



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 3RD NOVEMBER, 2015 AT 10.00 AM

MEMBERSHIP

Councillors

B Flynn - Adel and Wharfedale;
S McKenna - Garforth and Swillington;

THIRD MEMBER TO BE CONFIRMED

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
2			<p style="text-align: center;"><u>PRELIMINARY PROCEDURES</u></p> <p style="text-align: center;">ELECTION OF THE CHAIR</p> <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>	
6			<p><u>HEARINGS</u></p> <p>"MAVERICKS" - APPLICATION TO VARY A PREMISES LICENCE HELD BY MAVERICK'S 80'S LOUNGE (FORMERLY BROWN COW) 62 TOWN STREET, HORSFORTH, LEEDS, LS18 4AP</p> <p>To consider the report of the Head of Elections, Licensing and Registration on an application to vary a premises licence, made by Greene King Retailing Limited, for Maverick's 80's Lounge (formerly Brown Cow) 62 Town Street, Horsforth, Leeds, LS18 4AP.</p> <p><u>Third Party Recording</u></p> <p>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.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> 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. 	1 - 44



Report author: Miss Charlotte Deighton
0113 2474095

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 3rd November 2015

Subject: Application to vary a premises licence held by Maverick's 80's Lounge
(formerly Brown Cow) 62 Town Street, Horsforth, Leeds, LS18 4AP

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

Summary of main issues

This is an application to vary a premises licence, made by Greene King Retailing Limited, for Maverick's 80's Lounge (formerly Brown Cow) 62 Town Street, Horsforth, Leeds, LS18 4AP.

The purpose of the variation is to seek approval to extend the sale of alcohol and regulated entertainment hours and to remove and replace certain conditions on the premises licence. As detailed in 3.0.

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

This application has attracted representations from other persons and responsible authorities.

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

1.0 Purpose of this Report

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

2.0 History of Premises

- 2.1 An application to vary an existing Justices 'On' licence was received on the 20th July 2005.
- 2.2 The variation received representations from West Yorkshire Police and Environmental Health. A hearing was scheduled but due to agreements being reached with the responsible authorities the hearing was dispensed with. The application was deemed granted with conditions imposed by the relevant authorities added to the licence.
- 2.3 Since the initial application, various applications have been received to vary the designated premises supervisor.
- 2.4 A variation application was received on the 4th September 2015. This application is to vary the sale of alcohol hours and to remove and replace certain conditions on the premises licence.
- 2.5 A copy of the existing licence is attached at Appendix A.

3.0 The Application

- 3.1 The applicant is Greene King Retailing Limited.
- 3.2 The operating schedule appropriate to this application may be found at Appendix B to this report.
- 3.3 In summary the application is to remove and replace certain conditions on the premises licence. Please see below the activities and times the premises have attached on their licence at present..

Sale by retail of alcohol	Thurs to Sat	10:00 – 01:00
	Sun to Weds	10:00 – 00:00
Regulated entertainment	Thurs to Sat	19:30 – 01:00
	Sun to Weds	19:30 – 00:00

The application is made to extend the sale of alcohol and regulated entertainment activities by an extension of 1 hour.

4.0 Other matters relevant to the application

4.1 Equality and Diversity / Cohesion and Integration

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

5.0 Steps to promote the Licensing Objectives

5.1 The applicant proposes to take specific step to promote the licensing objectives identified in section 'P' of the application form.

6.0 Licensing Hours

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

6.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not impact on the licensing objectives, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.

6.3 A list of premises in the local area and their licensed hours and activities is provided at Appendix C.

7.0 Location

7.1 A map which identifies the location of this premises is attached at Appendix D.

8.0 Cumulative Impact Policy

8.1 The premises are located within the Cumulative Impact Area 5 - Horsforth.

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

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

8.4 Details of the Cumulative Impact Policy specific to Horsforth and an outline of the evidence behind the reason for setting this Policy is attached at Appendix E.

9.0 Representations

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

9.2 Representations from Responsible Authorities

9.2.1 Representations have been received from the Licensing Authority and Environmental Health in their capacity as responsible authorities.

9.2.2 The representation from Environmental Health has been withdrawn due to the applicant agreeing to the conditions imposed by the responsible authority. Please see Appendix F.

9.2.3 The representation submitted by the Licensing Authority remains as a matter for members consideration. A copy of the same may be found at Appendix G.

9.3 Other representations

9.3.1 The application has attracted representations from other persons.

9.3.2 The licensing section is in receipt of 2 individual letters of objection which are opposed to this application on the grounds of public nuisance and are attached at Appendix H.

9.3.3 The application has attracted a representation from Councillor Hughes which is attached at Appendix I.

9.3.4 The application has attracted a representation from Horsforth Town Council which is attached at Appendix J.

10.0 Options Available to Members

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

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

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

11.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy
- Representations received from responsible authorities
- Representations received from other people

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Premises Licence

Premises licence number:

PREM/00508/002

Part A

Schedule 12 Licensing Act 2003

Initial licence from:

24th September 2005

Current Licence effective from:

22nd May 2014

Part 1 – Premises details

Appendix A

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

Brown Cow, 62 Town Street, Horsforth, Leeds, LS18 4AP

Telephone number: 0113 2390624

Licensable activities authorised by this licence

Sale by retail of alcohol, Performance of live music, Performance of recorded music,

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

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

Performance of recorded music

Thursday to Saturday	19:30 - 01:00
Sunday to Wednesday	19:30 - 00:00

Performance of live music

Thursday to Saturday	19:30 - 01:00
Sunday to Wednesday	19:30 - 00:00

The opening hours of the premises

Thursday to Saturday	09:00 - 01:30
Sunday to Wednesday	09:00 - 00:30

Alcohol is sold for consumption on and off the premises

Part 2

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

Greene King Retailing Limited
Abbot House
Bury St Edmunds
Suffolk
IP33 1QT

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

Registered business number: 5265451

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

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

Licence issued under the authority of Leeds City Council

Annex 1 – Mandatory Conditions

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

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

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

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

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

8. The responsible person shall ensure that -
 - a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i. beer or cider. 1/2 pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml; and
 - b. customers are made aware of the availability of these measures
9.
 1. 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.
 2. 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(a);
 - (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(b).

