



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 12TH APRIL, 2016 AT 10.00 AM

MEMBERSHIP

Councillors

N Buckley

S McKenna

C Townsley

Alwoodley;

Garforth and Swillington;

Horsforth;

**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			<u>PRELIMINARY PROCEDURES</u> ELECTION OF THE CHAIR	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded) (*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	

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

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			<p>APPLICATION TO VARY A PREMISES LICENCE HELD BY SLIP INN ALBION STREET, MORLEY, LEEDS, LS27 8DT</p> <p>To receive a report of the Head of Elections, Licensing and Registration detailing an Application to vary a premises licence held by Slip Inn Albion Street, Morley, Leeds,</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 - 34

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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.

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Report author: Mr Shaam Amin
0113 2474095

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 12th April 2016

Subject: Application to vary a premises licence held by Slip Inn Albion Street, Morley, Leeds, LS27 8DT

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Morley South	
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 Admiral Taverns Piccadilly Limited, for Slip Inn Albion Street, Morley, Leeds, LS27 8DT

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

The application has attracted representation from a responsible authority.

1 Purpose of this report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary 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 History of premises

- 2.1 These premises converted and varied its Justices on licence which was issued on 28th August 2005.

The West Yorkshire Police have submitted review applications under section 51 of the Licensing Act 2003 on these premises on two occasions as the premises were operating in a manner which undermined the four licensable objectives.

The first review was brought before Members of the Licensing Sub Committee on 1st March 2012. The committee carefully deliberated over the evidence put before them and felt that they had no option but to revoke the premises licence.

The premises licence holder lodged an appeal with the Magistrates Court on the basis that he felt that the steps taken by the Sub Committee were neither necessary nor proportionate in promoting the licensing objectives.

During the time of the appeal a premises licence transfer application was submitted and accepted into the name of Scottish and Newcastle Pub Company Limited.

In light of the change of management the police made an offer for the matter to be referred back to the Licensing Sub Committee with a view for further measures being imposed as opposed to revocation of the licence.

On the 30th July 2012 a further Licensing Sub Committee took place where agreements were made as per the consent order from the Magistrates following the appeal. A further condition relating to SIA registered door staff was placed onto the licence. A copy of the consent order and notice of decision is attached at Appendix A.

A further review of the premises licence was submitted by the West Yorkshire Police the following year as the premises continue to operate in a manner which contravened the licensing objectives.

The review was brought before Members of the Licensing Sub Committee on 23rd January 2013. The committee carefully deliberated over the evidence and decided that the premises licence should be revoked. This decision was based on the history of issues at the premises and members highlighted two problems faced at the premises which were poor management by the tenant and the failure of the premises licence holder to get to grips with the problems at the premises. A copy of the notice of decision can be found at Appendix B.

The premises licence holder Star Pubs and Bar Limited lodged an appeal with the Magistrates Court on the basis that he felt that the steps taken by the Sub Committee were neither necessary nor proportionate in promoting the licensing objectives.

Agreements were made prior to the date of the hearing and as such the hearing was dispensed with and the revocation of the premises licence was rescinded

Since the last review the premises licence has been transferred. Barock Inns Ltd became the premises licence holder on 4th March 2014 and Admiral Taverns Piccadilly Limited became the premises licence holder on 20th November 2015.

The current premises licence holder Admiral Taverns Piccadilly Limited submitted a minor variation on 3rd December 2015 to remove two conditions from the premises licence relating to supervisors duties on Fridays and Saturday evenings and the use of SIA registered door staff on weekends and Bank Holidays. These conditions were placed on the premises licence by members following the Licensing Sub Committee on 30th July 2012.

This application was considered by the Entertainment Licensing Section along with comments received from the West Yorkshire Police and the minor variation was rejected.

2.2 A copy of the existing licence is attached at Appendix C.

3 The application

3.1 The applicant is Admiral Taverns Piccadilly Limited

3.2 Briefly the application is to:

- Remove the following conditions:
 - On each Friday and Saturday evening between the hours of 5pm and closing the supervisor must be present in the public area of the premises and must oversee the operation of the premises. That supervisor must not carry out additional duties such as serving behind the bar during that time.
 - An SIA registered door staff member to be employed at the premises acting in the sole capacity as door security staff between the hours of 8:00pm and closing Friday's, Saturdays and Sundays, public holidays and Christmas Eve and New Year's Eve.

