the venue and staff are aware.

12. Operate an effective CCTV system to be maintained in accordance with guidelines issued by West Yorkshire Police.
13. Secure footage will be made secure and retained for a period of 31 days and supplied to West Yorkshire Police upon request.
14. All door staff will be retained from a registered and experienced company and all door staff will be SIA registered. All door staff will comply with standard SIA regulations and comply with all relevant rules and regulations laid down by that body. The manager must maintain a daily record register which is to be completed on a daily basis by the door staff when they commence and finish duty. The daily record register must be retained on the premises for a period of one year, taken from the date of the last entry and include the following:
 - a. Consecutively numbered pages
 - b. The registration number and full name of each registered person on duty
 - c. The date and time that person commenced that period of duty with a signed acknowledgement by that person
 - d. The date and time that person finished duty with a signed acknowledgement by that person.

The daily record register shall be produced for immediate inspection on request by any official of the Security Industry Authority, Police or Licensing Authority.

15. The incident report register, in which any incident which has occurred on the premises must be recorded, shall include the following:
 - a. consecutively numbered pages
 - b. the date and time of the incident
 - c. the full name(s) of the staff involved including the registration number of any door staff and to whom the incident was reported and details of any witnesses

16. The incident Report Register shall be produced for immediate inspection on request of any official of the Licensing Authority or West Yorkshire Police.
17. Signs will be displayed advising patrons that the venue operates a zero tolerance policy on drugs and violence.
18. The search policy shall include the use of a hand held metal detector.
19. The thoroughfare across the site shall be closed and gated as offered by the applicant.
20. No persons shall be admitted to the premises during the hour before the premises closes.
21. When permission is sought for the sale or supply of alcohol during non standard hours for any Bank Holiday period, an event of national interest or a televised sporting event of national interest, then the following will apply:
 - The applicant must give West Yorkshire Police at least 10 clear working days written notice of any Bank Holiday period or any other event of national interest.
 - The non standard hours shall only apply to one hour before and one hour after a televised sporting event of national interest and a maximum of two additional hours in any one day to any other event of national interest.
 - The applicant must have made no more than 12 such applications relating to either an event of national interest or televised sporting event of national interest in any one calendar year.
 - If after the 5th working day commencing the day after the request is received, West Yorkshire Police do not respond, then consent will be deemed granted.
 - In relation to any request for non standard hours, West Yorkshire Police retain the right to suggest any reasonable variation in promoting the prevention of Crime and Disorder objective.

Public Safety

22. Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles.
23. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at their request of an authorised officer.
24. A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
25. If applicable during opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.
26. Empty bottles and glasses will be collected regularly paying particular attention to any balcony areas and raised levels.
27. Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.

28. One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:
- a. each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA.

Or

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

The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.

29. Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour including climbing which may lead to a fall from height.
30. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
31. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scalds or burns to them.
32. An appropriately qualified medical practitioner will be present throughout any sporting entertainment.
33. 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.
34. No strobes, lasers, smoke machines or any other special effects, will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

The prevention of public nuisance

35. Noise and Vibration

Noise from the premises shall be inaudible at the nearest noise sensitive premises (i) after 23:00 hours and (ii) at any time when entertainment, as defined by paragraph 2 of schedule 1 of the Licensing Act 2003, takes place on more than 30 occasions per year.

36. Ensure that all licensable activities are conducted and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
37. No waste in external bins after 9:30 pm.
38. There are no external loudspeakers.
39. Notices are displayed asking customers to leave in such a manner that they cause no disturbance to nearby residents. Queues are controlled and staff trained to manage incidents.
40. Gates to the front and rear of the premises which prevent customers and passerby using the car park as a thoroughfare from Lowtown and Mount Pleasant Road.
41. Business waste is stored in lockable bins and the premises are kept free from litter.

42. Ensure that the premises do not emit odour.

Protection of children from harm

43. Children will only be allowed into the premise until 21:00 hours and must be with a parent or adult.

44. Under no circumstances will alcohol be served to children and proof of age will be required.

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.

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WEST YORKSHIRE POLICE
RESTRICTED (when complete)**WITNESS STATEMENT**(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:	<input type="text"/>	URN:	<input type="text"/>
Statement of:	CATHERINE SANDERSON		
Date of birth:	Over 18	Occupation:	LICENSING OFFICER
This statement (consisting of: 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.			
Signature:		Date:	17 th April 2015
Time and date statement taken:			

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

I am a Police Staff member employed by West Yorkshire Police (WYP), Leeds District, currently based at Leeds District Head Quarters, Elland Road Police Station in the capacity of Divisional Licensing Officer. I have jurisdiction over the North West area of Leeds. This witness statement is to support my Premises Licence Review application for:

PREM/02507/008 – TRINITY, WESLEY SQUARE, PUDSEY, LEEDS, LS28 7AB

Within the application to review the premises licence I have detailed the issues which have been connected to the venue over the last 12 months. There have been action plan meetings which the Premises Licence Holder (PLH), Mark Neave, has attended along with the Designated Premises Supervisor (DPS) at the time and other staff members involved in running the premises.

The main issue, I felt, was the competency of the previous DPS, Paul Allan, who failed to promote the Licensing objectives. I had no confidence in his ability to run the premises safely for either his customers or staff.

During an action plan meeting on 20th November 2014, Mr Allan stated that he felt that they were doing over and above what was required on the licence by employing door staff, as there was no condition on the licence requiring them to be employed whilst the venue was running as a night club. I disagreed with Mr Allan's opinion of his proactivity but the issue did highlight the importance of appropriate measures being added to the existing licence.

Signature:

Signature witnessed by:

MG11

RESTRICTED (when complete)

(Revised 1.9.12)

NICHE Ref. No:		URN:	
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Continuation Statement of CATHERINE SANDERSON

Another action plan meeting was held on 9th January 2015 where the PLH stated that Mr Allan would be replaced by Michael Thornton as soon as he had completed his Personal Licence course. Mr Thornton subsequently received his personal licence on 4th February 2015. The DPS transfer was not received for the venue until 18th March 2015 even after requests and reminders that it had been agreed for the transfer to be actioned as soon as possible.

Whilst I believe that the main issue has been resolved, Mr Allan no longer working at the venue, I would suggest that the licensing authority may wish to look at imposing measures on the licence which would assist the DPS in promoting the licensing objectives, such as conditions relating to CCTV, a drug safe, door supervisors, notice of events and restrictions of open vessels/glasses being taken outside the venue.

I believe that Michael Thornton, the current DPS should be allowed to try and ensure the safety of his customers whilst upholding the licensing objectives. He has attended action plan meetings over the year and is aware of the issues which have been experienced. If extra measures are imposed, I believe that it may assist the DPS in helping to prevent reoccurrence of previous.