Embedded Restrictions

10. Alcohol shall not be sold or supplied except during the hours stated on this licence and:
- a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 - b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
11. The above restrictions do not prohibit:
- a. the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first thirty minutes after above hours;
 - b. the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals.
 - c. consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
 - d. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
 - e. the sale of alcohol to a trader or club for the purposes of the trade or club;
 - f. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
 - g. the taking of alcohol from the premises by a person residing there; or
 - h. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
 - i. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
12. Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

Annex 2 – Conditions consistent with the operating schedule

Additional details in respect of licensable activities authorised by this licence

Sale by retail of alcohol

Non standard timings:

All future national/international televised sporting events shown live

Performance of live music

Location of activity: Indoors

Further details: None

Non standard timings: None

Performance of recorded music

Location of activity: Indoors

Further details: DJ session not every evening to be offered on an ad hoc basis

Non standard timings: None

All activities

Seasonal variations: Xmas Eve, Xmas Day, Boxing Day, New Years Day Spring and August Bank Holiday Good Fri, Easter Saturday Sun and Mon and any other bank holidays 10:00 - 01:00

Seasonal variations to opening hours: Xmas Eve, Xmas Day, Boxing Day, New Years Day, Spring and August Bank Holiday Good Fri, Easter Saturday Sun and Mon and any other bank holidays 09:00 - 01:30

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

13. Participate in a local pub watch scheme or licensing association, (where one exists) that is recognised by the West Yorkshire Police Authority.
14. Adopt a Check 21 proof of age scheme in accordance with guidance issued by West Yorkshire Police (or similar proof of age scheme).
15. Operate an effective CCTV system to be maintained in accordance with guidelines issued by West Yorkshire Police Authority.
16. When permission is sought for the sale and supply of alcohol during non standard hours for any Bank Holiday period, an event of national interest or televised sporting event for national interest, then the following will apply:
 - (i) The applicant must give West Yorkshire Police at least 10 clear working days written notice of and Bank Holiday period or any other event of national interest.
 - (ii) The non standard hours shall only apply to one hour and one hours 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.
 - (iii) The applicant must have made one more that 12 such applications relating to either an event of national interest or televised sporting event of nation al interest in any one calendar year.
 - (iv) 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.
 - (v) In relation to any request for non standard hours, West Yorkshire Police retain the right to suggest any reasonable variation is promoting the prevention of crime and disorder objective.
17. There is responsible management of the premises.
18. Training and supervision of all staff.

19. Best practice guide such as adhering to the BBPA, portman group on drinks strategy and other voluntary codes of practice.
20. Use of proof of age schemes.
21. There is the use of toughened glass and plastic glasses for outdoors, provision of litter bins and other security measures, such as lighting outside the premises.

Public safety

22. Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.
23. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
24. 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, must be undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
25. 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.
26. Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.
27. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scalds or burns to them.
28. A suitably trained First Aider or appointed person will be provided at all times when the premises are open.
29. Adequate and appropriate First Aid equipment and materials will be available on the premises.
30. 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.
31. No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.
32. Risk management assessment checked weekly and effective and responsible management will be undertaken at all times.
33. Regular testing and certificate if appropriate of all procedures, appliances systems pertinent to safety.

The prevention of public nuisance

34. Regular visits to all parts of the premises including the exterior and deliveries etc outside opening hours.
35. Management of people including staff and traffic arriving and leaving the premises liaison with public and private transport providers external lighting and security lighting installed.
36. Collection and management of litter and effective ventilation systems to prevent nuisance from odour.

Protection of children from harm

37. The provision of sufficient staff to secure the protection of children from harm with appropriate training adoption of best practice.
38. Children will only be on the premises between 11am and 7pm.
39. No children to be in the bars during entertainment.
40. Children to be accompanied by adults at all times.
41. Proof of age scheme and or photo-id such as driving licence.

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.

Appendix B

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5) If granted, the seasonal variations for an additional hour Friday (into the following morning) and Saturday (into the following morning) of Bank Holiday weekends to be removed and all other ones to remain.
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Mon	09:00	01:30	
Tue	09:00	01:30	
Wed	09:00	01:30	
Thur	09:00	02:30	
Fri	09:00	02:30	
Sat	09:00	02:30	
Sun	09:00	02:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.
 To remove the following conditions from Annex 2 Conditions consistent with the operating schedule relating to the licensing objectives and replace them:

- 13 and replace with "The premises holder shall ensure that the premises are a member of any locally operating Pub Watch scheme."
- 14 and replace with "An approved proof of age scheme shall be adopted and implemented within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport."
- 15 and replace with "A suitable 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:
 - o 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);
 - o cover the main entrances, exits and designated emergency egress routes from the premises;
 - o will cover all external areas of the premises occupied by the public i.e. queuing areas, beer gardens, smoking areas and car parks;
 - o contain the correct time and date stamp information and

o have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality."

• 18 and replace with "All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers"

• 21 and replace with "The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken."

• 23 and replace with "An incident log ('the Log') will be maintained and used at the premises recording all incidents of crime and disorder or public nuisance witnessed at the premises such as anti-social behaviour, admissions, refusals and ejections from the premises. The Log will contain consecutively numbered pages, the date, time and name and details of the member of staff making the record, along with details of the incident and any action taken. The Log will be made available immediately to police officers on request."

• 36 and replace with "The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises."

• 38 and replace with "Children are only permitted on the premises until 21:00."

To keep the following condition from Annex 2 Conditions consistent with the operating schedule relating to the licensing objectives but amending it:

• 16 – amend (iii) to read "no more than 12" not "one more that" as this is an administrative typing error

If granted, the seasonal variations for an additional hour Friday (into the following morning) and Saturday (into the following morning) of Bank Holiday weekends to be removed and all other ones to remain.

To remove the embedded conditions.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

As per the current licence save for amendments included within this application

b) The prevention of crime and disorder

1. A designated member of staff/members of staff at the premises will be authorised to use the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or Responsible Authority (under the Licensing Act 2003) 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 Responsible Authority.
2. A dispersal policy will be drawn up and implemented to ensure that customers leaving the premises do so as far as practicable without causing nuisance to residents in the immediate vicinity of the premises
3. A policy for searching patrons at the entrance to the premises will be adopted when door staff are on duty and will be prominently displayed on the premises.
4. 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.
5. Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers. Signage should be displayed notifying customers of this.
6. Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.
7. The minimum number of SIA registered door staff shall be based on a risk assessment except on a Friday and Saturday where there will be 3 door supervisors available on a staggered basis from 21:00, 22:00 and 23:00 until 02:00.
8. The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.
9. Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.
10. Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.
11. No drinks are allowed outside except in the beer garden. Signage should be displayed notifying customers of this.
12. No new entry or re-entry to the premises after 01:00 Wednesday – Saturday and after 00:00 Sunday to Tuesday.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