4 The operating schedule

4.1 The applicant proposes to promote the licensing objectives by taking the additional steps identified in the operating schedule which is attached at Appendix D.

5 Location

5.1 A map which identifies the location of this premises is attached at Appendix E.

6 Representations

6.1 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.

Representations from Responsible Authorities

6.2 Representations have been received from the West Yorkshire Police in their capacity as a responsible authority. A copy of the representation may be found at Appendix F.

Other representations

6.3 There are no other representations.

7 Equality and diversity implications

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

8 Options available to Members

8.1 The licensing subcommittee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

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

8.2 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.

9 Background papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy

Notice of Decision
Of the Licensing Sub Committee



Determination Date: 30th July 2012

Notice of Decision: 6th August 2012

Members: Councillor Jack Dunn (Chair)
Councillor Chris Townsley
Councillor Gerald Wilkinson

Legal Officer: Gill Marshall

Committee Clerk: Helen Gray

Licensing Officer: Not Applicable

Review application made by: West Yorkshire Police

Premises review relates to: Slip Inn, Albion Street, Morley, Leeds, LS27 8DT

Premises Licence Holder: Scottish & Newcastle Pub Company (Management) Limited,

Attendees: Not Applicable

The Licensing Sub Committee considered:

1. The report from the Head of Licensing and Registration.
2. Licensing Act 2003.
3. Guidance issued by the secretary of State of Culture Media and Sport pursuant to Section 182 of the act.
4. Relevant Licensing Objectives.
5. The statement of Licensing Policy 2011 – 2013.
6. Representations received from responsible authorities.
7. Representations received from interested parties.

Having taken all these matters into account the Licensing Sub Committee have made the following decision:

The parties having notified the Licensing Authority that a hearing was unnecessary pursuant to Regulation 9 of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing Sub Committee dispensed with the hearing and considered the matter on the papers, Having regard to the report, the views of all parties and the Licensing Act and relevant statutory guidance the sub committee considered that it was necessary and appropriate to impose the following condition;

An SIA registered door staff member to be employed at the premises acting in the sole capacity as door security staff between the hours of 8.00 pm and closing on Fridays, Saturdays and Sundays, public holidays and Christmas Eve, New Years Eve.

The condition was applied to promote the objective of preventing crime and disorder and was necessary as a result of the previous findings of the sub committee at the review hearing.

Right of Appeal

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the sub committee. You must make this appeal within 21 days of receiving this notice.

Appeals should be addressed to the Magistrates Court at:

**Clerk to the Justices
Leeds Magistrates Court
Westgate
Leeds
LS1 3JP**

and be accompanied by a copy of this notice of decision and the court fee of £400.00 if you are the premises licence holder and £200.00 for all other parties. Cheques should be made payable to HMCS.

Please note – Persons making appeals should be aware that the Magistrates have the power to award costs against any party as a result of appeal proceedings.

CASE NO: 131200242883

IN THE LEEDS MAGISTRATES COURT

BETWEEN

Appellant

and

LEEDS CITY COUNCIL

Respondent

CONSENT ORDER

UPON the parties agreeing that revocation of the licence is no longer necessary to promote the licensing objectives.

It is agreed that:-

- 1 The decision of the licensing authority (Leeds City Council) dated 1 March 2012 to revoke the Premises Licence under Section 52(4)(e) is rescinded.
- 2 The Court should remit the matter back to the licensing authority to dispose of in accordance with the following direction pursuant to Section 181 (2) (c).

That the licensing authority should substitute for that decision a decision to modify the Conditions of the Licence under Section 52(4)(a)

That the licensing authority should consider whether it is necessary to impose a condition requiring the use of SIA registered door supervision and if so the number of staff and the days of the week and times when that would be required.

The Conditions on the existing licence should also be modified as follows:-

- 2.1. Delete existing Condition 12 on the Premises Licence.
- 2.2. Insert the following Conditions on the Licence as Conditions imposed following a Hearing before the Licensing Committee.