However having heard all the evidence, the Licensing Sub-Committee may feel that alternative steps and measures are more appropriate.

Signature:

Signature Witnessed by:



**WEST YORKSHIRE
POLICE**

LEEDS DISTRICT LICENSING DEPARTMENT

LICENSING ACT 2003

PREMISES – REGISTER OF CHRONOLOGICAL EVENTS
(Excluding PL Transfers / DPS changes / TEN's)

Division:	NWL	NPT Area:	NWO
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Premises Name (Previous Name/s) & Address:

TRINITY (f. Mode)
Wesley Square
Lowtown
Pudsey

Post Code:	LS28 7AB	Tel No:	
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PL/CP C No:		Time Limited:	Yes / No
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Orig. Issue:		Date - WEF:	
---------------------	--	--------------------	--

ALCOHOL PREMISES:	CONSUMPTION:	On / Off / Both
Yes		

Brief History / Previous authorisations:

Date:	Event / Meeting / Application / Formal Action / Letter etc:
30-01-14	Message left on DPS voicemail to make contact about arranging a meeting.
02-02-14	██████████ @ 0332 Caller had been ejected from the premises and claimed a group of males were waiting for him. D/Staff phoned and claimed that he was 'off his head on drugs'. Officers locate him, confirmed that he did not appear under the influence of drugs but had upset the wrong people.
03-02-14	Spoke with Bob Thompson as unable to make contact with DPS BT explained that there were new owners and the DPS is due to be changed. Scheduled meeting 25-02-14.
12-02-14	Confirmed that a meeting had been arranged via Bob Thompson from LTC.
25-02-14	Meeting Held.
26-07-14	Attended on an evening licensing visit; Paul Allen in charge. Incident book in order Part A out of date CCTV operational, however unable to use the system and show 31 days.
August 14	Boxing match which resulted in fighting outside of the ring. Police were not called to this incident however since the information was received CCTV footage was captured and viewed of the incident which showed a large disorder inside the premises where security staff had been head butted and a person thrown off the balcony.
11-08-14	██████████ @ 1439 Caller reporting that he had been assaulted at the premises the previous Saturday. He had been punched in to head, fell to the floor and received further blows. Door staff did not apparently witness the incident and CCTV did not cover the incident. Complainant did not wish to take the complaint further.
24-08-14	██████████ @ 1724 Complainant had been on a night out on Friday evening drinking in the venue. She woke the next morning in an alleyway bruised and sore believing that she had been sexually assaulted. It transpired that she was heavily intoxicated and had no recollection of the events after leaving the premises so was unable to consent to any activity which took place.
07-09-14	██████████ @ 0307 Officers reported a fight and required an ambulance for an unconscious female. When female came round, she walked off and refused to give officers any details. @ 0358 Further call received advising of an assault and theft. Female had been inside drinking and picked up the wrong glass in error, a verbal altercation started. Female is assaulted by 2 suspects. All 3 are removed from the club by security and the complainant is assaulted again outside and her phone is taken. Officer managed to locate the phone which had been left in a taxi by the suspects. Officers speak to the DPS in relation to CCTV and are informed that the incident occurred in a 'blind spot'. He was aware of a melee of people

	but nothing other than CCTV showed that door staff escorted people out.
07-09-14	Email received from one of the officers that attended the above public order incident advising that customers were extremely heavily intoxicated. Comment was made that people were so drunk that they were unable to stand and were being carried by others.
08-09-14	Email received from an officer regarding CCTV, wanting to confirm whether it was a condition on the licence and enquiring as to the person to contact.
12-09-14	DPS variation paperwork received by WYP.
01-10-14	Email received from Paul Rix LCC Licensing Enforcement advising of a possible boxing event that was causing concern.
11-10-14	<p>██████████ @ 0056 *S18 Wounding*</p> <p>Reports of a fight outside, approx. 10 people involved – caller then believed that a fight was brewing rather than witnessed. The club had been closed and customers thrown out. This had caused arguing and issues with the customers. Further log stated that there was a male with a head injury inside the premises. Officers reported that it appeared an implement had been used in the assault. This was also the opinion of hospital staff. Door staff had allowed a banned person into the venue and refused to give officers a statement. There was only one member of door team working on the evening as the second person had retired home sick.</p>
11-10-14	Email received from an officer informing of his concerns surrounding the above assault.
14-10-14	Monthly meeting
26-10-14	<p>██████████ @0252 *S18 Wounding*</p> <p>Callers reporting that they had been assaulted. Customers were inside the premises when a female started to become argumentative. Both females involved were ejected from the club. Once outside the aggressive female assaults another female – kicking and punching her to the floor. A male tries to intervene and is also kicked and punched until he loses consciousness. It was suspected that the complainants may also have suffered from bone fractures during the attack. Door staff were aware of the incident inside as they knew and were speaking to the suspect as she was leaving the venue. Door staff advised officers that they were unaware of the incident which occurred outside.</p>
20-11-14	Action Plan meeting
09-12-14	Email received from the premises advising that they would be utilising the additional hour over the Christmas period.
07-12-14	Email received regarding an event advertised at the premises; Bassline night until 0400hrs but premises licence only allow alcohol sale until 0300hrs and background music until 0330hrs.
28-12-14	<p>██████████ @ 0055</p> <p>Report of a male who had been assaulted outside the venue and had been knocked unconscious. Officers attended and confirmed that there was a Bassline event on at</p>

	the premises with numbers in the region of 350 customers expected. Complainant refused to inform officers of what had occurred. Officers commented that the male was 'drunk'.
09-01-15	Action Plan Meeting
09-01-15	Email received from the premises asking for bullet points in relation to door staff issues.
30-01-15	Letter received from LTCS expressing their concern that they were no longer working at the premises
22-01-15	Email sent to officers attending pending licensing visit with details of what needed to be checked at the premises.
24-01-15	Protech employed to start work at the venue
24-01-15	Evening Licensing Visit: DPS not on site, M Thornton working. Drug safe installed but not independent keys – all seized by officer CCTV still displaying different times on monitors Refusal book checked and last entry 31-10-14. (Email received from officer 25-01-14)
22-02-15	<p>██████████ @ 0212 *S18 Wounding*</p> <p>Call received from Ambulance of a male with a head injury. Officers attended and confirm that the reporting person had been punched on the dance floor after a verbal altercation with another male. This has then erupted into disorder inside with people fighting. The door staff broke up the fighting, closed the venue and thrown all customers out other than the injured party. Male had sustained a broken jaw.</p> <p>Libertas Security were employed as door staff working the evening and were looking after IP on officers arrival.</p> <p>Spoke with M Thornton and M Neave after the Pubwatch meeting. Advised that they needed to submit the DPS change asap.</p> <p>Serious consideration was being given to reviewing the licence and under the circumstances, if the form was submitted by 16th March 2015 a meeting could be arranged to allow a minor variation with agreed conditions to go through, rather than a review process being instigated.</p>
25-02-15	<p>* ██████████</p> <p>Disorder incident recorded on niche which occurred at the premises back in August. Boxing took place with known persons which ended up with fighting between parties (not the boxers) including someone being thrown over a balcony. Footage viewed, from elsewhere, of the incident but due to the timescale involved unable to check the CCTV from the premises.</p> <p>Delay in allocating the crime to this location due to officers not knowing the whereabouts of the event.</p> <p>*This was not what was advised by the PLH at the time*</p>
10-03-15	Email received advising that boxing was due to take place at the premises which involved the persons from the disorder in August.
12-03-15	Call made to LCC licensing enquiring as to whether a TEN was in order for an U18 family event due to be held on 17/03/15. LCC informed the caller that no TEN had been submitted and their