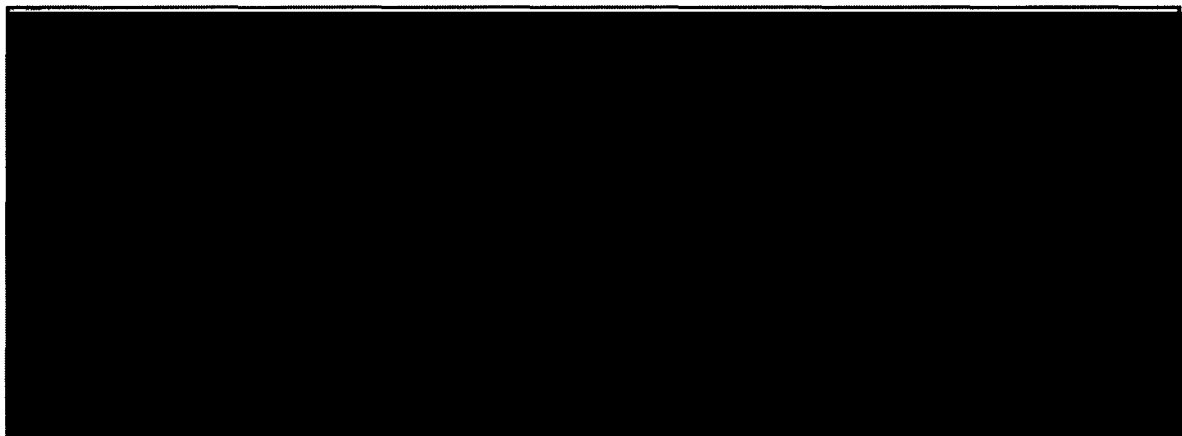
Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature		
Date		
Capacity		

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	



Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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Issued premises licences and club certificates within an area



PREM/00759/007 - Wm Morrison Supermarkets Plc, 69 Town Street, Horsforth, Leeds, LS18 5BP

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

PREM/03590/001 - Trattoria Il Forno, 85 Town Street, Horsforth, Leeds, LS18 5BP,

Sale by retail of alcohol	
Tuesday to Sunday	12:00 - 23:00

PREM/01989/003 - Downtown Pizza Bar, 58 Town Street, Horsforth, Leeds, LS18 4AP,

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

PREM/00744/002 - The Flower Shop, 23 Town Street, Horsforth, Leeds, LS18 5LJ,

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

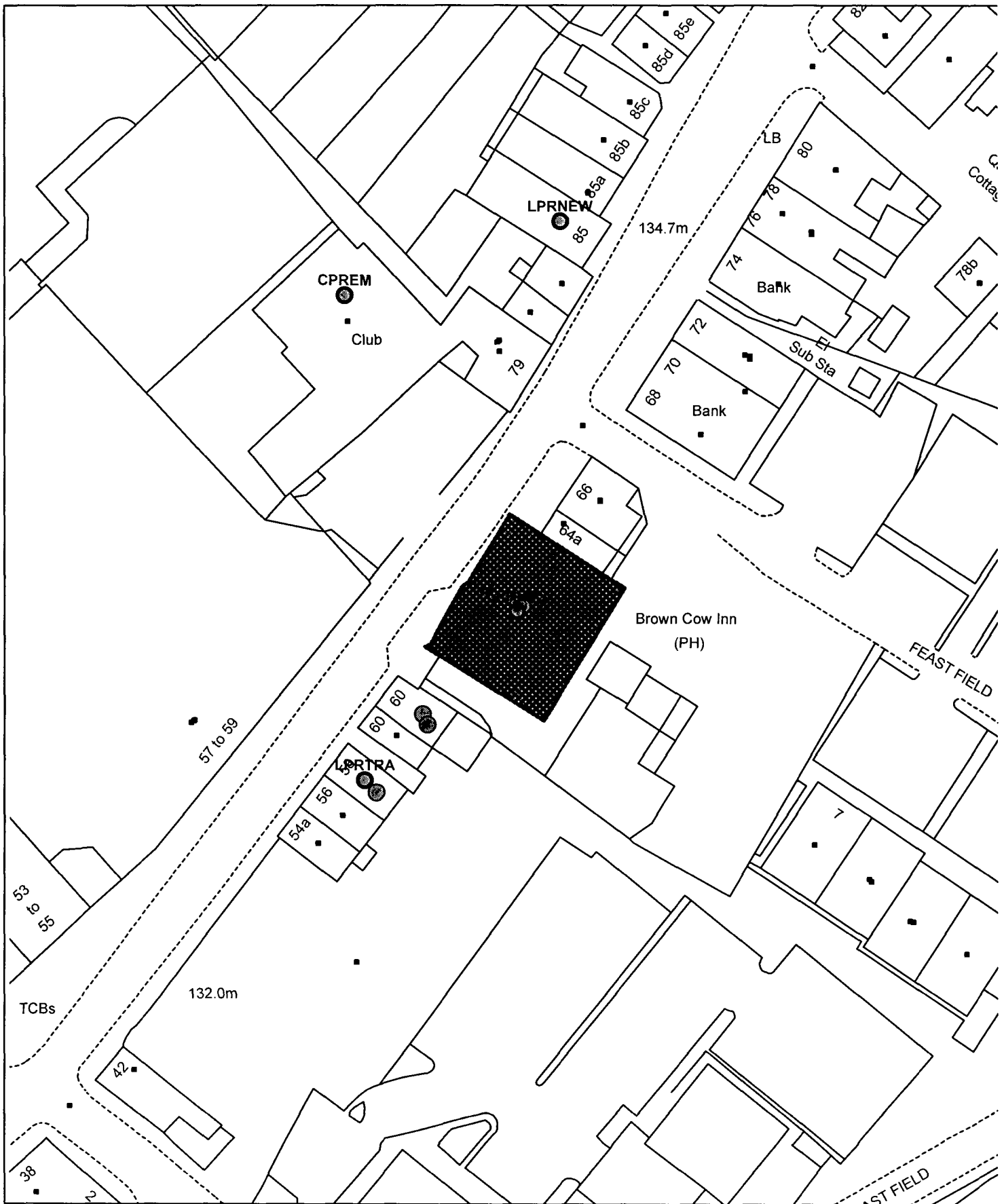
PREM/01844 - Chicago Pizza Takeaway, 93 Town Street, Horsforth, Leeds, LS18 5BP

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

CPREM/00024 - Horsforth Conservative Club, 79 Town Street, Horsforth, Leeds, LS18 5BP

Supply of alcohol	
Monday to Thursday	11:00 - 23:00
Friday	11:00 - 00:00
Saturday	11:00 - 00:30
Sunday	12:00 - 23:00
Indoor sporting events	
Monday	19:45 - 23:00
Thursday	19:45 - 23:00
Saturday	20:00 - 23:00
Performance of live music	
Monday to Friday	11:00 - 23:00
Saturday	11:00 - 00:01
Sunday	12:00 - 22:30
Performance of recorded music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Entertainment similar to live music, recorded music or dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

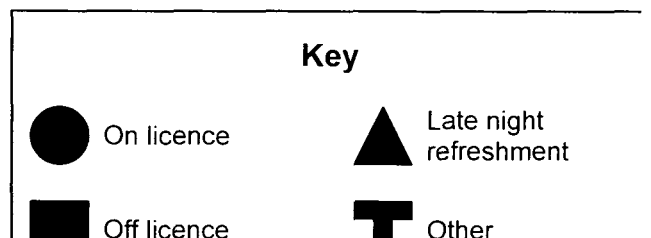
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This map is based upon the Ordnance Survey's digital data with the permission of the Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office