Crime and Disorder

- - A suitable close circuit television (CCTV) system must be operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises.
- - The CCTV system must cover all areas of the premises occupied by the public under the terms of the licence excluding WCs.
- - The CCTV system must cover the main entrance(s) and exit(s) and designated emergency egress routes from the premises.
- - The CCTV system must cover all external areas of the premises occupied by the public.
- - The CCTV system must be of satisfactory resolution quality which will enable the identification of persons and activities and other fine details such as vehicle registration number plates.
- - The CCTV system must contain the correct date and time stamp information.
- - The CCTV system must have sufficient storage retention capacity for a minimum of 31 days continuous footage which must be of good quality.
- - The CCTV system must be adequately maintained and be capable of transporting recorded material on to a removable media.
- - A designated member or members of staff at the premises must be authorised to access the CCTV footage and be conversant with operating the system. At the request of an authorised officer of the Licensing Authority or a responsible Authority under the Licensing Act 2003, any CCTV footage requested must be downloaded immediately or secure to prevent overwriting. The CCTV footage must be supplied, on request, to an authorised officer of the Licensing Authority or a responsible Authority.
- - A supervisors register must be maintained at the licensed premises showing the name, address and up to date contact details for the DPS and all personal licence holders.
- - The supervisors register must state the name of the person who is overall charge of the premises at each time that the licensable activities are carried out and this information must be retained for a period of 12 months and produced for inspection on request to an authorised officer.
- - On every Friday and Saturday evening between the hours of 5 pm and closing the supervisor must be present in the public area of the premises and must oversee the operation of the premises. That supervisor must not carry out additional duties such as serving behind the bar during that time.
- - The premises licence holder/DPS/staff must ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

Public Nuisance

- Drinks, open bottles and glasses must not be taken from the premises at any time. Empty bottles and glasses must be collected regularly and promptly. Glass and other sharp objects must be stored and disposed of safely using suitable receptacles. Receptacles must be secured and not accessible to the customers.
- The PLH/DPS must prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

Signed on behalf of the
Respondent licensing authority

Signed on behalf of the
Appellant /

Notice of Decision

Of the Licensing Sub Committee



Date of Hearing:	Wednesday 23 rd January 2013
Determination Date:	Thursday 24 th January 2013
Notice of Decision:	Thursday 24 th January 2013
Members:	Councillor Ted Hanley (Chair) Councillor Gerald Wilkinson Councillor Brian Selby
Legal Officer:	Gill Marshall
Committee Clerk:	Angela Bloor
Licensing Officer:	Stephen Holder
Review application made by:	West Yorkshire Police
Premises review relates to:	Slip Inn, Albion Street, Morley, Leeds, LS27 8DT
Premises Licence Holder:	Star Pubs & Bars Limited
Attendees:	Sgt. Fullilove (West Yorkshire Police) Insp. Sullivan (West Yorkshire Police) PC Sedgley (West Yorkshire Police) Karen Hughes (Licence Holder's Legal Representative) Mark Pass (Area Manager) Councillor Neil Dawson (Other Person) Councillor Judith Elliot (Other Person) Cat Sanderson (Observing) Samantha Longfellow (Observing) Paul Rix (Observing)

The application to review the premises licence held by the Slip Inn, Albion Street, Morley, Leeds, LS27 8DT, was submitted by West Yorkshire Police due to ongoing issues of crime and disorder. Members convened on the 23rd January 2013 to consider the following:

1. The report from the Head of Licensing and Registration.
2. Licensing Act 2003.
3. Guidance issued by the secretary of State of Culture Media and Sport pursuant to Section 182 of the act.
4. Relevant Licensing Objectives.
5. The statement of Licensing Policy 2011 – 2013.
6. Representations received from Other Persons.

Having taken all these matters into account the Licensing Sub Committee made the following decision:

Members of the subcommittee heard from West Yorkshire Police who had requested the review of the premises licence. The police submitted that the current review request must be seen as part of a chain of events which included the first review and the settlement of the previous appeal, followed by further incidents which had led to the current review. They outlined the history of poor management and lack of adherence to licensing law and conditions imposed following the previous review. They also referred to repeated changes of managers and designated premises supervisors and highlighted poor recruitment decisions. All of this was due to the continued and significant involvement of the current tenant who they had been assured would not be involved in the day to day operation of the premises. This venue was a drain on community policing resources and caused the police serious and significant concerns.

The subcommittee then heard from local ward councillors, Councillors Elliott and Dawson. Councillor Elliott highlighted that the pub had a troubled history with the incident log showing high levels of antisocial behaviour which have continued despite the assurances that were given. The premises caused problems for other businesses and local residents, especially the elderly in Jubilee Court and Marshall Street. Councillor Dawson submitted that residents and businesses were being affected by the premises and there had been no material change following the previous review.