	licence did not allow for under 18s on the premises after 2100hrs. LCC contacted myself to advise.
15-03-15	Boxing event took place with no incidents being reported to WYP
15-03-15	Complaint received in relation on an event being advertised at the premises on 17/03/15. Concern was raised into allowing children into a licensed venue after 2100hrs, concerns in relation to fireworks and the capacity of the venue.
16-03-15	Spoke with WYFRS who attended at the premises and agreed with the initial assessment from the previous inspector that the capacity was 450.
17-03-15	Evening licensing visit @ approx. 2200hrs Premises busy, no fireworks inside, young children running around the venue. S19 issued in relation to children. CCTV in order, office door badly damaged by the old DPS (allegedly). 3 members of door staff appeared to be working on the evening. M Thornton was managing the evening and stated that WYFRS had attended earlier in the evening to reports of fireworks being set off inside the venue.
18-03-15	██████ @ 0047hrs Report of a fight outside the venue. Officers attended and confirmed that the premises were closed but groups of people making their way home.
18-03-15	██████ @ 0127hrs Call received from ambulance advising that a male had been assaulted. Officers located the male with a shoulder injury however due to his level of intoxication he refused to provide his details or confirm what had occurred.
18-03-15	Spoken with Robert Nowak from WYFRS who advised that he had arranged to send the unit last night on a visit due to the complaint which had been received. WYFRS found blocked fire exits, which they made the staff clear. There was no fire risk assessment and no certificates for emergency exits etc. Fire will be arranging a full inspection.
18-03-15	DPS application for Michael Thornton received.

Monthly Meeting

Trinity (f) Mode 25/02/14

Steve Thomas – DPS
Sam Longfellow – LCC Licensing
Cat Sanderson – WYP Licensing

CS and SL apologised for the delay in monthly meeting, the last one had been September but due to ongoing issues in other areas, this had been on a back burner.

ST explained that the premises had changed the name to Trinity and were trying to return the venue to how it used to run when it was previously Trinity.

Derek the former DPS had been in charge until the end of January, the ST took over the running of the venue for the last 4 weeks. The venue had a new owner; Mark Neave who also owns Worlds End.

CS explained that there had been a few incidents since the last meeting and these were discussed but did not go into too much detail as there was a new DPS.

ST explained that on Boxing Day there was a fight inside the premises, CS confirmed that there was a log, however Derek closed the premises early to combat this.

CS explained that one of her concerns was in relation to being open until 0400hrs. ST and CS had discussed this earlier when a TEN was submitted. ST was under the impression that the venue was licensed until 0400hrs however CS had corrected him in a telephone call, confirming that they had activities until 0300hrs.

CS wanted to discuss an advertisement which she had found on Facebook back in September - £10 and drink the bar dry.

ST explained that Derek had tried to run this promotion but it had failed resulting in a loss in business and did not continue. ST stated that he had advised Derek that it was not a promotion which would be allowed – irresponsible drinking; however Derek ran it stating that he would see if he could get away with it – until it was picked up on and he was forced to cancel it.

ST confirmed that the door staff were still West Yorkshire Security. Since he had taken over, he had increased the numbers to 3. Derek was running on 2.

SL asked how many they employed for an event. ST confirmed that it was 8-9.

ST stated that he has kept the Fetish night running at the venue. SL asked what this entailed. ST stated that the customers come dressed up and someone sells whips etc. SL asked ST to clarify the details as this may require another Licence. ST would obtain some figures for her. The event is held on the second Sunday of every month.

CS asked about the music the venue. Did they still play Bassline.

ST advised that they no longer wanted this sort of music and had moved to Funky Commercial music – one of the DJ's was Micky from the Shamrock.

ST confirmed that Martin Stockwell ran the Casa Loco nights at the venue on a Saturday, however once they had recruited a couple of new DJ's, they would no longer use Martin.

Sanderson, Catherine

From: Burrow, David
Sent: 12 September 2014 07:42
To: Sanderson, Catherine
Subject: RE: Casa Loco, Wesley Square, Lowtown, Pudsey [NOT PROTECTIVELY MARKED]

Cat,

Apologies, it was indeed the early hours of 7 September 2014.

Thanks,

Dave

David Burrow
PC 5552
Leeds District (North West)
Neighbourhood Patrol Team 3
✉ e-mail: david.burrow@westyorkshire.pnn.police.uk
📍 Address: Pudsey Police Station, Dawsons Corner, Pudsey, LS28 5TA



From: Sanderson, Catherine
Sent: 08 September 2014 09:39
To: Burrow, David
Cc: Cox, Michael; Davey, Christopher
Subject: RE: Casa Loco, Wesley Square, Lowtown, Pudsey [NOT PROTECTIVELY MARKED]

Morning Dave

Thanks for the information.
Please can I just confirm that it was 07/09/14?

I will arrange to attend and speak with the premises about the issues so that we can try prevent reoccurrences.

Thanks and regards

Cat

From: Burrow, David
Sent: 07 September 2014 06:31
To: Cox, Michael; Sanderson, Catherine; Davey, Christopher
Subject: Casa Loco, Wesley Square, Lowtown, Pudsey [NOT PROTECTIVELY MARKED]

All,

We attended a public order incident at around 0300hrs at Casa Loco in Pudsey on 07/08/14.

The club was kicking out around this time and it was clear that a vast number of people leaving were not just in drink but extremely heavily intoxicated.

I saw at least 5 different people so drunk they were unable to stand and were being carried by others. Two unconnected people fell heavily down the steps of the club.