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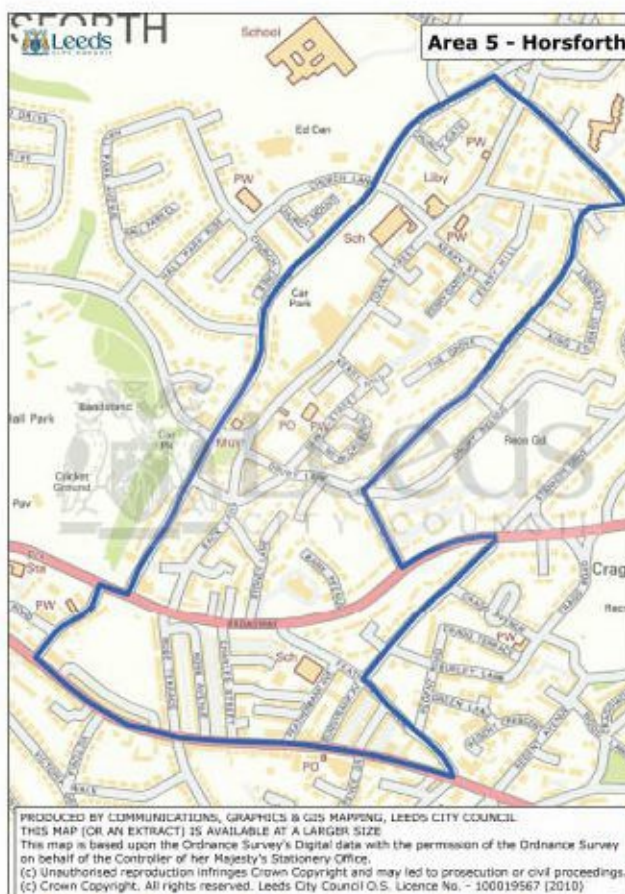
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Cumulative Impact Policy

Appendix E

Area 5 relates to the Horsforth district of Leeds centred on Town Street. It includes all areas inside the green boundary, but also the premises on the south side of New Road Side.

Fig 1



It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 5 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Rationale

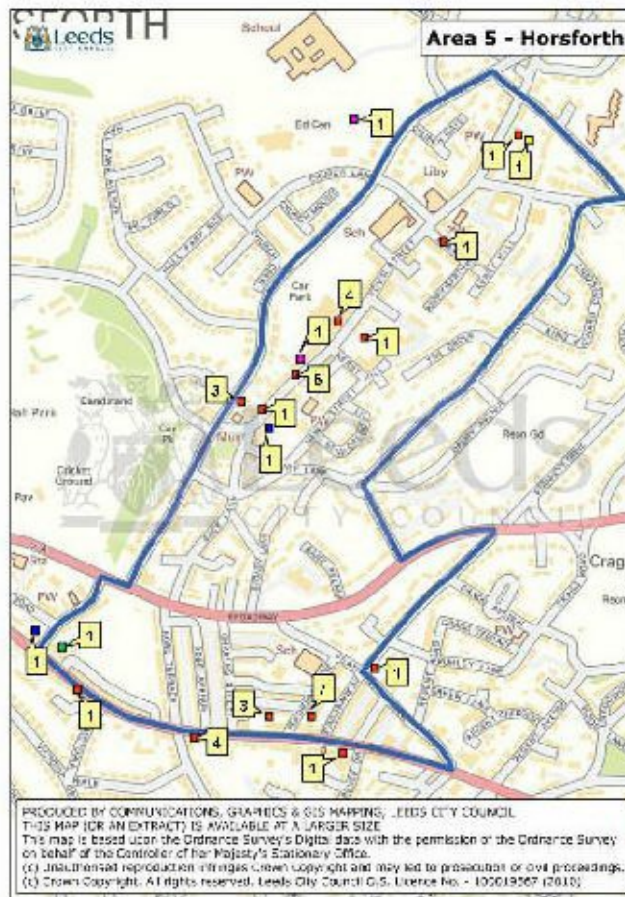
Since the adoption of the Horsforth CIP the council has recognised that the accumulation of licensed premises along New Road Side has contributed to public nuisance in that area, especially as it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. As a consequence this area has been included in the cumulative impact area for Horsforth.

Horsforth has also experienced creep in licensed hours in the area. The council has noted that although it received no new applications for premises licences it did receive 8 variations in the same time period.

Concern has been expressed by residents about the litter nuisance and public nuisance caused by takeaway premises. The council has received a number of complaints relating to litter and odour nuisance that can be related to takeaway premises.

Evidence

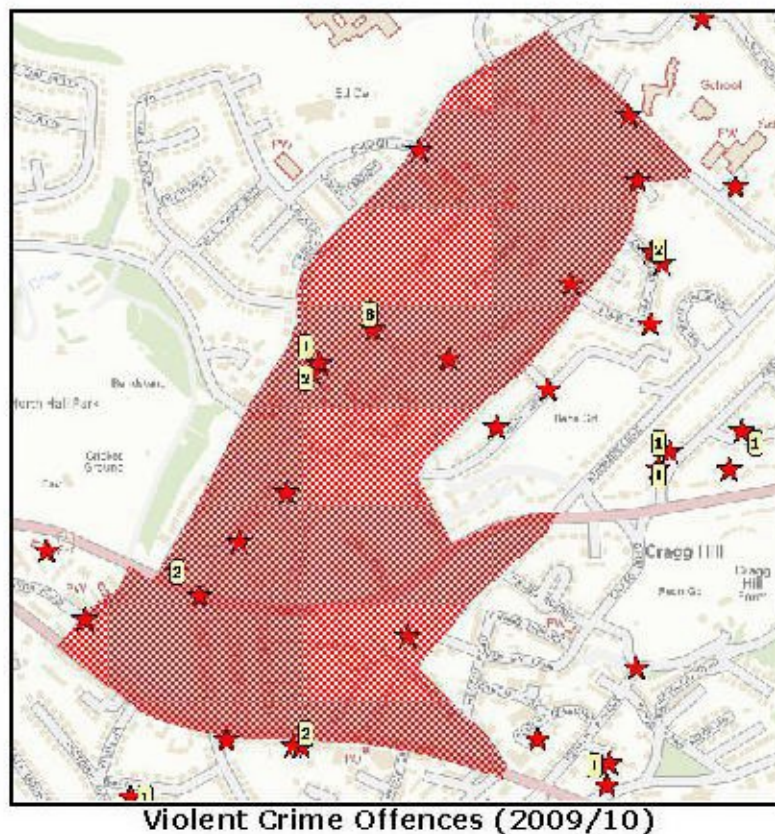
Fig 2



Nuisance Reports in Area 5 (2005 – 2010)