Members then heard from the representative for the licence holder and the area manager. The licence holder had believed that a way forward had been agreed after the previous review and had not been aware of the level of police concern. By December it had become apparent that they had reached the end of the road with the current tenant of the pub. The tenant had now agreed to surrender the lease and it was hoped that this would take place on 5 March 2013. The alternative to the surrender was a forfeiture process which would take some considerable time especially as there was residential accommodation attached to the premises. The licence holder had tried to support the tenant, who had 30 years' experience in the licence trade. Problems appeared to have occurred in the last couple of years following the death of his partner, which had been a turning point. The brewery were now looking for a managed exit for this particular tenant and then intend to turn the premises round and were actively seeking a new tenant for that purpose.

In reply, West Yorkshire Police reiterated that this was an issue about the premises licence and not about landlord and tenant and lease issues. It was now time for serious and robust management of the premises which had a difficult client base. This would need gripping with a firm approach if the premises were to continue to trade. The police were not convinced that the current tenant would be gone by 5 March and then the situation would be back to square one. On balance, the police were still favouring revocation of the licence.

Decision

Members heard evidence of serious violent crime and repeated non-compliance with licence conditions around the CCTV system.

Having considered all the evidence, members identified two problems at the premises. The first was poor management by the tenant and the second being a failure by the premises licence holder to get to grips with the problems.

Members agreed that this review must be seen in context. There was a previous review in which the licence was revoked. That revocation was lifted by consent based upon certain assurances. These assurances did not materialise. Given the previous history the premises licence holder should have taken a much more proactive stance. They could have got more involved and established the level of police concern. Forfeiture procedures could have been commenced much earlier.

The subcommittee acknowledged that the current tenant was very likely to leave the premises on 5 March 2013. However, they took into account the fact that the licence holder took a transfer of this licence at the time of the last review. They did so in full knowledge of the problems and should have been aware of the situation.

Members considered whether conditions or suspension of the licence would be appropriate but felt that anything less than revocation would require them to have the confidence that things will improve.

Given the findings against the premises licence holder, members could not have that confidence and for that reason resolved to revoke the premises licence. In doing so they also took into account the views of the ward councillors who were representing local residents and businesses.

Right of Appeal

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the sub committee. You must make this appeal within 21 days of receiving this notice.

Appeals should be addressed to the Magistrates Court at:

**Clerk to the Justices
Leeds Magistrates Court
Westgate
Leeds
LS1 3JP**

and must be accompanied by a copy of this notice of decision and the court fee of £400.00 if you are the premises licence holder and £200.00 for all other parties. Cheques should be made payable to HMCS.

Please note – Persons making appeals should be aware that the Magistrates have the power to award costs against any party as a result of appeal proceedings.



Premises licence number:

PREM/02251/015

Initial licence from:

20th August 2005

Current version effective from:

20th November 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

Slip Inn, Albion Street, Morley, Leeds, LS27 8DT

Licensable activities authorised by this licence

Sale by retail of alcohol, Performance of recorded music

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Every Day 09:00 - 23:00

Performance of recorded music

Every Day 09:00 - 23:00

Location of activity: Indoors

Opening hours of the premises

Every Day 09:00 - 23:30

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

Admiral Taverns Piccadilly Limited

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

Registered business number: 07420758

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

Ms Lesley Jayne White

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:

Licensing authority:

Licence issued under the authority of Leeds City Council

Mr Shaam Amin
Licensing Officer
Entertainment Licensing
Elections, Licensing and Registration

Annex 1 – Mandatory Conditions

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. 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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. 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.

6. 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.

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

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

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

- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

Embedded restrictions

- 8. 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).
- 9. 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.