Clearly the club is serving people far beyond a normal level of intoxication and this is not helping public order at closing time.

I am informed there is a licensing meeting soon so I just wanted to make you aware.

Thanks,

Dave

David Burrow

A/PS 5552

Leeds District (West)

Patrol Team 3

✉ e-mail: david.burrow@westyorkshire.pnn.police.uk

📍 Address: Pudsey Police Station, Dawsons Corner, Pudsey, LS28 5TA

To report a crime, please ring 101. Always dial 999 in an emergency.



For the latest news and updates visit our website - <http://www.westyorkshire.police.uk/leeds>

Sanderson, Catherine

From: Rix, Paul <Paul.Rix@leeds.gcsx.gov.uk>
Sent: 02 October 2014 11:58
To: Sanderson, Catherine; Davey, Christopher; Cox, Michael
Cc: Longfellow, Samantha
Subject: RE: Boxing event Trinity LS28

Morning All

Just spoken to the PLH and he advises that the event is actually a week on Sunday 12/10/14 and is not yet fully confirmed.

He has been told by the promoters that although there is no love lost between the boxers there should be no issues with the fans.

He is to confirm with Sam that the event is going ahead.

Mick / Cat

In Sumo's absence could you pass onto the relevant inspector this new information as the info passed by Sumo is now out of date.

Regards

Paul

Paul Rix
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: paul.rix@leeds.gov.uk
www.leeds.gov.uk

From: Paul.Rix(GCSx)
Sent: 01 October 2014 12:11
To: Sanderson, Catherine; 'Davey, Christopher'; michael cox
Cc: Longfellow, Samantha
Subject: Boxing event Trinity LS28

Morning All

Info received indicates a boxing event to be held at Trinity this coming weekend 4 October, 6 while 9pm ish.

It would appear that the combatants are not friendly and a local licensee has expressed concern that the main event may well take place between the fans of each boxer after the event has finished.

Cannot at present find any info on who is fighting or organising.

If I find anything further I will let you know.

Regards

Paul

Paul Rix
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: paul.rix@leeds.gov.uk
www.leeds.gov.uk

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Sanderson, Catherine

From: Davey, Christopher
Sent: 11 October 2014 17:28
To: Sanderson, Catherine; 'samantha.longfellow@leeds.gov.uk'
Cc: Wood, Dan; Davey, Emma; Cox, Michael
Subject: assault at mode [NOT PROTECTIVELY MARKED]

sam - cat

I went to an section 18 assault at the mode nightclub this morning [REDACTED] where a male suffered a bad head injury after being hit by

[REDACTED] is currently wanted for the offence.

my concern was that no one from the premises would give a cja and that most people knew the suspect was [REDACTED] they all appeared to be frightened of him. the dps paul allan was more than helpful and helped get the cctv downloaded and showed me it so we could id him but he was too frightened to say anything in front of other staff. he did however give me info about where he is living.

there were 2 door staff working but one went home sick.

its more for your info really if they are not strong enough to keep people like [REDACTED] out and also will they bring him up for a ban on pub watch

**Trinity Meeting
14th October 2014**

Persons Present:

Mark Neave	- PLH
Paul Allan	- DPS
Michael Thornton	- Manager
Sam Longfellow	- LCC Licensing
Cat Sanderson	- WYP Licensing

CS opened the meeting by explaining that they used to have monthly meetings with the previous management but due to changes at the venue and few incidents, they had appeared to have slipped. MN and MT were both happy to reinstate the meetings, to ensure that everything was running in order. It was agreed that the meetings would be held after the Pubwatch.

CS explained that she had been made aware of an incident which occurred at the weekend, a S18. Officers had spoken to her and advised that there was no warning that the assault was about to occur and the staff at the venue had been very helpful, closing the premises down, CCTV and preserving the scene. The only issue to arise was that the doorman had refused to give a statement, which was concerning.

MN advised that the suspect had been put up for banning on Pubwatch that morning. He was actually already banned from the premises and was unaware how he had got in. It was believed that he had come in with a group which had attended a party earlier in the evening. However he had been made aware that the suspect was causing trouble at the venue as well. He had allegedly been into a premises, come out of the toilets and told staff that the floor was slippery – apparently he had hit someone in there and was making excuses.

SL stated that they needed to speak with their door staff as they had allowed a banned person in and refused a statement. PA stated that he had completed a report in the incident register and reported to officers that the suspect had informed him that he had hit someone. It was explained that a statement needed to be taken in case a suspect ever needed to be taken to court. CS reiterated that they needed to speak with the door staff to ensure that they are monitoring the customers entering the premises and must give a statement if required.

CS raised another incident which occurred in September. Officers had attended and emailed her advising that customers were so inebriated that they were witnessed being carried along by friends. This was unacceptable. PA stated that when he came across someone clearly intoxicated, he got door staff to ask them to leave. CS explained that this was not how to handle to situation. If they ejected a female, she needed to at least have her friends with her. They could not just leave a vulnerable person outside as anything could happen. CS and SL gave examples of situations which had occurred recently – lone female ejected and she was taken off and raped, one punch incidents where the victim is so intoxicated that they are unable to protect themselves. It was suggested that they needed to offer them a drink of water and find their friends; ring them a taxi and ensure that they get in safely. They could not just throw them out of the club on their own.

Discussion also took place about customers preloading. It was appreciated that this was an issue city wide and you would not necessarily know that someone had drunk alcohol before getting in the venue however once inside the effects start taking place.

SL asked how often they held boxing events at the venue. MN stated that it was not often, about every 2 months. They ensured that there was plenty of door staff after the incident several weeks ago. MN explained the circumstances, how a boxer was upset that he had not been able to fight for the title and had attacked the other boxer, however police had not been called for this incident. SL asked that they emailed details of future events, so that NPTs can be warned. MN advised that the next one due to be held was 29th November.

CS stated that she would be doing more licensing visits in the area on the run up to Christmas and she would be monitoring the level of intoxication of customers. If it was believed that they were serving to drunks she would highlight it to them and it would become an issue.

Trinity Monthly Meeting
20th November 2014

Persons present:

Paul Allan - DPS
Michael Thornton - Manager
Sam Longfellow - LCC Licensing
Cat Sanderson - WYP Licensing

CS opened the meeting by asking whether they knew that their licence was currently suspended. MT and PA were both aware, stating that it would be paid that afternoon. SL provided the telephone number which they should call to make payment.

PA asked whether SL had any T.E.N. forms on her. CS asked when he was planning to put in for. PA said that he wanted to submit them for the Christmas & New Year period. CS stated that they could submit them however they may want to think about it again after the meeting. MT advised PA that it may not be beneficial.