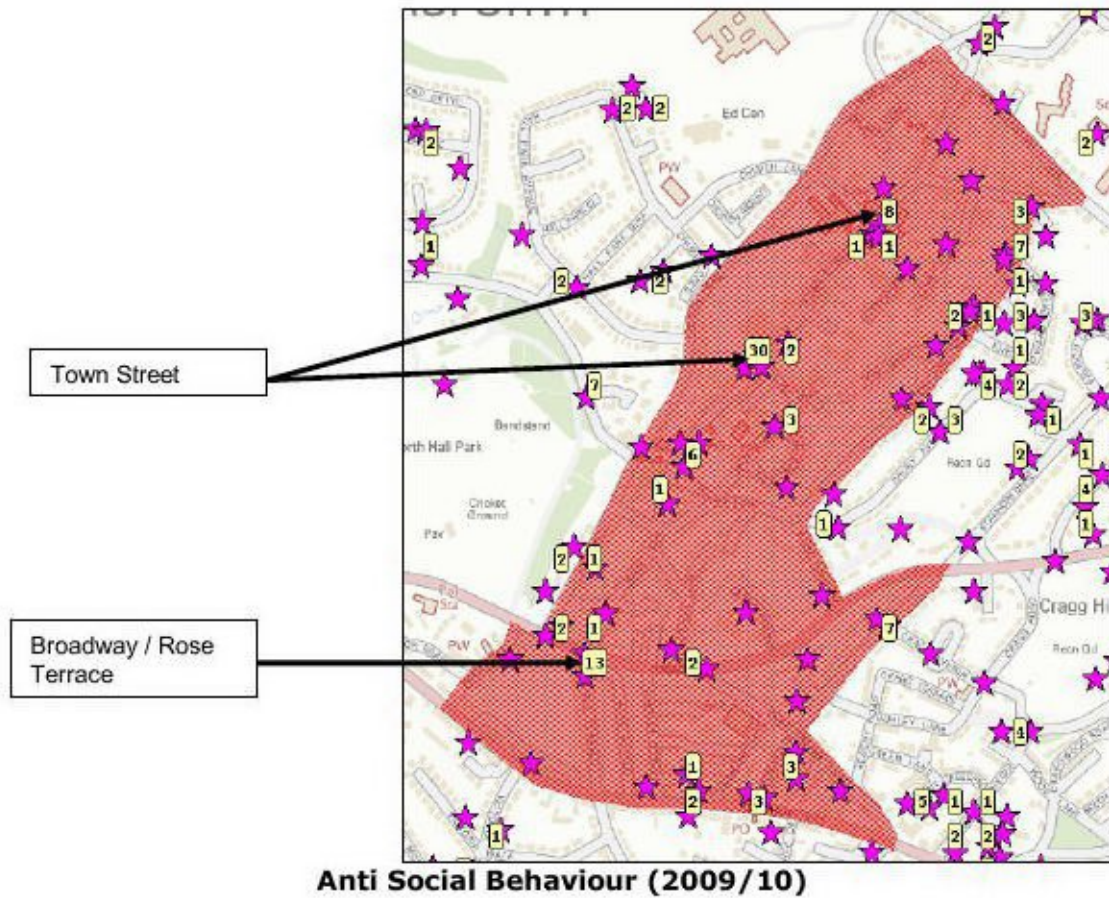
The above map shows the number and location of nuisance complaints received by Leeds City Council relevant to licensed premises in Area 4 since 2005.

Fig 3



The above map shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

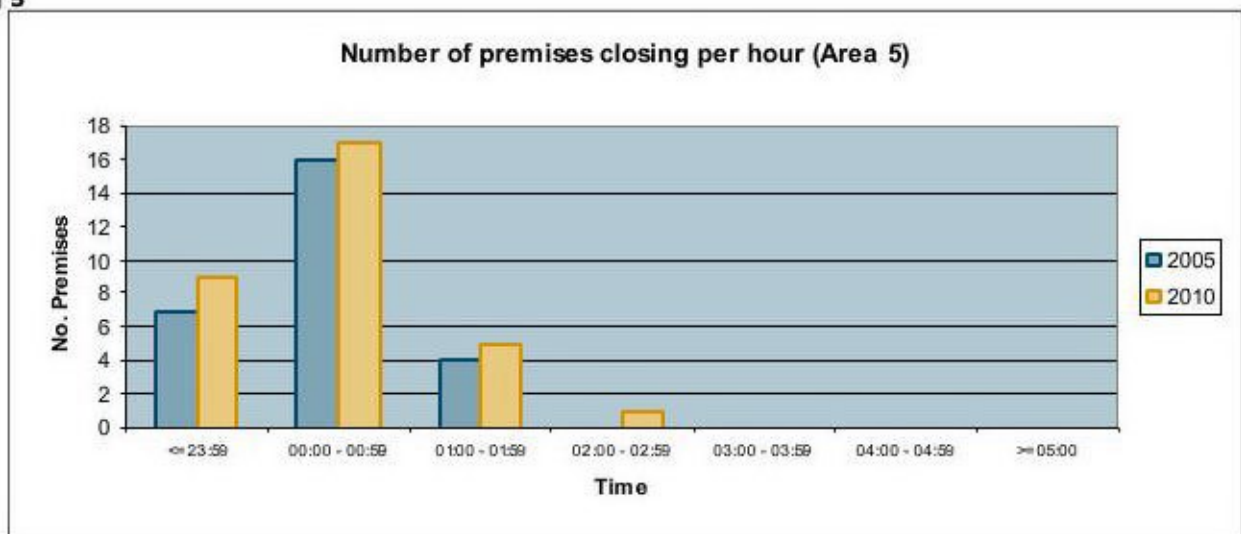
Fig 4



The above map shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

As can be seen from the above maps, there is a concentration of nuisance reports, anti-social behaviour and violent crime in the areas dominated by licensed premises. The concentration is less pronounced with violent crime however, is still apparent in the area around Town Street.

Fig 5



As Fig 5 shows, there has been a very slight and gradual increase over the past 5 years with respect to the number of premises and latest terminal hour for premises in Area 5.

In real terms the numbers are very small and can be summarised as – 2 extra premises which close prior to midnight, and 1 extra premises each for the three following 1 hour time slots. Unlike Area 2, these are not premises which have, in effect, moved their hours later, but rather extra premises on top of what already existed.

While the actual numbers are small, this is to be expected as Area 5 is geographically a small area, where one premises can make a large difference.

Even with reduced numbers, the pattern of increased numbers of premises opening later is evident. Overall, Area 5 now has three more premises open beyond midnight than it did in 2005 (15% increase) – echoing the concerns of local residents that premises are very slowly increasing their hours by small increments.

NB: The above analysis includes the proposed area around New Road Side, as this is an area of concern for residents, and also is the focus of a good proportion of the nuisance complaints.