10. 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

The prevention of crime and disorder

11. Participate in a local pubwatch scheme or licensing association, (where one exists) that is recognised by West Yorkshire Police.
12. No irresponsible sales promotions of alcoholic beverages shall be offered to customers.
13. No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

Public Safety

14. 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.
15. 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.
16. 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.
17. During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.
18. 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. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
19. If used, any temporary electrical wiring and distributions will be inspected by a suitably qualified and competent person before they are put into use. An inspection record/certificate will be retained for inspection by an authorised officer.
20. Safety glass that is impact resistant or shielded to protect it from impact will be used all areas where the public may come into contact with it.
21. All floor surfaces will be suitably slip resistant, kept in good condition and free of obstructions to prevent slips, trips and falls.
22. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
23. A suitably trained First Aider or appointed person will be provided at all times when the premises are open.
24. Adequate and appropriate First Aid equipment and materials will be available on the premises.
25. A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.
26. All fire doors will be maintained effectively self closing and shall not be held open other than by approved devices.

27. Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade shall be summoned, are to be prominently displayed.

The prevention of public nuisance

28. No regulated entertainment of any type shall take place outside the premises in any areas which are within the licence holders control after 22:00hrs save for any special event seven days notice of which has been given to the licensing authority and police.
29. When amplified musical entertainment is taking place inside the premises after 22:00hrs windows and doors, save for entrance and exit purposes, will be kept shut.
30. A sign will be located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.

Protection of children from harm

31. No one under the age of 16 will be allowed to enter or remain on the premises after 22:00hrs save on Christmas Eve and New Years Eve.

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

The prevention of crime and disorder

32. A suitable close circuit television (CCTV) system must be operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises.
33. The CCTV system must cover all areas of the premises occupied by the public under the terms of the licence excluding WCs.
34. The CCTV system must cover the main entrance(s) and exit(s) and other designated emergency egress routes from the premises.
35. The CCTV system must cover all external areas of the premises occupied by the public.
36. The CCTV system must be of satisfactory resolution quality which will enable the identification of persons and activities and other fine details such as vehicle registration number plates.
37. The CCTV system must contain the correct date and time stamp information.
38. The CCTV system must have sufficient storage retention capacity for a minimum of 31 days continuous footage which must be of good quality.
39. The CCTV system must be adequately maintained and be capable of transporting recorded material on to a removable media.
40. A designated member or members of staff at the premises must be authorised to access the CCTV footage and be conversant with the operating system. At the request of an authorised officer of the Licensing Authority or a responsible Authority under the Licensing Act 2003, any CCTV footage requested must be downloaded immediately or secure to prevent overwriting. The CCTV footage must be supplied, on request, to an authorised officer of the Licensing Authority or a responsible Authority.
41. A supervisors register must be maintained at the licensed premises showing the name, address and up to date contact details for the DPS and all personal licence holders.

42. The supervisors register must state the name of the person who is in overall charge of the premises at each time that the licensable activities are carried out and this information must be retained for a period of 12 months and produced for inspection on request to an authorised officer.
43. On each Friday and Saturday evening between the hours of 5pm and closing the supervisor must be present in the public area of the premises and must oversee the operation of the premises. That supervisor must not carry out additional duties such as serving behind the bar during that time.
44. The premises licence holder/DPS/Staff must ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.
45. An SIA registered door staff member to be employed at the premises acting in the sole capacity as door security staff between the hours of 8:00pm and closing Fridays, Saturdays and Sundays, public holidays and Christmas Eve and New Years Eve.

The prevention of public nuisance

46. Drinks, open bottles and glasses must not be taken from the premises at any time. Empty bottles and glasses must be collected regularly and promptly. Glass and other sharp objects must be stored and disposed of safely using suitable receptacles. Receptacles must be secured and not accessible to the customers.
47. The PLH/DPS must prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

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.

M

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

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

- Put up signs for Challenge 25 & leave building quietly. Anyone who appears to be under 25 will be asked to provide ID.
- Children must be out by 7pm
- New CCTV system installed
- Incident book behind bar. All incidents logged and dealt with in proper manner.
- Tables & bar frequently cleared of glasses & bottles
- Hourly toilet checks to be carried out
- Customers must smoke in the outside area at the back of the premises. No drinks or glasses are permitted outside.
- All doors and windows to be kept closed during entertainment

b) The prevention of crime and disorder

- The premises is patrolled at all times.
- Tables cleared of bottles and glasses.
- Customers are watched for any aggressive behaviour.
- Toilet checks done hourly.
- CCTV system installed.

c) Public safety

- Bar & tables regularly cleared of glasses and bottles. Any breakages swept up straight away.
- CCTV system installed.