CS spoke about the recent incident which occurred at the premises; a section 18 wounding had been reported on 26th October 2014. She explained the circumstances as she was aware. Female 1 had been inside the premises when female 2 started an argument. They had both been ejected and an argument started up again outside. Female 1 was punched and kicked on the floor, male 1 came to assist when he was punched and knocked unconscious, sustaining a cut to the head.

It was explained that the call to the police had been made at 0220hrs.

MT stated that he was made aware that a female had entered the DJ booth, she claimed to be hiding from someone. PA stated that there had been an argument and he had separated the parties. Female 1 was removed by the rear exit and female 2 left through the front. He stated that as far as he was aware the assault had occurred after they had closed and that the assault with took place outside was on another female, female 3.

CS pointed out that the incident had started in their premises and from reading statements, door staff were aware. Once outside the assault had occurred and it was at 0220hrs when WYP were called. PA stated that it was after they had closed. Again CS stated that the call was made at 0220hrs, so they were open explaining that all incidents reported to the police are logged with date and time.

PA stated that he was not aware of that.

CS moved on to the door staff. Where were the door staff when all this occurred? PA did not have an answer. CS explained that they were aware of the incident inside so should have been monitoring outside as people were leaving, especially as female 2 was reported to be acting in an aggressive manor. PA had stated that he had ejected female 1 from the rear, CS asked where were the door staff? Reading the statements they were aware of the issue. Why were they not monitoring outside? Again PA was unable to answer, he stated that he had not been informed anything about the incident from the door staff, the first he heard about it was when the police turned up.

MT stated that they now employed 3 door staff, 2 on the door and one inside. CS was pleased to hear there was an additional one.

However CS stated that this lack of action by the door team was not acceptable and felt that they needed to change their door staff. She advised that she could not make them change company but

the staff needed to change. PA made mention that he had trouble with the door team working as they did not listen to him. SL commented that this was unacceptable, as they were being employed they needed to be told what to do. PA stated that he had tried. CS again commented that they needed to change the door staff. MT stated that they would contact the PLH and arrange to get a different company in. CS continued that the door team not only protect customers but also can affect their licence if they are not doing their job properly. Again CS explained that she could not make them change company but something needed to be done.

CS explained that if there was another incident relating to the premises, she would review their licence – 2 x S18 woundings in as many months was not acceptable. SL further explained that CS did not just mean another serious incident, if any assault linked to the premises arose, then a review would be put in.

MT made mention that there was an issue with the door team, it had come to a head with them a few weeks earlier as they had not been performing their roles properly but since then they appeared to have taken heed.

PA commented that he was the DPS of the premises and he was ultimately responsible for decisions made.

CS commented that she had heard that there was a drugs issue at the premises, were they aware? MT believed that customers had been getting in and they were actively monitoring for drug use.

CS asked about searches, did the door staff do random searches on customers? MT explained that they had started to since the in house discussion. PA suggested that he would get the door staff to check 1 in 3. SL pointed out that a ratio would be too obvious, PA suggested 1 in 5, again SL stated it was too obvious and customers would become wise – they needed to do random searches. As long as they had a notice displayed that there was no issue with searches. CS asked whether they had a drug safe. PA said they had a safe so CS and SL explained the reason behind needing a specific drug safe. CS agreed to email PA details of drug safe providers.

MT advised that they had also implemented a refusals book which they record refusals for over inebriation.

CS moved onto the issue of over intoxication. She was still aware that it was ongoing. There had been a report of a rape recently, and whilst the rape had not occurred by the premises, the female had been in the venue and was heavily intoxicated. This was a serious issue. They needed to be monitoring as it was unacceptable to allow customers to get in that state.

SL asked what time last entry to the premises was. MT stated that it was 0200hrs.

SL asked whether the door staff used hand held metal detectors. PA did not believe so and was not aware that it was a condition. MT stated that he was aware it was a condition on the licence and would ensure that door staff would be using them.

As SL was looking through the licence, PA made comment that he was going over and above what he was required to do on the licence. SL continued reading through. PA again repeated that he was doing more than was required, ie hiring door staff, as it was not a condition on the licence. CS immediately stopped the conversation at that point and told PA that it was not a statement he should be making. Even though there was not a specific condition, it was not over and above what was required to be a responsible operator. A responsible operator does what is required, whether it

was a condition or not, to ensure the safety of their customers and staff. If they decided to withdraw the door staff, which they were entitled to do, something would inevitably happen at the premises and a summary review would follow!

MT brought the conversation back round to boxing. He confirmed that they were holding a boxing event on 29th November, however PA was unable to advise who the promoter or boxers were. CS asked PA or MT to let her know. MT believed it was Daz Rads who promoted the event.

Actions agreed:

- Door staff to be changed with immediate effect
- Random searches to be implemented
- Drug safe to be installed
- Continual monitoring of customers intoxication

Sanderson, Catherine


From: Longfellow, Samantha <Samantha.Longfellow@leeds.gcsx.gov.uk>
Sent: 17 December 2014 11:13
To: Sanderson, Catherine
Cc: Davey, Christopher
Subject: Trinity (F. Mode) Nightclub Pudsey

Hi Cat/Sumo

Just to make you aware;

I have heard on the grapevine that Trinity are having a Bass Line event (casa loco) on 27th December 2014. They have already sold 350 tickets.

I have also been advised that they are going to operate longer than their licence permits. Their current licence states that all alcohol sales will stop at 3am on a Saturday. They should have a cooling down period between 3am & 4am allowing for customers to finish off drinks and leave without just being thrown out. They are also allowed to have background music between 3am & 3.30am.



Can you advise NPT that there could be possible issues that weekend and that if they do have any issues to let you and/or us know so that we can look at some sort of action.

Hope this all makes sense.

Thanks

Sam
Samantha Longfellow
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: samantha.longfellow@leeds.gcsx.gov.uk
www.leeds.gov.uk

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**WRISTBAND
ONLY EVENT**

BUY IF YOU WANT ALONG GUESTS THAT
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Xmas Classics

Saturday 27th December

The DJ's will be taking you back to reminisce the good old days
playing there favourite...

Funky Vocal House, Speed Garage, Classics & Nu-Skool Tunes

**Mick Tole, Dj Jordz, Tom Garnett
Simone Kelly Roe & Liam Jay,
Andy Magill...**

Wristbands £10 // VIP £15 07968 809 559 For wristband drop off

Formally Mode, Wesley Street, Pudsey, Leeds, LS28 7AB // Party starts: 11pm - 4am

Dress code: Sunday Best please, trainers yes - keep them smart & funky!