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

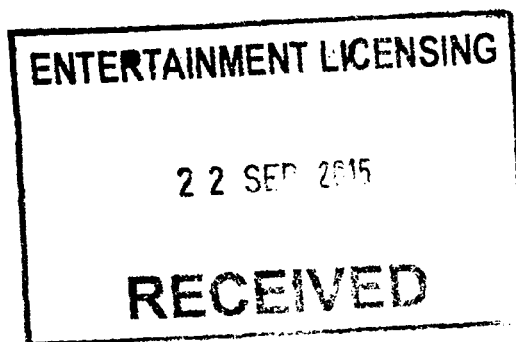
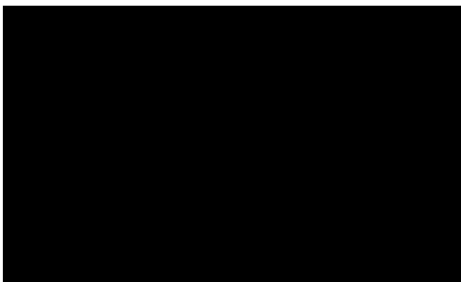
CD 00508/003

Appendix F

From: Everson, Mark
Sent: 22 September 2015 17:51
To: Entertainment Licensing
Cc: [REDACTED]
Subject: Premises Licence Variation - Maverick's 80s Lounge, Horsforth - PREM/00508/003 - Objection Withdrawn [TLT-TLT.FID3323677]
Attachments: Mavericks Horsforth Qualified Objection.rtf

Please find below an agreement reached in respect of this premises variation in relation to the prevention of public nuisance. I would therefore like to withdraw my objection.

Regards



From: Rachel Clarke [REDACTED]
Sent: 22 September 2015 16:12
To: Everson, Mark
Cc: Entertainment Licensing
Subject: RE: Premises Licence Variation - Maverick's 80s Lounge, Horsforth - PREM/00508/003 - Qualified Objection [TLT-TLT.FID3323677]

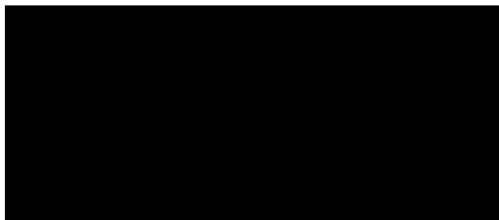
Good afternoon Mark,

Our client is happy to accept the conditions proposed.

Any problems let me know.

Kind regards,

Rachel



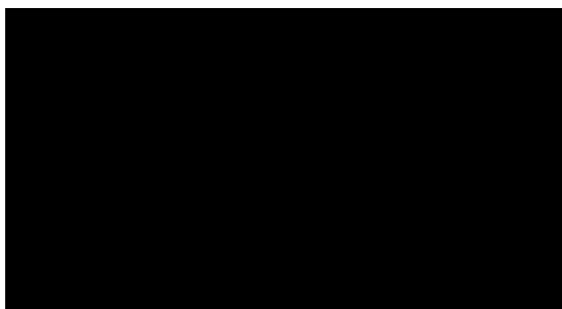
From: Everson, Mark [REDACTED]
Sent: 22 September 2015 11:35
To: Rachel Clarke
Cc: Entertainment Licensing
Subject: Premises Licence Variation - Maverick's 80s Lounge, Horsforth - PREM/00508/003 - Qualified Objection

Ms Clarke

Please find attached a letter in respect of this premises variation. If you need to discuss this further please feel free to give me a call.

Appendix E

Regards



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Your City, Your Plan Working with you to find the best places for new homes, jobs, retail and greenspace. Leeds has prepared its 16 year development plan for the whole of the city, including where you live. Consultation on the plan takes place from 22 September to 16 November. To have your say visit: www.leeds.gov.uk/yourcity

Wood, Jane

00508/003

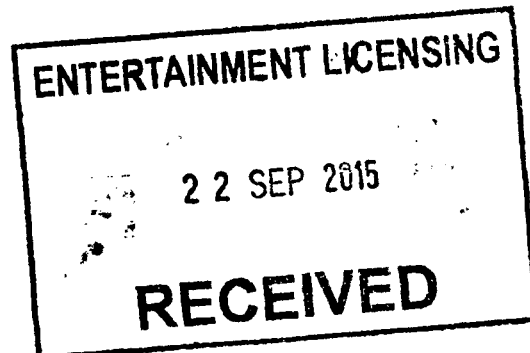
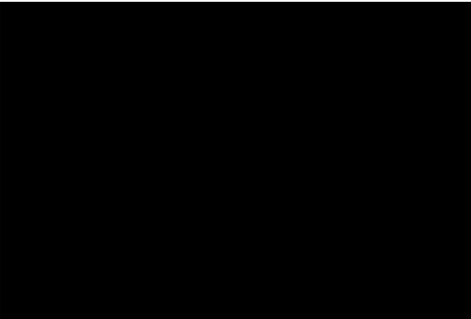
CD

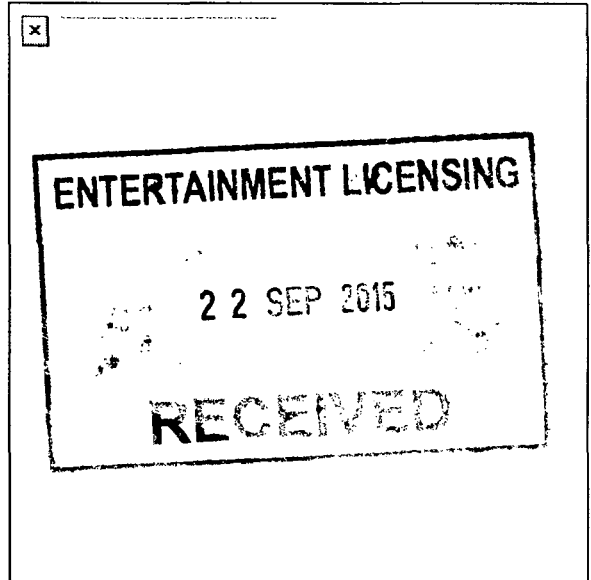
From: Everson, Mark
Sent: 22 September 2015 11:25
To: [REDACTED]
Cc: Entertainment Licensing
Subject: Premises Licence Variation - Maverick's 80s Lounge, Horsforth - PREM/00508/003 - Qualified Objection
Attachments: Mavericks Horsforth Qualified Objection.rtf

Ms Clarke

Please find attached a letter in respect of this premises variation. If you need to discuss this further please feel free to give me a call.

Regards





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

Our reference: 15/56742/EPLA01
22 September 2015

Dear Ms Clarke

Licensing Act 2003

Name and Address of Premises: Maverick's 80's Lounge, 62 Town Street, Horsforth, Leeds, LS18 4AP

www.leeds.gov.uk

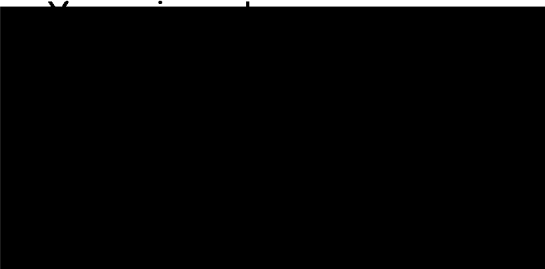
general enquiries 0113 222
4444

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application.