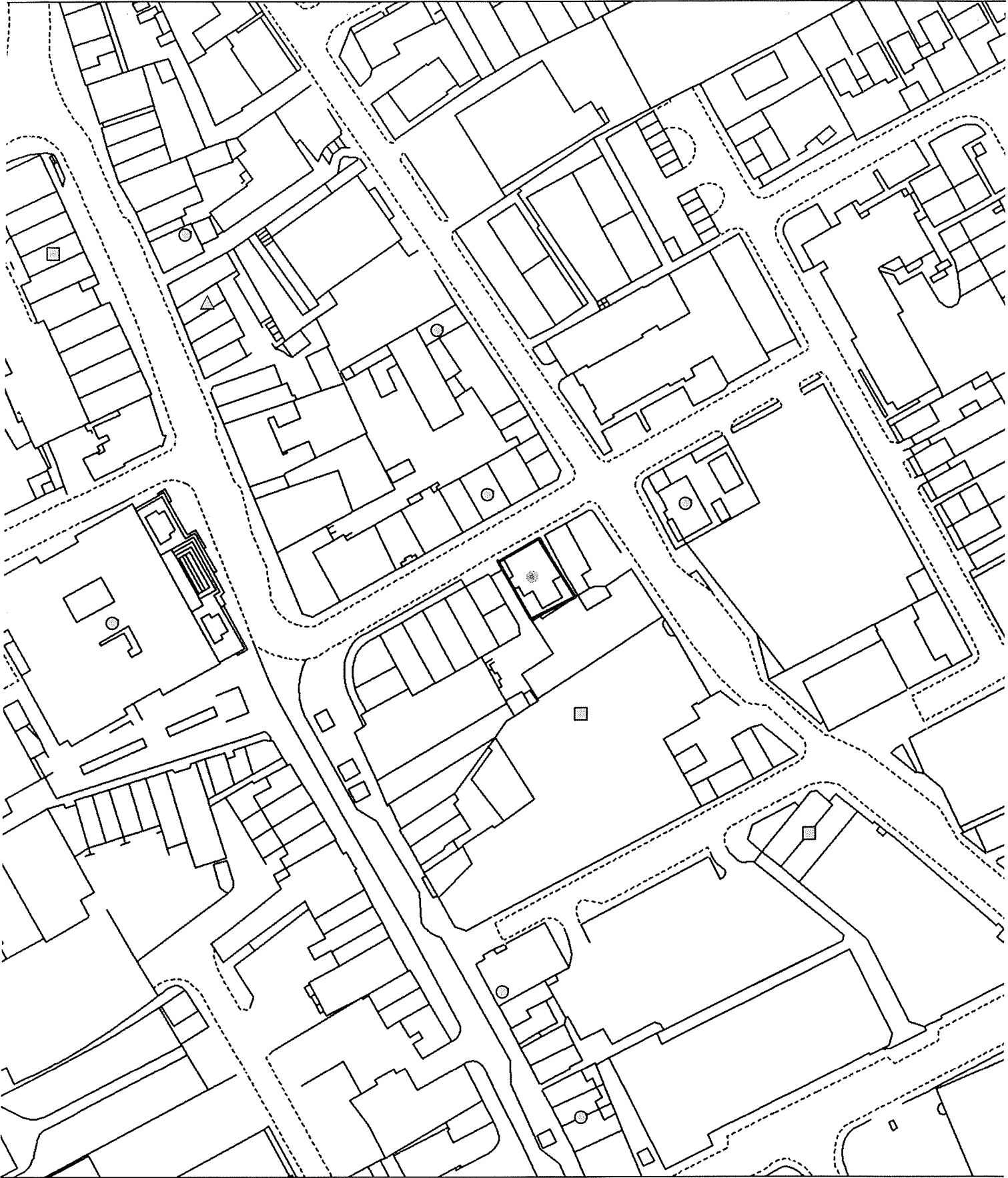
d) The prevention of public nuisance

- Doors and windows kept closed when music/entertainment being provided
- Signs placed up requesting customers leave the premises quietly
- No drinks to be taken outside the front of the premises

e) The protection of children from harm

- Children must be supervised at all times and must vacate the premises by 7pm.