Door policy will be very strict. It's all about attitude & (some) cash - as we've always said, "People Make Places" x

Trinity Meeting
Friday 9th January 2015

Persons present:

Mark Neave	- PLH
Paul Allan	- DPS
Michael Thompson	- Manager
Sam Longfellow	- LCC Licensing
Cat Sanderson	- WYP Licensing

Prior to starting the meeting, MN stated that MT was going to go through his personal licence course and would then be taking over as DPS at the premises. This was not to be mentioned to the current DPS as he had not been made aware at that point.

CS explained that due to advertisements found on the internet, she would like to check CCTV. They had advertised an event on 27th December into the 28th until 0400hrs, however the premises were only licensed until 0300hrs. MT and PA both stated that they had closed on time and had not run until 0400hrs; they had asked the promoter to change the advertisement but it had not been done. CS stated that because they had run an event, advertised until 0400hrs and there was an incident that evening, she wanted to make sure that they had abided by their hours. The CCTV showed that the premises had closed at 0400hrs as staff were cleaning, however the time was out on the cameras, which was pointed out to all and were told to rectify. PA stated that it had not changed with the clocks being altered. CS pointed out that they changed in October and it was unacceptable that they had not altered them. SL stated that they were and had been breaching their licence since this time. MT tried to amend the time, but it had not applied to all the screens so was going to get someone out to look at it.

MN commented that it was a new system as they did not used to have CCTV at the premises. CS and SL pointed out that there was a system previously as they had seen/checked it. There was an old VHS system in place at one point which was updated to discs. MN believed that the old DPS must have taken it with him.

CS explained the context of the previous meeting to MN as he was not in attendance. She explained that there had been another serious assault and that during the meeting she had been extremely unhappy about a comment made by the DPS – “going over and above what they were required to do on their licence”. CS pointed out to MN that you could not go over and above when they were supposed to be looking out for the safety/welfare of customers and staff. She also explained that during that meeting, they were informed that if another incident occurred at the premises then she would be looking into reviewing their licence.

CS went on to explain that there had been an incident on the 27th, the Bassline event night. She explained that the incident had occurred outside the venue. The call to the police had been made by a third party reporting that a male had been assaulted and was unconscious. Officers attended and the male was conscious upon arrival; they stated that he was heavily intoxicated (an issue which they had previously discussed). She had heard from another third party, that the door staff had subsequently banned the caller from the premises because they had called the police. This was unacceptable. SL checked the incident book and confirmed that the incident had not been logged in there.

CS was very unhappy that the DPS was unaware that the incident had taken place until she rang to arrange this meeting. The DPS needed to be made aware of any incident which took place at the

venue. It was not acceptable for CS to be informing PA of an incident occurring at the premises when he had been working and was aware that the premises were currently under an action plan. They needed to be aware of everything that was happening and getting updates from door staff to find out what is occurring at the premises.

CS asked MN how he was planning to rectify the current concerns in relation to the premises so that CS does not review their licence. MN stated that he would do whatever was required.

CS stated that the door staff situation needed to be looked at. Again they had failed to contact the police when an incident had occurred at the premises. The incident book was not completed with all incidents taking place, the signing in register was not filled in correctly, staff not being informed of incidents. Even though the people on the doors had changed they were still having the same issues. MN stated that he would change the door company. He would not reopen the venue until he had a new company employed.

CS asked about random searches, where the door staff doing these? PA believed they were checking 1 in 3 or 1 in 5. CS pointed out that they needed to be random and not sequential, as discussed in the previous meeting.

CS then asked whether the door staff had been using the wand, as per the condition of the licence. PA thought that they had but had not checked.

CS asked about the drugs safe. MT stated that it was his fault that they had not installed one yet, he had been waiting to see whether he was able to obtain a spare one from another premises but he would get one ordered asap. CS advised that she had emailed PA the details of manufacturers after the last meeting.

CS then moved the discussion onto over intoxication of the customers. PA provided a refusals book. CS examined the book and pointed out that there had been no entries made since 31/10/14. PA could not explain this.

CS explained the issue with over intoxication at the premises.

SL advised that the DPS/staff needed to be walking the floor to monitor for over intoxication and proxy sales, which they were not currently doing.

CS advised that the DPS and staff need to be communicating with each other and if there are any incidents at the premises, they need to make sure that they are contacting WYP about it.

Sanderson, Catherine

From: Sanderson, Catherine
Sent: 13 January 2015 07:21
To: 'Michael'
Subject: RE: Trinity nightclub [NOT PROTECTIVELY MARKED]

Morning

Sorry for the delay in reply.

Please find the bullet points as requested:

- Always stood in a pair on the door
- Do not appear to take appropriate action when an issue arises after customers have been agitated/ejected
- Have not been searching customers
- Stand watching instead of dealing with any incident outside
- Do not appear to assist DPS with ejection of customers
- Do not detain suspects
- Refusal to provide statements
- Do not complete the incident book
- Do not fill the signing in register correctly
- Do not listen to management

Hope this is sufficient.

Thanks and regards

Cat

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

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-----Original Message-----

From: Michael [REDACTED]
Sent: 09 January 2015 15:16
To: Sanderson, Catherine
Subject: Re: Trinity nightclub [NOT PROTECTIVELY MARKED]

Yeah that's fine.

I am on the ball with a meeting for new door company, pro tech meeting this evening fingers crossed.
Just ordering a drug safe from a&r engineering - from Essex

Regards

Michael Thornton

> On 9 Jan 2015, at 14:26, "Sanderson, Catherine" <catherine.sanderson@westyorkshire.pnn.police.uk> wrote:

>

> Can do but wont be until Monday.

>

> Thanks

> Cat

>

> -----Original Message-----

> From: Michael [REDACTED]

> Sent: 09 January 2015 14:15

> To: Sanderson, Catherine

> Subject: Trinity nightclub

>

> Hi cat,

>

> Just a quick one, is it possible for you to email me a bullet point or quick break down of major issues regarding door staff that you feel are a big issue.

>

> I am just trying to arrange a meeting with professional security and would like to basically say look this is the issue and then I will add too it how I want it to be run and how it has to be run.

>

> I have jotted down what I can remember but would rather you send me it and then it's there in black and white and then the new door company can't say well this or well that if anything was to happen. They will know what I expect and how It will be run.

>

> Regards

>

> Michael Thornton

> _____

>

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15TH March 2015

Dear Sir / Madam

I am writing with a great concern with regards to the events taking place on Tuesday 17th March at the Trinity Club in Pudsey. (Trinity Night Club, Wesley Square, Pudsey, LS28 7AD).

This event is organised to celebrate the Iranian Bon Fire Night.

My concerns are as follow:

- On the leaflet indicates that Kids under 7 are admitted free of charge and those above the age of 7 (7 to 12 year) have to pay £5. Having the checked with the licensing department, it is understood that children are only allowed up until 9pm and as long as accompanied by parents. It is also understood that the party will continue until early hours of the next morning.
- There is also mention of fireworks (this is written in Persian on the leaflet). Dose this venue have adequate facility in place in order to make sure that fire work will be carried out according to health & safety regulation? Or in other word dose this venue has the license to allow fireworks? Or has an up to date risk assement been carried out?
- The leaflet also mentions that this venue has a capacity of 500? Is this correct? Or is the organiser trying to attract as many customers as they can in order to maximise their profit?

Would the authorities, kindly investigate the above concerns which are summarised as follow:

- Is this venue licensed to except children after 9pm?
- Is this venue suitable for fireworks? (in particular when children are allowed)
- Has this venue got authorised capacity of 500 people?

Attached (following page) copy of the leaflet advertising the event, so you can see the concerns I have.

Finally, I would like to take this opportunity to Thank You for consideration.

Yours faithfully

Mr. Nejad

Leaflet

Sheyloob
EMPERATOR

چهارشنبه سوری

Tuesday 17th March | Leeds

Dj Amir Ghavami
From Holland

Sheyloob
LIVE DJ STAGE - from Holland

Maziar & Saman
from Holland

Tickets £15 till 15 of March
Leeds £10 till 8pm
Edinburgh £10 till 7-12 £5
All the other £20
Doors Open 7.30pm
for more info: 07476 224445
Capacity of 500 people

برگزاری جشن چهارشنبه سوری در این باره
با بهترین گروهی از هولند و انگلستان
و این بار در سبیل روزی
سفره هفت سون بر می خورد میباشد

Tickets are available at super farbod and super Shomal

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TRINITY NIGHTCLUB
Premier League Football Leeds UCLF TAG

Sheyloob
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4

SHANBEH SOORI

Tuesday 17th March | Leeds

چهارشنبه سوری

Tickets Nightclub
Premier League Football
Leeds UCLF TAG

Dj Amir Ghavami
from Holland

Maziar & Saman
from Holland

Sheyloob
from Holland



NOT PROTECTIVELY MARKED

White - POLICE COPY Yellow - DPS COPY

CLOSURE NOTICE

Section 19, Criminal Justice and Police Act 2001

Read accompanying notes on reverse

This Closure Notice is served by the Police Officer named below if he/she is satisfied that the premises have been used for the unauthorised sale of alcohol for consumption on, or in the vicinity, of these premises within the last 24 hours. Each of the paragraphs below must be completed by the Police Officer.

Date of Closure Notice: 17/3 2015 Time Notice served: 21.55 AM/PM

Police Force: WEST YORKS

Name and rank of Police Officer above: PC4513 DAVEN

Signature of Police Officer above: [Redacted]

Name and address of premises affected: TRINITY, BOOTH'S YARD KUDSEY

Postcode: LS28

Alleged unauthorised use of the premises

There has been the unauthorised sale of alcohol because:
A ORDER 185 served in premises after 9pm is breach of licence.

Steps which must be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:
A.S.A.P. - ADVICE GIVEN
Not to breach LICENCE IN SAAG WORK.

The person (if applicable) upon whom the Closure Notice has been served:

Name: D.M. THORNTON Position: MANAGER

Signature: [Redacted]

Suggested measures for consideration by Licensing Sub-Committee

- A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
- The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).
- The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.
- The CCTV system will contain the correct time and date stamp information.
- The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
- A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.
- The minimum number of door supervisors for the premises is 3 to work from 2200hrs until all customers have vacated the premises.
- A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police.
- 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.
- Written notification will be given to West Yorkshire Police a minimum of 14 days prior to any event taking place at the venue e.g. Boxing.
- A minimum number of door staff as specified by WYP will be deployed at any boxing event.

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**Elections, Licensing & Registration**

Civic Hall
Leeds LS1 1UR

Our Ref: A80/SJL/LIC/PREM/02507/010

Your Ref:

Contact: Samantha Longfellow

Tel: 0113 2474095

Fax: 0113 2243885

Email: samantha.longfellow@leeds.gov.uk

Date: 20th May 2015

The Licensing Authority

Entertainment Licensing

Leeds City Council

Civic Hall

Calverley Street

Leeds

LS1 1UR

Dear Sirs

**SUBJECT: TRINITY, WESLEY SQUARE, PUDSEY LS28 7AB.
LICENSING ACT 2003 – FORMAL REPRESENTATION FOR PREMISES LICENCE REVIEW.**

This is formal notice of representation made by Leeds City Council Licensing Authority (Entertainment Licensing) in its capacity as a Responsible Authority under the Licensing Act 2003 ('the Act').

Licence background information.

The representation supplements the application made by the West Yorkshire Police for a review of the premises licence granted to Trinity Pub Company Limited ('the Premises Licence Holder' - PLH) for premises trading as Trinity, Wesley Square, Pudsey LS28 7AB. Premises Licence Number: PREM/02507/009.

Licensable activities currently authorised by the premises licence are –

- Sale by retail of alcohol
- Indoor sporting events
- Boxing or Wrestling
- Regulated Entertainment

Opening hours of the premises –

- Sunday to Wednesday 10.30am until 2.00am
- Thursday to Saturday 10.30am until 4.00am
- Alcohol is sold for consumption on and off the premises.

The current Premises Licence Holder (PLH) is Trinity Pub Company Ltd. The director of Trinity Pub Company Ltd is Mr Mark Neave. The current PLH has been in situ since 6th February 2014. The Designated Premises Supervisor (DPS) named on the Premises Licence is Mr Michael Thornton. Mr Thornton has been the DPS for the licensed premises since 19th March



2015, however Mr Thornton has been involved in the running of the premises for a number of months prior to being named as the DPS.

A Designated Premises Supervisor is an individual named on the premises licence who holds a valid personal licence and authorises the sale by retail of alcohol at a licensed premises. The DPS has responsibility, given by the premises licence holder, for the day-to-day running of the premises. A personal licence holder must have successfully completed a nationally recognised training course with regard to understanding/compliance of the Licensing Act 2003.

The Act provides a clear focus on the promotion of four statutory objectives underpinning the Act which must be addressed when licensing functions are being undertaken. Each objective is of equal importance.

The licensing objectives are –

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

This representation is made on the grounds that the Premises Licence Holder and Designated Premises Supervisor have and continue to undermine the licensing objectives in the concern of

- *The prevention of crime and disorder*

The prevention of crime and disorder includes the responsible retailing of alcohol and the exercise of control measures on customer behaviour.

- *Public safety*

The Premises Licence Holder has a responsibility to ensure the safety of those using the premises.

- *The prevention of public nuisance*

The Premises Licence Holder has a responsibility for control measures regard customers behaviour.

- *The protection of children from harm*

The protection of children from harm includes protection from physical and psychological harm.

Prior to February 2014 West Yorkshire Police and Leeds City Council Entertainment Licensing Enforcement attended numerous meetings with former DPS Mr Derek Greenaway (04.04.2012 to 05.02.2014) to ensure the licensing objectives were being met and to discuss any issues which may have arisen.

Entertainment Licensing Enforcement was advised by West Yorkshire Police in July 2014 that the named DPS Mr Stephen Thomas was ill and could not continue with his duties, that a Mr Paul Allen was now managing the venue. The Entertainment Licensing section did not receive the DPS variation until 26th September 2014.

West Yorkshire Police advised Entertainment Licensing Enforcement of an increase in serious incidents at the venue and advised that they were concerned over the levels of intoxication of customers when leaving the venue. As a result West Yorkshire Police called for an Action Plan meeting to be held on 14th October 2014.

The PLH Mr Mark Neave & DPS Mr Paul Allen attended the Action Plan meeting along with the manager Mr Michael Thornton. Also in attendance were Cat Sanderson of West Yorkshire Police and Samantha Longfellow of Leeds City Council, Entertainment Licensing. West Yorkshire Police advised of their concerns regarding the amount of door supervisors working.

The door supervisors not operating a random stop & search or coming inside the venue to check for potential break out disorder. Another issue is the levels of intoxication of customers when leaving the venue.. During the meeting West Yorkshire Police raised their concerns about a boxing event that was being advertised. The PLH advised that they did employ several door supervisors due to a previous incident that West Yorkshire Police were unaware of as they had not been called for assistance.

A couple of weeks after the meeting West Yorkshire Police advised Entertainment Licensing Enforcement of yet another assault at the venue. Another Action Plan meeting was arranged. This was to take place on 20th November 2014.

The DPS Mr Paul Allen and the manager Mr Michael Thornton were in attendance. The PLH Mr Mark Neave was unable to attend the meeting. West Yorkshire Police advised that they were concerned over how the venue was being run. The DPS Mr Paul Allen admitted that he had no control over the door supervisors and that he was in fact taking on some of their duties. West Yorkshire Police suggested that they look at other door staff companies as they were not helping to promote the licensing objectives. Entertainment Licensing reminded Mr Allen that he employs the door supervisors and as such they should take direction from him and not the other way round. West Yorkshire Police were very concerned over a comment made by the DPS Mr Paul Allen. Mr Allen believed that he was going above and beyond what is required on his Premises Licence. West Yorkshire Police made it very clear to Mr Allen that as a responsible operator he could not go above and beyond what is required to ensure customers and staff are safe in his venue.

In December 2014 West Yorkshire Police advised Entertainment Licensing Enforcement that a Bassline event had taken place at the venue and yet another assault had occurred. A bassline event usually has urban style music and includes music like funk and classic house and attracts a younger demographic. West Yorkshire Police had again made comments regarding the levels of intoxication of the customers in the venue. Entertainment Licensing had been reminding venues over the Christmas period that they commit an offence when serving to persons who are drunk

A further Action Plan meeting was arranged by West Yorkshire Police for the 9th January 2015. During the meeting West Yorkshire Police advised that steps needed to be put in place to prevent any reoccurrence of the issues. That they would apply for a review of the Premises Licence if there were any further incidents. West Yorkshire Police also advised that they wanted the DPS Mr Paul Allen removing due to their lack of confidence in his abilities.

On the 23rd February 2015 West Yorkshire Police advised Entertainment Licensing Enforcement of yet another assault at the venue. This had resulted in a broken jaw.

On the 16th March 2015 Entertainment Licensing Enforcement received complaints that an event was due to take place the following date at the venue, and that a leaflet had been posted to members of the public. The leaflet indicates that children under 7 are admitted free of charge and those above the age of 7 (7 to 12 year) have to pay £5. The complainant was also concerned about the fireworks that were advertised on the leaflet. As a result of the complaint Entertainment Licensing Enforcement contacted West Yorkshire Fire & Rescue and West Yorkshire Police with details of the concerns raised. Both agencies attended at the venue on the evening of the 17th March 2015. West Yorkshire Fire found that fire exits were blocked but no fireworks were inside the venue. Advice was given by West Yorkshire Fire & Rescue. West Yorkshire Police attended at 22:00hrs. When they arrived they found under 18's running around the venue. The venue has a condition attached to their Premises Licence that states no under 18's are allowed in the venue after 21:00hrs. This was a breach of condition. As a result West Yorkshire Police issued the venue with a Section 19 Closure Notice.

On the 18th March 2015 Entertainment Licensing section received an application to vary the Premises Licence DPS in to the name of Michael Thornton.

Although Michael Thornton had some involvement with the running of the premises between September 2014 and February 2015, since he has actually been named on the Premises Licence as the DPS we have not identified or been made aware of any further issues.

For the reasons set out in the representation the Licensing Authority believes the previous management of the premises was inadequate. That the previous management assumed no responsibility for the actions of his customers and there appeared to be a disregard for licensing conditions. I share the concerns expressed by West Yorkshire Police. I agree that the current DPS Mr Michael Thornton should be allowed to try and uphold the licensing objectives. Mr Thornton is an experienced licensee. I am of the opinion if extra measures, as proposed by the West Yorkshire Police in its review application are imposed by the Licensing Sub-Committee it will assist Mr Thornton in preventing a reoccurrence of the previous issues in upholding the licensing objectives.

Yours faithfully



Miss Samantha Longfellow
Senior Liaison & Enforcement Officer
Entertainment Licensing

11. Reviews

The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 13 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written representation. The licensing authority may also agree in advance that the representation need not be given in writing.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Repetitious grounds of review

- 11.12 A repetitious ground is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
 - representations considered by the licensing authority when the premises licence or certificate was granted; or
 - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website (www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

Powers of a licensing authority on the determination of a review

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;

- suspend the licence for a period not exceeding three months;
 - revoke the licence.
- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
 - for unlawful gambling; and
 - for the sale of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Review of a premises licence following closure order

- 11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:
- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;

- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- day (there must be five clear working days between the giving of the notice and the start of the hearing).

Review of a premises licence following persistent sales of alcohol to children

11.30 Where persistent sales of alcohol to children have occurred at premises, responsible authorities should consider applying for a review of the licence, whether there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this outcome is appropriate. Responsible authorities should consider taking steps to ensure that a review of the licence is routine in these circumstances.