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible. If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.



PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service

Proposed Controlled Measures under the Licensing Act 2003

Name and Address of Premises: Maverick's 80's Lounge, 62 Town Street, Horsforth, Leeds, LS18 4AP

The premises are situated on the busy Town Street in the Horsforth area of Leeds. The street is a mixture of commercial, leisure and residential properties.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the licence:

- Prevention of public nuisance

Noise and Vibration

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
2. Noise from a licensable activity at the premises will not cause a nuisance and will not be audible at the nearest noise sensitive premises after 23.00 hours.
3. There shall be no external loudspeakers
4. Bottles will not be placed in any external receptacle between 23.00 hours and 07.00 hours the following day to minimise noise disturbance to neighbouring properties.
5. Noise from plant or machinery shall not cause a nuisance during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
6. The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 23.00 hours

Litter

7. The premises ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of the premises

Transport / Pedestrian Movement

8. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.

9. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

The following conditions on the premises licence dated 22 May 2014 shall be deleted as follows:

- 34 – Regular visits
- 35 – Management of people including staff
- 36 – Collection and management of litter

Signed: Mark Everson

Dated: 22 September 2015

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Leeds
CITY COUNCIL

Licensing and Registration
Civic Hall
Leeds LS1 1UR

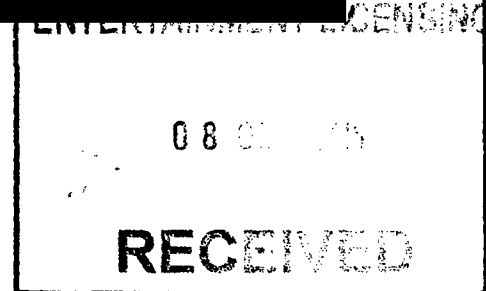
Private & Confidential

[REDACTED]
TLT Solicitors
One Redcliffe Street
Bristol
BS1 6TP

[REDACTED]
8th October 2015

Dear [REDACTED]

Maverick's 80s Lounge, 62 Town Street, Horsforth LS18 4AP
Application for new premises licence – Licensing Act 2003
Licensing Authority Letter of Representation



Thank you for submitting your application for the above premises, received at the address above on 4th September 2015.

The area in which the subject premises is located is within a cumulative impact area. It is the council's policy, on receipt of relevant representations, to refuse new and variation application in Area 4 for alcohol led premises, premises seeking late night refreshment and late opening restaurants unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

The cumulative impact policy was initially put in place to address concerns relating to disorder on Horsforth Town Street, and later extended due to public nuisance in the streets between Town Street and New Road Side. Local residents experienced nuisance from people who were intoxicated moving through the residential streets from Town Street to the takeaway premises on New Road Side, and also going home.

The Licensing Authority is concerned that extending licensed hours to 2am would push this disturbance back an hour into the night time which may not be tolerated by people living in the surrounding areas.

An additional concern is that no other licensed premises has licensed hours beyond 1am and this approval would set a precedent for a later usual closing time for Horsforth which would add to the cumulative impact of licensed premises in the area.

The Licensing Authority is of the opinion that your application contains insufficient information about how your application would not add to the impact already being experienced in the area.

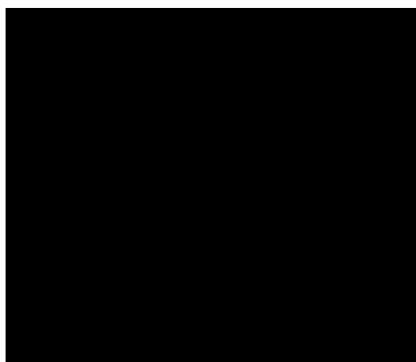
Website: www.leeds.gov.uk
Switchboard: 0113 222 4444



Therefore we are submitting a formal representation against your application on the grounds of:

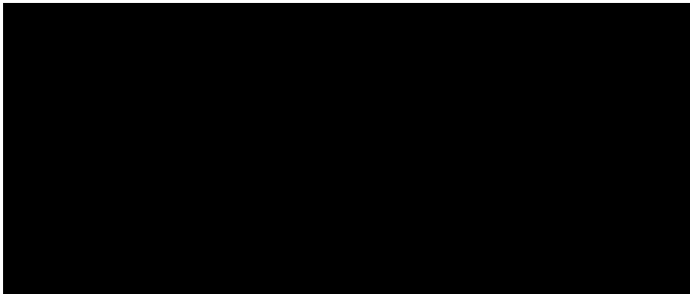
1. Prevention of crime and disorder
2. Public nuisance.

Should you have any questions, please contact us.



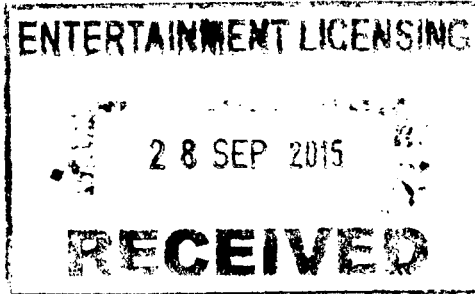
prom/00508/003

3



Appendix H

Leeds City Council Licencing
Entertainment Licencing
Civic hall
LEEDS LS1 1UR



28/09/15

Re.Mavericks, 80s Lounge, Greene King 62 Town Street, Horsforth, Leeds LS18 4AP

Dear Sir

I wish to register my opposition to the above application to extend
Licencing and Music hours to two o'clock in the morning.

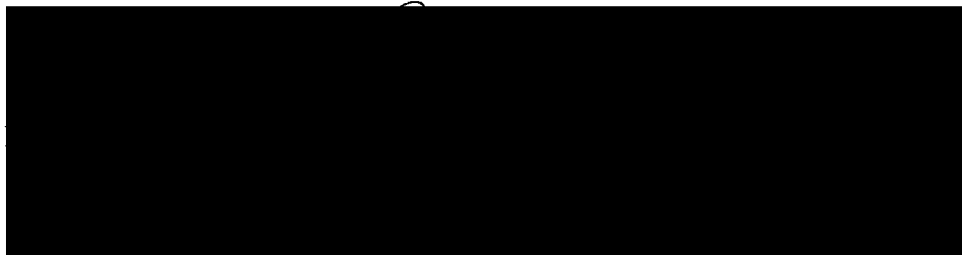


at 62 Town Street Horsforth. The noise nuisance is very great. We often cannot sleep
and when we ask to have the music turned down we are repeatedly ignored.

The noise also makes it difficult to settle children down to sleep at night. Other
neighbours have to start work early in the morning so a good night's sleep is very
important to them.

On the grounds of unsocial sleep disturbing noise nuisance I object and earnestly
request that this application be refused.

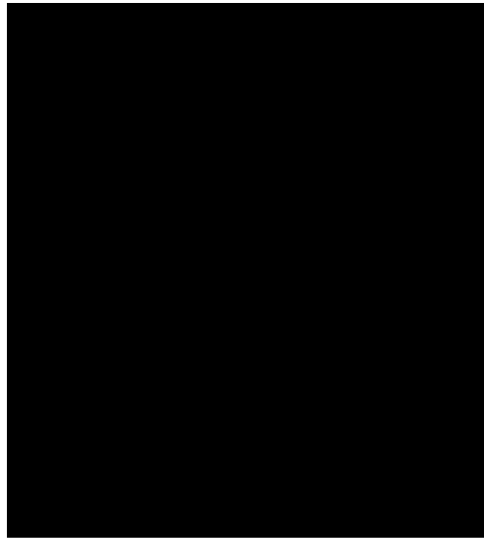
Thank you.



ED

00508/003

(4)



5th October 2015

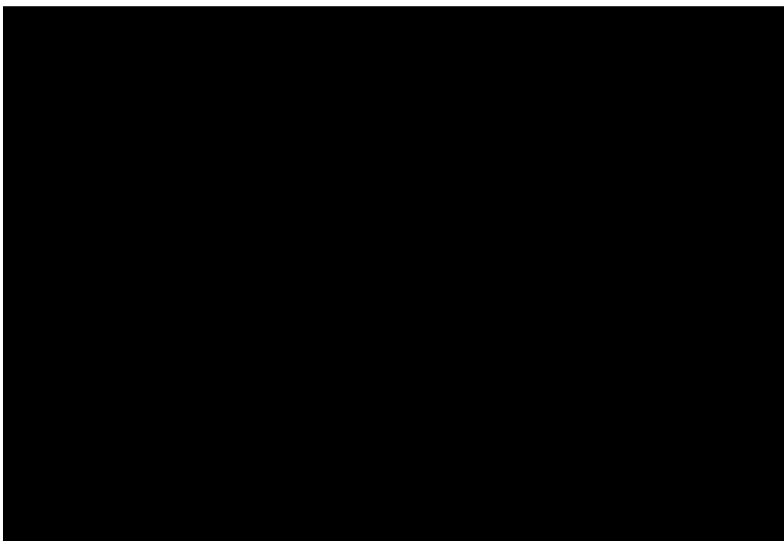
Dear Sir,

Re. Mavericks 80s Lounge, Greene King, 62 Town Street, Horsforth, LS18 4AT

I would like to officially register my opposition to the application by the above business to extend its licensing and music hours. I have no objection to the current hours and raised no objection when they were extended previously (not that long ago, it seems). I do feel, however, that the new application to extend hours beyond midnight on Sundays, Mondays and Tuesdays and to 2am on Wednesdays and Thursdays is too much when people are getting up for work early the next morning

smoking area and Mavericks bottle bins and it is not uncommon to be woken up by music, shouting or the emptying of bottles.

I trust you will give my objection due consideration.



Comments for Licensing Application PREM/00508/003

Application Summary

Application Number: PREM/00508/003

Address: 62 Town Street Horsforth Leeds LS18 4AP

Proposal: Premises Licence - Full Variation

Case Officer: [REDACTED]

Customer Details

[REDACTED]

Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 11:35 AM on 18 Sep 2015 I am a Horsforth Town Councillor speaking for myself and not Horsforth Town Council.

I am against the extension of hours for alcohol sales and music to 2 am.

Town Street is partly residential so extension of hours (which are already to 1 pm) is likely to create additional noise and possible anti-social behaviour later into the morning for local residents.

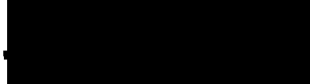
I also feel that longer ability to imbibe alcohol by some may be a public safety issue for themselves and others.

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CD

00508/003

2



From: [Redacted]
Sent: 18 September 2015 12:14
To: [Redacted]
Subject: Comments for Licensing Application PREM/00508/003

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

Comments were submitted at 12:14 PM on 18 Sep 2015 from [Redacted]

Application Summary

Address: 62 Town Street Horsforth Leeds LS18 4AP
Proposal: Premises Licence - Full Variation
Case Officer: [Redacted]

[Click for further information](#)

Customer Details

Name: [Redacted]
Email: [Redacted]
Address: [Redacted]

ENTAINMENT LICENSING

21 SEP 2015

RECEIVED

Comments Details

Commenter Type: Parish or Town Council
Stance: Customer objects to the Licensing Application

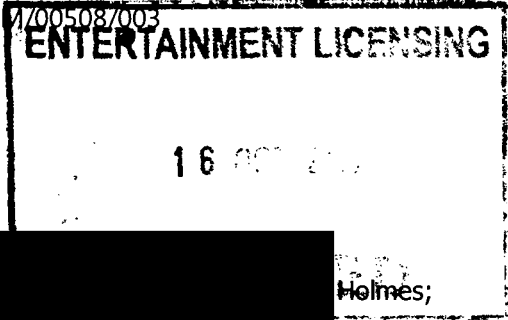
Reasons for comment:

Comments: 12:14 PM on 18 Sep 2015 Horsforth Town Council objects to this licence application on the following grounds: Prevention of public nuisance - due to the number of residential dwellings in close proximity; Public safety - due to the continuance of intoxication into later hours; Prevention of crime and disorder - the result of the continuance of intoxication into later hours.

CD

00508/003

From: [Redacted]
Sent: 16 October 2015 11:16
To: Entertainment Licensing
Subject: FW: Maverick's, 62 Town Street, Horsforth PREM/00508/003
Importance: High



From: [Redacted]
Sent: 16 October 2015 10:28

Subject: RE: Maverick's, 62 Town Street, Horsforth PREM/00508/003
Importance: High

Hello [Redacted]

Following last night's Planning & Licensing Committee consideration concerning Maverick's, we would like to add:

"Horsforth Town Council does not feel that the proposals agreed with environmental health and the conditions offered by the applicant alleviate any of our concerns. The Council still objects to the proposed licensing variation at Maverick's, due to the extended opening hours and the issues raised in our initial comments, and still wishes to proceed with our representation.

In addition, we wish to draw attention to Leeds City Council's Draft Statement of Licensing Policy 2014 - 2018, which states:

"It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 (i.e. Horsforth) for the following premises:

- Alcohol led premises such as bars, pubs and clubs.
- Café bars and restaurants.
- Premises seeking late night refreshment such as takeaways and late opening restaurants."

Thank you for allowing Horsforth Town Council the time to discuss the proposal and provide this additional information.

Kind regards

[Redacted]

[Redacted]

Administration Assistant



Horsforth Town Council
is an ambassador for Child Friendly Leeds