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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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Key

 On licence	 Late night refreshment
 Off licence	 Other

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NOT PROTECTIVELY MARKED

VR 025/017



**WEST YORKSHIRE
POLICE**

Leeds District Licensing Department

Leeds District Licensing Department
West Yorkshire Police
District Headquarters
Elland Road
Leeds
LS1 1BB

Tel: 001338559455
email:

URK

Leeds District Licensing

11 March 2016

Mr D Kelly
Admiral Taverns Ltd
Suite H3
Steam Mill Business Centre
Steam Mill Street
Chester
CH3 5AN



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

Dear Sir

**RE: THE SLIP INN, ALBION STREET, MORLEY, LEEDS, LS27 8DT
VARIATION TO EXISTING PREMISES LICENCE – LICENSING ACT 2003
POLICE – LETTER OF REPRESENTATION – FULL OBJECTION:**

Thank you for your application which was received at Elland Road Police Station on 12 February 2016.

This application is for a variation to an existing premises licence for the above named premises. The details of the variation are set out below:

The premises currently have two conditions, which they wish to remove, which read:

On each Friday and Saturday evening between the hours of 5pm and closing, the supervisor must be present in the public area of the premises and must oversee the operation of the premises. That supervisor must not carry out additional duties such as serving behind the bar during that time.

An SIA registered door staff member to be employed at the premises acting in the sole capacity as door security staff between the hours of 8pm and closing Friday, Saturday and Sunday, public holidays and Christmas Eve and New Year's Eve.

NOT PROTECTIVELY MARKED

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This full variation application follows a minor variation application which was refused on 14 December 2015.

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

I have spoken to the Neighbourhood Policing Team (NPT) for the Morley area who have concerns in relation to these premises. Calls for service have been received where the caller has asked for assistance in relation to violent offences.

There are reports in relation to banned people refusing to leave the premises and have been verbally abusive and threatening towards staff. There are reports which refer to an unconscious male at the location. West Yorkshire Ambulance Service have called for Police assistance on occasions where victims have either refused to cooperate and/or drug use is suspected. There have been disturbances where glasses have been used as missiles. Staff at the premises have been the victims of crime and it is felt that the conditions should remain on the licence for the protection of the staff and customers.

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

WEST YORKSHIRE POLICE DEEM THIS OBJECTION RELEVANT, PROPORTIONATE AND NECESSARY IN ORDER TO PROMOTE THE LICENSING OBJECTIVES.

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

NOT PROTECTIVELY MARKED

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B, 11 MAR 2016
Criminal Procedure Rules, r.27.2)

RECEIVED

NICHE Ref. No: _____

URN: _____

Statement of:

Date of birth: Over 18

Occupation: PC 524

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: 02nd March 2016

Time and date statement taken:

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

I am the above named police constable currently stationed at Morley Police Station within Leeds District, West Yorkshire. My current role is Ward manager for the Morley South, Leeds City Council Ward 26 area. This role involves managing offenders within the area and problem solving along with partner agencies. I am also currently the Police link officer for the Morley and District Pubwatch.

I am making this statement in relation to a licensed premises named the Slip Inn located on Albion Street, Morley and the application for the variation of its premises license for conditions that were imposed following a review of its license in 2012 in which I provided evidence.

I believe if these license conditions were removed they would have a detrimental impact on the running of the public house along with Police calls for service to the location and impact upon the surrounding community.

In making this decision I have reviewed previous calls to the location that the Police have received over the last twelve months and crimes that have been recorded.

Six crimes of assault have been recorded with the majority stating that the suspect at the time was in or heavily in drink, three of these assaults were on staff members attempting to eject drunken customers.

Nineteen calls to the police have been received within the last twelve months with fifteen of these relating to drink related issues. Some of these calls include the six recorded assault crimes, a request to assist ambulance staff with a male having a fit who had possibly taken drugs, An aggressive female refusing to leave and being verbally abusive to staff and a call from a member of the public who was requested to call the police by door staff due to a female shouting both inside and outside of the premises.

Signature:

Signature witnessed by:

MG11

RESTRICTED (when complete)

(Revised 1.9.12)

NICHE Ref. No:		URN:		
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Continuation Statement of

It is believed that without the requirement to have SIA registered door staff at the licensed premise's busiest times then the calls for service to the police would increase resulting in a disproportionate amount of violent crime being recorded within the area that would spread fear amongst the local community. Whilst there appears to have been some improvement from 2012 at the premises the conditions are still thought to be appropriate and necessary to uphold the licensing objectives.

Signature:

Signature Witnessed by:

