



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 20TH SEPTEMBER, 2016 AT 10.00 AM

MEMBERSHIP

Councillors

M Coulson

R Downes

A Khan

Pudsey;

Otley and Yeadon;

Burmantofts and Richmond Hill;

**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>	

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5			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><u>HEARINGS</u></p>	
6	Wetherby		<p>APRES CAFE BAR - APPLICATION TO VARY A PREMISES LICENCE - APRES CAFE BAR, 179 HIGH STREET, BOSTON SPA, WETHERBY LS23 6AA</p> <p>To consider the report of the Head of Elections, Licensing and Registration on an application to vary an existing premises licence, made by Mr N Hanby and Mrs A Hudson, for Apres Cafe Bar, 179 High Street, Boston Spa, Wetherby, LS23 6AA.</p>	1 - 52
7	Wetherby		<p>MEWS - APPLICATION TO VARY A PREMISES LICENCE - "MEWS", 16 BANK STREET, WETHERBY, LEEDS LS22 6NQ</p> <p>To consider the report of the Head of Elections, Licensing and Registration on application to vary an existing premises licence, made by Market Town Taverns Limited, for Mews, 16 Bank Street, Wetherby, Leeds, LS22 6NQ</p>	53 - 88
8	Garforth and Swillington		<p>WETHERSPOONS - APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR WETHERSPOONS, 37 MAIN STREET, GARFORTH, LEEDS LS25 1DS</p> <p>To consider the report of the Head of Elections, Licensing and Registration on an application for the grant of a new premises licence, made by JD Wetherspoon Plc, for Wetherspoons, 37 Main Street, Garforth, Leeds, LS25 1DS.</p>	89 - 110

Item No	Ward	Item Not Open		Page No
			<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. 	

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Report author: Miss Jane Wood
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 20th September 2016

Subject: Application to vary a premises licence held by Apres Cafe Bar 179 High Street, Boston Spa, Wetherby, LS23 6AA

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

Summary of main issues

This is an application to vary a premises licence, made by Mr Neil Hanby and Mrs Adrienne Elizabeth Hudson, for Apres Cafe Bar 179 High Street, Boston Spa, Wetherby, LS23 6AA

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

The application has attracted representations from other persons and/or responsible authorities.

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

An application was first received on 21st October 2005 for the Grant of a Premise Licence for this premise. Representations were received from members of the

public and a hearing was scheduled. At the hearing the licensing officers report was taken into consideration as were the comments from Members of the Public. An agreement had already been reached between the applicant and West Yorkshire Fire & Rescue due to work being completed to a satisfactory level. The committee decided to Grant the application with amendments to the operating schedule.

On the 6th March 2009 a further application was received to vary the operating schedule at this Premise. Again representations were received and a hearing was scheduled before the Licensing Sub Committee on 11th May 2009. At the hearing Members carefully considered the application and resolved that in view of the comments from Environmental Protection Team, that the premises were not suitable for Live Music. Therefore the application was granted in part in respect of the opening hours.

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

3 The application

3.1 The applicant is Mr Neil Hanby and Mrs Adrienne Elizabeth Hudson

3.2 Briefly the application is to:

- Increase the hours for Sale of Alcohol and Recorded Music
- To add Live Music, Films and Performance of Dance to the operating Schedule
- To include the basement area to include licensable activities for up to 24 guests as the plan provided with the application

4 The operating schedule

4.1 The applicant proposes to promote the licensing objectives by taking the additional steps identified in the operating schedule. The application may be found at **Appendix B**

5 Location

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

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 Any representations received may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures

agreed with Environmental Protection Team and West Yorkshire Police. A copy of the agreement may be found at **Appendix D**.

- 6.3 It is brought to Members attention that an agreement has been reached between parties with regards to a reduction in the terminal hour for licensable activities. Confirmation is attached at **Appendix E**

Other representations

- 6.4 The application has attracted representations from members of the public (described as 'other persons' in the legislation).
- 6.5 Entertainment Licensing are in receipt of ten individual letters of objection. The main concern that has arisen from members of the public is with regards to nuisance which may emanate from the premise should the variation be granted. This has included concerns relating to noise nuisance and disturbance to surrounding properties.
- 6.6 In order to protect personal data, redacted copies of the representations are attached at **Appendix F**. Unredacted copies will be available at the hearing for Members consideration.

7 Licensing hours

- 7.1 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.
- 7.2 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.
- 7.3 A list of premises in the local area and their licensed hours and activities is provided at **Appendix G**

8 Equality and diversity implications

- 10.1 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.

9 Options available to Members

- 9.1 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.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

9.2 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.

10 Background papers

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

Details of premises licence

For: Apres Cafe Bar



This document provides details of the premises licence issued to the stated premises and is not a licence itself.

Licence number: PREM/02214/V01

Premises the licence relates to: Apres Cafe Bar, 179 High Street, Boston Spa, Wetherby, LS23 6AA

Date licence first effective: 9th December 2005

Date current version effective from: 11th May 2009

Licensable activities authorised by the licence:

Sale by retail of alcohol

Monday to Saturday	11:00 - 23:00
Sunday	11:00 - 22:30

Performance of recorded music

Monday to Saturday	09:00 - 23:00
Sunday	10:00 - 22:00

Opening hours of the premises:

Monday to Saturday	08:00 - 23:30
Sunday	10:00 - 23:00

Premises licence holder(s):

Mr Neil Hanby, 45 Stutton Road, Tadcaster, LS24 9HE

Mrs Adrienne Elizabeth Hudson, 40 Almsford Avenue, Harrogate, HG2 8HE

Designated premises supervisor:

Mr Neil Russell Hanby

Access to the premises by children

Access to the premises by children is unrestricted

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.

Annex 2 – Conditions consistent with the operating schedule

Additional details in respect of licensable activities authorised by this licence

Sale by retail of alcohol

Seasonal variations:	Closed on Christmas day and Boxing Day.
Non standard timings:	Bank Holiday Sundays Terminal hour to be 00:00 Midnight Christmas Eve - Terminal Hour to be 01:00

Performance of recorded music

Location of activity:	Indoors
Further details:	BACKGROUND RADIO OR CD PLAYER
Concerns in respect of children:	Unrestricted

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

4. A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out.
5. The siting and standard of the CCTV system will be agreed with WYP prior to installation and will comply with that agreement at all times.
6. Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police.
7. Security footage will be made secure and retained for a period of time to the satisfaction of WYP.

8. A Supervisors Register will be maintained at the licensed premises, showing the name, addresses and up-to-date contact details for the DPS and all personal licence holders.
9. The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorized officer.
10. The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty (verified by the individual's signature).
11. The daily Record Register will be retained for a period of twelve months from the date of the last entry.
12. Security staff/ designated supervisors will be familiar with the premises policy concerning, admission, exclusion and safeguarding of customers whilst in the premises.
13. The Licensee will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour and ejections from the premises.
14. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and numbers of any police officers attending, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.
15. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.
16. The Licensee will inform West Yorkshire Police of any search resulting in a seizure of drugs or offensive weapons.
17. A suitable 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.
18. Notices will be displayed at the entrances of the premises which state:
 - a search will be conducted as a condition of entry to premises;
 - incidents of crime and disorder will be reported to the police;
 - entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent;
 - entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances
19. The licensee will adopt a proof of age scheme which is approved by WYP and West Yorkshire Trading Standards (WYTS).
20. The licensee's staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.
21. Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.

22. The licensee will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.
23. Plastic or toughened glasses or bottles will be used when requested by West Yorkshire Police (e.g. football match days).
24. The licensee will ensure that customers who commit acts of anti-social behaviour are removed from the premises. Such customers will be excluded from the premises if further incidents occur.
25. The licensee will comply with the agreed protocols of the local pubwatch scheme(s) or trade body where unilateral banning orders are implemented.
26. The licensee will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The Licensee or DPS will ensure that staff receive training on the policy.
27. At least thirty minutes will be allowed between the final sales of alcohol and closing the premises. The DPS will permit customers to finish their drinks and leave the premises in an orderly manner.
28. None

Public safety

29. A written risk assessment will be kept which covers all activities which affect the health and safety of members of the public. This will include the noise levels to which the public are to be exposed and information will be provided for the public via signage at the entrance. The assessment will be produced for inspection at the request of an authorised officer.
30. The capacity of the premises is **120** and at all times the number of persons on the premises will not exceed that figure.
31. The Licensee will adopt at the premises written policies and procedures on:
 - Entry and egress to the premises (including monitoring of any capacity limit)
 - Evacuation of the premises

The Licensee will ensure staff are trained on these measures, and all other matters relating to the safety of the public.
32. The Licensee will have a written procedure for crowd control and management. All staff will be instructed in the operation of the procedure. The policy will be available for inspection at the request of an authorised officer.
33. All exit doors will be accessible, open easily, and exit routes will be maintained.
34. Safety checks, including doors, will be undertaken before opening to the public and a record kept of inspections.
35. 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.
36. 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.
37. 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.

38. All equipment with which the public may have contact, will be maintained, stored and operated in a safe manner. Appropriate maintenance and test records will be kept and be available for inspection by an authorised officer.
39. Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
40. Electrical installations will be inspected on a periodic basis (at least every 5 years) by a suitable qualified and competent person. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
41. Portable electrical appliances including those brought in temporarily onto the premises will be checked on a regular basis by a suitably trained and competent person to ensure they are in a safe condition. Records will be kept of these checks. These will be made available at the request of an authorised officer.
42. Temporary electrical wiring and distributions will be inspected by a suitable qualified and competent person before they are put into use. An inspection record/certificate will be retained for inspection by an authorised officer.
43. The Licensee will maintain an electrical manually operated fire alarm system that can be clearly hear in all parts of the premises to the satisfaction WYFRS.
44. The Licensee will maintain a fire alarm system with automatic heat and smoke detectors. The systems requirements, testing and operation will be to the satisfaction of WYFRS.
45. The positioning of the electrical fire alarm system, smoke and heat detectors will be agreed with WYFRS.
46. Fire alarm test will be carried out daily and recorded in a suitable log book. The log book will be made available for inspection by an authorised officer.
47. All staff will be trained in operating the alarm system and be familiar with the fire and escape routes and action to be taken in the event of fire.
48. The Licensee will install and maintain electrical emergency lighting. The source of supply for this lighting will be separate from that for the general lighting. The emergency lighting will be positioned in areas agreed with the WYFRS. These areas will include passages, corridors, ramps and stair cases. The emergency lighting will allow individuals to see their way out of the premises without the aid of general lighting. The emergency lighting will illuminate all the provided exit notices.
49. The emergency lighting will perform on a complete failure of the normal lighting in a manner agreed with WYFRS. The emergency lighting will meet the British safety standards stipulated by WYFRS.
50. The Licensee will provide to the satisfaction of WYFRS exit sign boxes lit by both primary and emergency lighting. These exit sign boxes will be placed in positions agreed with WYFRS. The size, illumination and design of the sign(s) will be agreed with WYFRS.
51. Exit doors will be provided with external primary and emergency lighting points to the satisfaction of the WYFRS. The design of external fire escape route will be to the satisfaction of WYFRS.
52. The siting, number, fire rating and standard of fire extinguishers will be agreed with WYFRS prior to installation and will comply with that agreement at all times.
53. The emergency lighting system will be tested in a manner which satisfies WYFRS. The test results will be kept in a suitable log book and will be available for inspection by an authorised officer.

54. The Licensee will provide any kitchen on the premises with a fire blanket which meets the standards recommended by WYFRS. The fire blanket will be installed and maintained to the satisfaction of the WYFRS.
55. All curtains and drapes in the premises will be fire retardant and to the satisfaction of WYFRS. Certificates of compliance to the relevant British Standards will be available for inspection by an authorised officer.
56. Fabric, foliage and decoration will be constructed from materials to the satisfaction of the WYFRS. Certificates of compliance to the relevant British Standards will be available for inspection by an authorised officer.
57. The filling materials used in the furnishings will be combustion modified foam or other material to the satisfaction of WYFRS. Evidence of compliance to the relevant British Standards will be available for inspection by an authorised officer.
58. Any wall coverings at the premises or on escape routes will be to the satisfaction of the WYFRS. Evidence of compliance to the relevant British Standards will be available for inspection by an authorised officer.
59. Floor coverings at the premises will comply with those safety standards as stipulated by WYFRS. Evidence of compliance to the relevant British Standards will be available for inspection by an authorised officer.
60. The Licensee will make provision for regular inspections of the premises structure. A written record of these inspections will be kept. The records will be made immediately available for inspection at the request of an authorised officer.
61. At the request of an authorised officer the Licensee will produce certification of any building works carried out at the premises. (This will be in the form of a building regulations completion certificate issued by the local authority or an approved inspector.)
62. Regular safety checks of decorative and functional fixtures that could fall causing injury to the public or may cause a risk of fire, will be undertaken.
63. Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and supervision will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.
64. All floor surfaces will be suitably slip resistant, kept in good condition and free of obstructions to prevent slips. Trips and falls.
65. 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.
66. Safety checks will be recorded and made available for inspection at the request of an authorised officer.
67. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
68. Hot food and drink preparation will be isolated or shielded from members of the public to prevent risk of scalds or burns to them.
69. Suitably trained First Aid Staff will be provided at all times when the premises are open.
70. Adequate and appropriate First Aid equipment and materials will be available on the premises.
71. A written 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.

72. The Licensee will ensure that there is a procedure for the safe evacuation of disabled persons.
73. Staff will be trained in the procedure and a record kept of such training.
74. None

The prevention of public nuisance

75. No nuisance will be caused by noise or vibration emanating from the premises. Licensable activities will be conducted and the facilities for licensed activities will be designed and operated so to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
76. Noise will be inaudible at the nearest noise sensitive premises between 23:00 hours and 07:00 hours the following day (where entertainment takes place less frequently).
77. There will be no external loudspeakers.
78. Empty bottles will be stored in suitable receptacles immediately outside of the premises prior to collection. Receptacles will be used in a manner to minimise noise disturbance to adjoining properties. Bottles will not be placed in the external receptacle after 23:00 hours to minimise noise disturbance to adjoining premises.
79. Deliveries, collections of refuse and bottles, and operational servicing will be carried out to minimise noise disturbance to adjoining premises. Instructions will be provided to drivers requiring them to switch off engines during deliveries, collections and servicing, and to minimise other noise caused by their activities. Deliveries will be carried out between 07:00 and 19:00 except where unavoidable.
80. No nuisance will be caused by noise or vibration emanating from the premises from external plant or equipment.
81. The rating level of noise from plant and machinery will be no higher than 5db below the lowest background level at the most affected noise sensitive premises during the operation of the plant. Plant and machinery will be regularly serviced and maintained to continue to meet the rating level.
82. Where the premises is located close to noise sensitive properties adequate ventilation systems will be provided to prevent the need to open windows and doors.
83. If required a noise report will be provided to Environmental Health Services. The premises supervisor will also identify in conjunction with Environmental Health Services any noise sensitive premises in the location.
84. The premises supervisor will liaise with Environmental Health Services and where necessary, install noise limiting devices, electrical cut-outs and door warning devices.
85. The premises supervisor will ensure that lobby doors at the premises are closed at all times except for access and egress to the premises unless required otherwise by WYFRS.
86. The Licensee will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.
87. The Licensee will ensure all lighting in the premises is of a suitable intensity and positioning. All lighting on or at the premises will be operated in a manner which will not cause a nuisance to nearby properties.
88. The premises will be operated in a manner which will prevent unwanted odours causing a nuisance to persons in the immediate area or nearby properties.

89. The premises will operate a suitable ventilation and extraction system. The system will be cleaned and maintained to the manufacturer's instructions to prevent unwanted odours occurring.
90. The Licensee will operate to a written statement of how potential littering will be prevented. This statement will describe the sources of litter which may arise from the business. E.g. cigarette ends from queuing people, chewing gum, food wrappers, and will include:
- The steps proposed to prevent the litter occurring;
 - The steps to be taken to remove litter should prevention not succeed;
 - who will be responsible;
 - Methods proposed to evidence that these steps have been undertaken.
91. The licensed premises will store and dispose of business waste correctly and legally. The premises supervisor will ensure that the waste is prevented from seeping or spilling from where it is stored.
92. The Licensee will ensure all materials used to promote or market the premises are displayed lawfully. The Licensee will take measures to encourage agents, servants, employees or any party acting on his/her behalf to display promotional materials lawfully.
93. The Licensee will take reasonable steps to ensure that activities promoting or publicising his/her premises do not cause littering. The Licensee will take measures to remove such litter as and when it occurs.
94. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos.
95. The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
96. A facility will be provided for customers to order taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent location.
97. There will be liaison with local taxi/private hire firms to ensure a ready supply of transport to reduce disturbance.
98. Customers will be provided with a designated area on the premises where they may wait for their transport.
99. None

Protection of children from harm

100. Any person on the premises who can be observed from outside the premises will be properly and decently dressed.
101. The Licensee will adopt a proof of age scheme which is approved by WYP and West Yorkshire Trading Standards.
102. The Licensee's staff will ask for evidence of age from any person appearing to be under the age of 18 who is attempting to purchase alcohol at the premises.
103. Signs will be provided informing customers that sales will not be made to under 18s, and that age identification may be required.

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

None

Part 3 - Variation

Please tick as appropriate

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

Yes No

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

Day	Month	Year

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes No

Please describe briefly the nature of the proposed variation (please read guidance note 2)

I WOULD LIKE TO ALTER THE AREA IN WHICH LICENCED ACTIVITY CAN TAKE PLACE & THE HOURS THAT LICENCED ACTIVITY CAN OCCUR.

CURRENTLY, THERE IS TRADING ON THE GROUND FLOOR UNTIL 11PM MOST EVENINGS.

I WOULD LIKE TO INCREASE THE TRADING AREA TO INCLUDE PART OF THE BASEMENT TO HOLD A CAPACITY OF 24 PEOPLE, WITH ITS OWN SEPARATE BAR. THERE IS ANOTHER FIRE EXIT GOING TO BE PUT IN WHERE THE CURRENT KEG SHUTE IS. I WOULD ALSO LIKE TO INCREASE HOURS OF TRADING TO 01:30 ON THURSDAY - SATURDAY EVENINGS.

ANY QUERIES ABOUT THE PLANS, PLEASE DO NOT HESITATE TO GET IN TOUCH WITH ME.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if the application to vary is successful.

Please tick all that apply

Provision of regulated entertainment

- a) play (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for performing play (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of a films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)					
Day	Start	Finish	State any seasonal variations for indoor sporting events (please read guidance note 5)					
Mon								
Tue								
Wed								
Thur								
Fri						Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sat								
Sun								

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)					
Day	Start	Finish	Indoors					
Mon			Outdoors					
			Both					
Tue			Please give further details here (please read guidance note 4)					
Wed					State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 5)			
Thur								
Fri							Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 6)	
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>		
Day	Start	Finish		Outdoors	<input type="checkbox"/>		
Mon	16:00	23:30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>		
Tue	16:00	23:30		<i>AMPLIFIED + UNAMPLIFIED JAZZ MUSIC</i>			
Wed	18:00	23:30					
Thur	16:00	23:30					
Fri	12:00	01:30				State any seasonal variations for the performance of live music (please read guidance note 5)	
Sat	12:00	01:30					
Sun	12:00	23:30					
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 6)				
			<i>CHRISTMAS EVE & NEW YEARS EVE</i>				

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>		
Day	Start	Finish		Outdoors	<input type="checkbox"/>		
Mon	10:00	00:30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>		
Tue	10:00	00:30		<i>AMPLIFIED MUSIC OF DIFFERENT GENRES</i>			
Wed	10:00	00:30					
Thur	10:00	00:30					
Fri	10:00	00:30				State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Sat	10:00	00:30					
Sun	10:00	23:30					
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 6)				
			<i>CHRISTMAS EVE & NEW YEARS EVE</i>				

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	
Thur					
Fri				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 6)	
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
Mon	11:00	00:30	State any seasonal variations for providing dancing facilities (please read guidance note 5)	Both	
Tue	11:00	01:00			
Wed	11:00	01:00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 6)	
Thur	11:00	01:30			
Fri	11:00	01:30		CHRISTMAS EVE	
Sat	11:00	01:30		NEW YEAR'S EVE	
Sun	11:00	00:30			

G

Performance of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	17:00	23:30	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	17:00	23:30			
Wed	17:00	23:30			
Thur	17:00	00:30	State any seasonal variations for the performance of dance (please read guidance note 5)		
Fri	17:00	01:30			
Sat	17:00	01:30	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sun	17:00	00:00			

CHRISTMAS EVE
e NEW YEAR'S EVE

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish		Indoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Outdoors	<input type="checkbox"/>
Tue				Both	<input type="checkbox"/>
Wed					
Thur			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), f) or g) at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	01:00	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 6)
Tue	10:00	01:30	
Wed	10:00	01:30	
Thur	10:00	02:00	
Fri	10:00	02:00	
Sat	10:00	02:00	
Sun	10:00	02:00	

ENTERTAINMENT LICENSING

12 JUL 2016

RECEIVED

M

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

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

CCTV in place

b) The prevention of crime and disorder

CCTV IN PLACE IN ALL AREAS BOTH BACK OF HOUSE & FRONT OF HOUSE TO PREVENT CRIMINAL ACTIVITY. PLAYING AN ACTIVE ROLE IN LOCAL PUBWATCH SCHEME. ALSO CHECKING ANY BANK NOTES TO PREVENT FRAUDULENT ACTIVITY & INFORM LOCAL LICENSING OFFICER IF THIS OCCURS. BY TRAINING STAFF IN BEING AWARE OF PEOPLE WHO ARE UNDER THE INFLUENCE - PROMOTING RESPONSIBLE DRINKING & A BRAGATIVE APPROACH TO PREVENTING DISORDER.

c) Public safety

STAFF TRAINING IS ESSENTIAL. IF A GROUP IS BEING LOUD & DISRUPTIVE IT IS OUR RESPONSIBILITY TO MAKE SURE THAT THEY ARE TOLD TO CALM DOWN & ASK THEM TO FINISH THEIR DRINKS BEFORE A SITUATION GETS OUT OF HAND. BY HAVING CCTV SIGNS IN VISIBLE LOCATIONS, IT HELPS PROTECT MEMBERS OF THE PUBLIC AS UNDESIRABLES WILL THINK FIRST BEFORE ACTING OUT OF TURN.

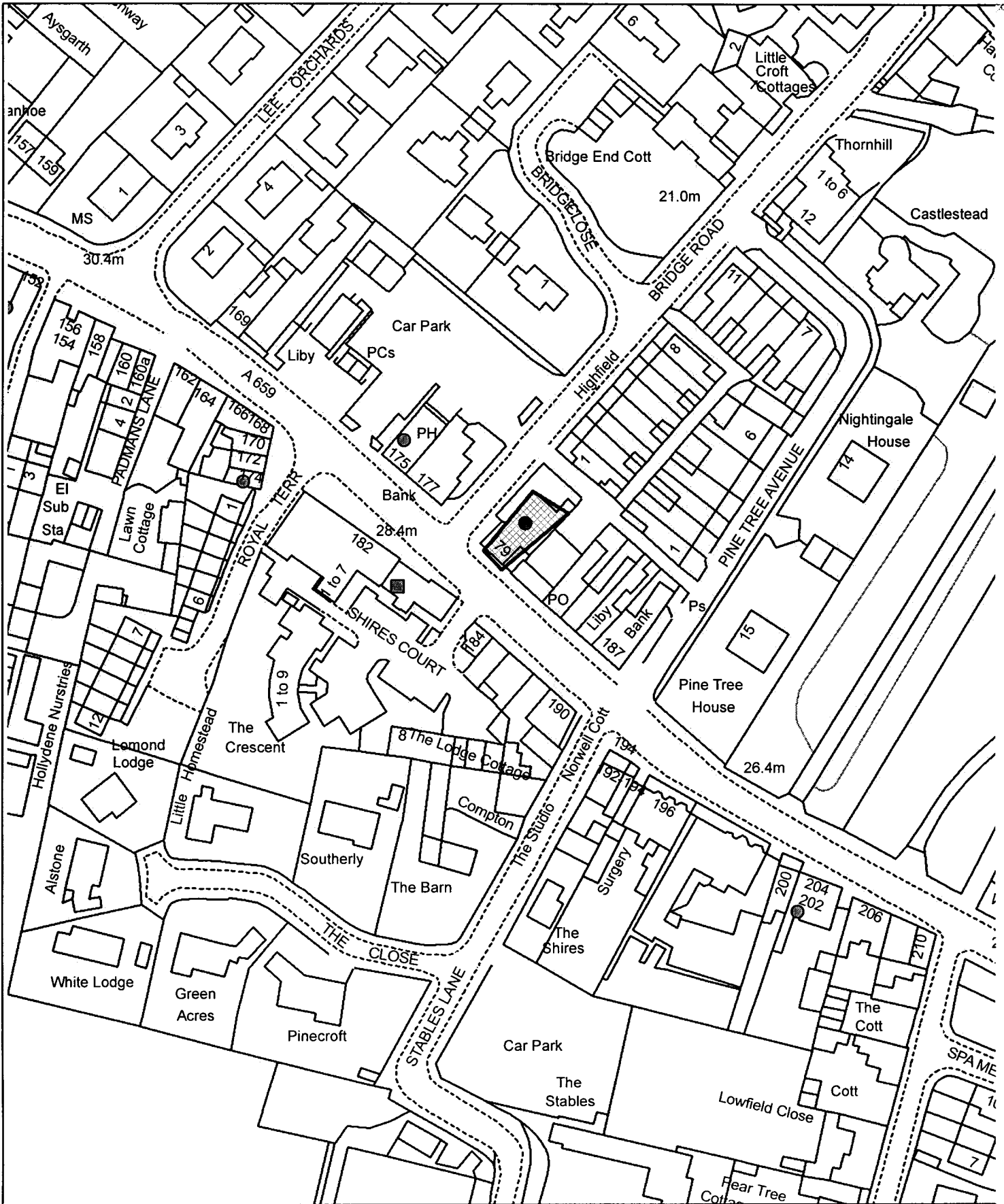
d) The prevention of public nuisance

ATTENDING REGULAR PUB WATCH MEETINGS WILL ENSURE THAT MANAGEMENT ARE WELL INFORMED OF EVENINGS WHERE PUBLIC NUISANCE CAN BECOME AN ISSUE. REGULAR MEETINGS WITH LOCAL PARISH COUNCIL ENSURES ANY ISSUES ARE LEARNT FROM & DON'T HAPPEN AGAIN.

e) The protection of children from harm

BY USING CHALLENGE 25, WE WILL ENSURE ANY UNDER AGE MEMBERS OF THE PUBLIC WILL FIND IT EXTREMELY DIFFICULT TO ACCESS ALCOHOL. ALSO, BY USING THAT MEASURE ANY MEMBER OF THE PUBLIC THAT ARE UNDER 18 ARE ASKED POLITELY TO LEAVE THE ESTABLISHMENT BEFORE 9PM.

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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

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Massey, Bridget

Jw

Prem/02214/002

From: Dobson, Lynn [REDACTED]
Sent: 23 August 2016 11:18
To: marcus emadi
Cc: Jane.Wood(GCSx); Entertainment Licensing; [REDACTED]
Subject: RE: OFFICIAL : FW: PREM/02214/002 Apres Cafe, 179 High Street, Boston Spa [NOT PROTECTIVELY MARKED]

This e-mail will suffice as agreement. I have copied in Jane.

Jane - WYP can withdraw their representation on the basis that these agreed conditions appear on the new premises licence.

Thanks

Lynn



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

From: marcus emadi [mailto:[REDACTED]]
Sent: 23 August 2016 11:14
To: Dobson, Lynn [REDACTED]
Subject: Re: OFFICIAL : FW: PREM/02214/002 Apres Cafe, 179 High Street, Boston Spa [NOT PROTECTIVELY MARKED]

Hey Lyn,

I am happy with all the below. We already have fitted the CCTV system and this covers everything you mentioned below.

What email address for WYP would you like me to send agreement to these terms and conditions to? And if I include Jane Wood from licensing would that be sufficient?

Thanks for your help again.

Kind regards,

Marcus

Sent from my iPhone

> On 23 Aug 2016, at 10:58, Dobson, Lynn [REDACTED] wrote:

>
 > Marcus,
 >
 > I have spoken to Jane and she has forwarded the e-mail from Environmental Health which clearly sets out the times you have agreed.

>
 > I understand this is going to hearing on the 20th September 2016 anyway, but I have set out some points for you to consider. If I had sent you a 'qualified objection' rather than a 'full objection' then these are the conditions I would have included. Have a look at the below and if you can agree to these measure and times I will be able to withdraw my full objection. You will have to clearly agree, in e-mail form, to WYP and the Council and any agreement should be an agreement of times and conditions.

- >
- > The hours you have agreed with EHS are as follows:
 - >
 - > Sale by retail of alcohol
 - > Monday to Sunday 10:00 - 00:00
 - >
 - > Performance of dance
 - > Monday to Sunday 10:00 - 00:30
 - >
 - > Exhibition of films
 - > Monday to Sunday 15:00 - 23:00
 - >
 - > Provision of Live music
 - > Monday to Sunday 10:00 - 00:30
 - >
 - > Recorded Music
 - > Monday to Sunday 10:00 - 00:30
 - >
 - > The opening hours of the premises
 - > Monday to Sunday 10:00 - 00:30
 - >
 - > Non-standard hours:
 - >
 - > Licensable activities to take place on Christmas eve and New Year's eve 10:00- 03:00
 - >
 - > On the basis of these reduced hours the conditions I wish you to consider are as follows:
 - >
 - > A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
 - >
 - > The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).
 - >
 - > The CCTV system will cover all external areas of the premises occupied
 - > by the public, i.e. queuing areas, beer gardens, smoking areas and car
 - > parks
 - >
 - > The CCTV system will contain the correct time and date stamp information.
 - >
 - > The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
 - >
 - > A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.
 - >
 - > The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.
 - >
 - > The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to

whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

>

> The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.

>

> The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

>

> Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.

>

> The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

>

> The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives.

>

> There will be no under 18s on the premises after 2000hrs.

>

> Lynn Dobson



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Wood, Jane

From: [REDACTED]
Sent: 03 September 2016 08:15
To: Entertainment Licensing
Cc: Mann, Gary
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Hey Jane,

I have spoken to Gary Mann about what you asked for and hope I have satisfied your request. The below is the original start times which were on my licensed application with the negotiated times with Gary Mann.

Sale of retail by alcohol
Monday to Sunday 11:00 - 00:00

Performance of Dance
Monday to Sunday 17:00- 23:30

Exhibition of films
Monday to Sunday 15:00-23:00

Provision of live music
Monday to Thursday 16:00 - 23:30
Friday & Saturday 12:00 - 00:30
Sunday 12:00-11:30

Recorded music
Monday- Saturday 11:00- 00:30
Sunday 11:00-23:30

Opening hours of premises
Monday to Sunday 10:00- 00:30

Can I confirm that you have everything off me which you need and it is all correct?

I have received the objections and are working my way through them. Would you recommend me contacting them directly about their concerns?

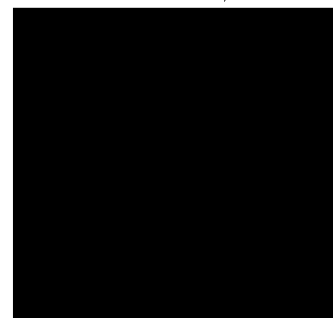
Kind regards,

Marcus

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Jw

Prem/02214/002



Entertainment Licensing Section

Leeds City Council

21th August 2016

Dear Sirs

RE Licensing act variation application – Apress Café Bar, 179 High Street Boston Spa, LS23 6AA

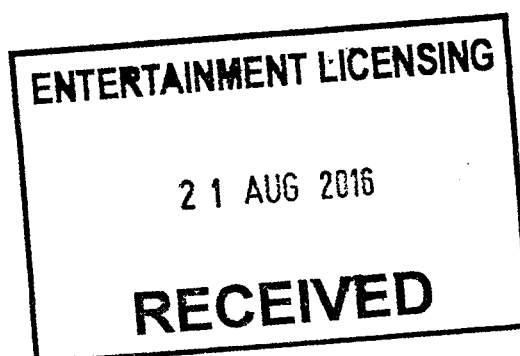
I am writing to register my opposition to the above application. The premises is within a residential area, a matter of 25 metres from my home. The premises has previously caused problems with noise, rowdy behaviour on closing and rubbish issues which residents have, over the years, tried to address directly with Mr Hanby.

To consider extending the hours would adversely affect our living environment. Neither the music times, or the licensing times would be acceptable. A recent addition to the bar scene in Boston Spa, a mere 2 doors away from this property, the Stew & Oyster closes at 10.30 on Sunday, 11pm on Monday to Thursday and 12.00 midnight on Friday and Saturday nights. This has caused noise disturbance to many residents, and there is certainly no justification in the new Sir Dukes opening an average of 2 hours later when it is actually more centrally placed in terms of residential properties and noise problems disturbing sleep and changing the quiet, village nature of Boston Spa. Additionally, as the Council knows, parking around this area is limited – residents on this street have only 1 parking place per household, and with the bar's extended opening times, people who don't live locally are likely to drive into Boston Spa and park in the surrounding streets. This too, would be unacceptable.

I hope you will take the objections of residents into account when considering this excessive proposal.

Yours faithfully,

A black rectangular redaction box covering the signature area.



Nelson, Matthew

JW

Prem 102214/002

(12)

From: [REDACTED]
Sent: 25 August 2016 19:22
To: Entertainment Licensing
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

For the attention Of Miss Jane Wood9Licensing Officer)

Dear Miss Wood,

I Still consider my objections relevant as even the newly requested licensing hours are inappropriate for a residential village and will result in noise and unreasonoable disturbance to residents.

Yours etc

[REDACTED]

From: [REDACTED]
Sent: 18 August 2016 11:16
To: Entertainment Licensing
Subject: application ref PREM 2214/002

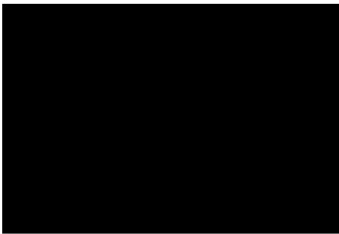
Dear Sirs,

We are writing to lodge our objection to the above mentioned application for proposed alterations to the existing license.

We directly overlook the municipal car park from whence we already suffer late night disturbance and noise and we are also in line with the entrance and large side window on Bridge Road of Apres Cafe Bar where no doubt there would be further noise and disturbance of people gathering to smoke and converse outside and eventually exit for the car park with characteristic raised voices and car door slamming ,causing further unreasonable noise and disturbance for residents until the early hours of the morning should the application be granted.

We hope that you will consider our objections sympathetically as in common with other residents that a granting of these alterations would result in further erosion of the peaceful atmosphere and character of this part of the village.

Yours etc.,



Deighton, Charlotte

JW

Prem/02214/002

11

From: [REDACTED]
Sent: 29 August 2016 16:13
To: Entertainment Licensing
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

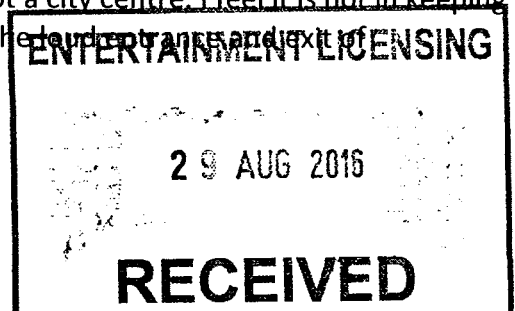
Dear Miss Wood,

I would like it known that I continue to object to the application for licensing hours at the above premises.

I think it should be noted that Boston Spa is a rural village and not a city centre. I feel it is not in keeping with the location to be allowing for external noise of music and the loudness of the music and exit of customers into the neighbourhood at the hours proposed.

Yours sincerely

[REDACTED]



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

[REDACTED]
date: 18.08.2016

Dear Sirs,
**Licensing act 2003 (Premises Licenses and Club Premises
Certificates) Regulations 2005**
**Variation application –Après Café Bar, 179 High Street, Boston Spa,
Wetherby, LS23 6AA**

I am writing with regard to the above and wish to formally note my objections in respect of the proposed variation to the existing premises licence.

The Café Bar premises are within a residential area, in the centre of the village and to extend the hours to those suggested will undoubtedly cause a nuisance in the form of disturbed sleep patterns, brought about by the associated noise late into the night/ early morning. I do not consider it acceptable that we could have the noise of live music up until 11.30pm during the week and 1.30am on a Saturday, together with the potential noise brought about by the sale of alcohol until 1.30am.

There will be additional noise of people arriving and leaving the premises throughout the evenings and the parking of cars in the neighbouring car park and surrounding streets.

I sincerely hope that you will take my strong objection to this variation proposal into account when making your decision.

Yours faithfully
[REDACTED]

(10)

JW Prem/02214/002

Nelson, Matthew

From: [REDACTED]
 Sent: 25 August 2016 21:14
 To: Entertainment Licensing
 Cc: [REDACTED]
 Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Sir /Madam,

Thank you for your email below of 23rd August.

I note that this was issued the day after the close of the period for the public to make representation in respect of the Application associated with the above. This is an important point and will be referred later to in this correspondence.

Your email refers to the '1st floor and basement area'. Are you correct in this?

Our understanding was that the Application was in respect of the Apres Café Bar which as far as we know is located on the ground floor of 179 High Street.

This is an important distinction because if the 1st Floor is going to be used for the activities specified within your email, then this would (presumably?) mean that access would be gained from the entrance located on Bridge Road, thus bringing the possibility of disturbance to the residents closer to their homes. Can you please clarify?

During my conversation yesterday afternoon with a member of staff in the Entertainment Licensing section, I was given to understand that the amended hours now specified within your email were 'finally agreed' with Environmental Protection on Monday 22nd August.....the last date that the public could make representation in respect of the notice advertised at the premises. I was also told that as the period for objection had expired and (it was suggested) the amendment to the application actually reduced the hours indicated on the original notice then I could not raise further representation.

I am unable to accept that this is correct or indeed equitable, particularly insofar as people who have not perhaps raised a representation to the original Application, and I would invite you to compare the details of the hours on the advertised notice with those now set out in your email of 23rd August.

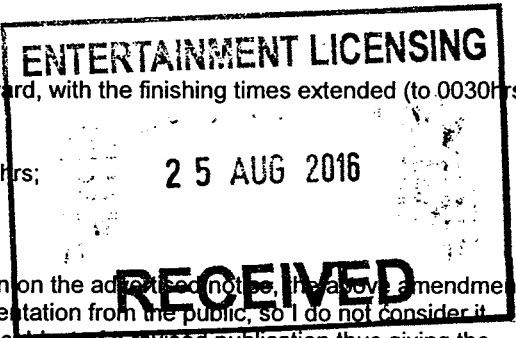
I will not repeat all the different categories and hours here, but would draw your attention to the fact that:-

Performance of Dance was not mentioned at all on the advertised notice;

Provision of Live Music – the start times have been substantially brought forward, with the finishing times extended (to 0030hrs) on an additional 5 nights;

Recorded Music – the finishing time on a Sunday has been extended to 0030hrs;

Non Standard Hours – this was not indicated on the advertised notice.



Whilst there has been some concession in terms of the some activities shown on the advertised notice, the above amendments are to the detriment of those that were originally capable of objection / representation from the public, so I do not consider it acceptable that these amendments, issued after the closing date, are not the subject of a revised publication thus giving the opportunity for representation.

Can you please set out the reasons for not publishing a revised notice, and preventing representations in what would be a 28 day following period?

I see that there is reference to the Applicant's agreement to 'certain conditions' under the 'prevention of Crime and Disorder'. Can you please clarify precisely what this means and what are the 'conditions'? Our knowledge of this could alleviate some of the concerns regarding the impact on the local community.

I further note the reference now to the Opening Hours of the Premises, being to 30 minutes past midnight every night. I understand that the Apres Café Bar closed at 11.00pm, and the other (current) two similar premises in the village close at varying times but at the latest at 12 midnight on just 3 nights in the week.

Bearing in mind the situation with one of the other premises in the village (which I accept is not the subject of this correspondence) can you please indicate if there is any proposal by the Applicant to use the outside space adjacent to the Café Bar for licensed activities?

Notwithstanding the fact that I believe that a revised notice should be published and the public be given the opportunity to follow the due process, I confirm that the principles associated with my objection set out within my letter of 16th August still apply.

Thank you and I look forward to hearing from you shortly in respect of the above and particularly regarding the specific questions.



JW



10

Prem/02214602

16th August 2016

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

By Post and Email

Dear Sirs,

**Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations
2005
Variation Application – Après Café Bar, 179 High Street, Boston Spa, Wetherby, LS23
6AA**

We are writing with regard to the above and we wish to formally note our representations and objections in respect of the proposed variation to the existing premises licence.

The Café Bar premises are within a residential area, in the centre of the village and to extend the hours to those suggested will undoubtedly cause nuisance in the form of disturbed sleep patterns, brought about by the associated noise late into the night / early morning.

There will be the noise of people leaving the premises together with the additional traffic in the middle of the night, with cars etc leaving the car park adjacent to the library, and the surrounding roads.

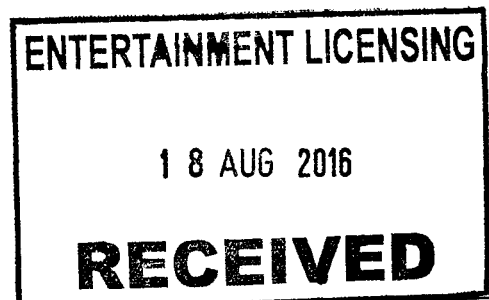
We do not consider it acceptable that we could have the noise of live music up until 11.30 pm during the week and 1.30 am at weekends, together with the potential additional noise brought about by extended hours to 1.30 am for the sale of alcohol.

We already suffer with anti social behaviour / noise in the area of the car park adjacent to the library and extending the hours as suggested will only exacerbate an already difficult situation in the area.

We sincerely hope that you will take our strong objection to this variation proposal into account when making the decision.

Thank you.

Yours faithfully,



Also by email to entertainment.licensing@leeds.gov.uk

Deighton, Charlotte

JW

Prem/02214/002

(9)

From: [REDACTED]
Sent: 29 August 2016 13:51
To: Entertainment Licensing
Cc: [REDACTED]
Subject: RE: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Sir /Madam,

On returning from holiday we note there have been amendments to the licensing application.

I refer to your email below of 23rd August. I also refer to my neighbour [REDACTED] email of the 25 Aug which I would support.

On the specifics of the licensing hours we feel that extending opening hours to 12:30 on every night of the week would change the nature of our residential area. These changes are likely to result in a noise nuisance in the car park and surrounding area on any day of the week until 01:30. The proposal seems aimed at changing a cafe/bar into a nightclub/disco development.

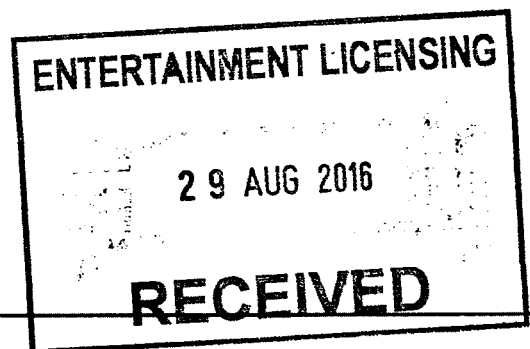
To maintain the nature of the area we would suggest that the closing hours should be in keeping with similar premises in the village which close at varying times but at the latest at 12 midnight on just 3 nights in the week.

We would object to a 03:00 standard extension on Christmas eve and New Years eve. Exceptional extended opening hours should be applied for as and when required. This would allow acceptable hours to be reviewed dependent on the nuisance experienced.

This email does not replace our earlier objection but simply responds to the changes in the proposed licence.

Yours sincerely

[REDACTED]



Date: Thu, 25 Aug 2016 21:14:13 +0100
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA
From: [REDACTED]
To: Entertainment.Licen@leeds.gov.uk
CC: [REDACTED]

Dear Sir /Madam,

Thank you for your email below of 23rd August.

I note that this was issued the day after the close of the period for the public to make representation in respect of the Application associated with the above. This is an important point and will be referred later to in this correspondence.

Your email refers to the '1st floor and basement area'.

Are you correct in this?

Our understanding was that the Application was in respect of the Apres Café Bar which as far as we know is located on the ground floor of 179 High Street.

This is an important distinction because if the 1st Floor is going to be used for the activities specified within your email, then this would (presumably?) mean that access would be gained from the entrance located on Bridge Road, thus bringing the possibility of disturbance to the residents closer to their homes. Can you please clarify?

During my conversation yesterday afternoon with a member of staff in the Entertainment Licensing section, I was given to understand that the amended hours now specified within your email were 'finally agreed' with Environmental Protection on Monday 22nd August.....the last date that the public could make representation in respect of the notice advertised at the premises.

I was also told that as the period for objection had expired and (it was suggested) the amendment to the application actually reduced the hours indicated on the original notice then I could not raise further representation.

I am unable to accept that this is correct or indeed equitable, particularly insofar as people who have not perhaps raised a representation to the original Application, and I would invite you to compare the details of the hours on the advertised notice with those now set out in your email of 23rd August.

I will not repeat all the different categories and hours here, but would draw your attention to the fact that:-

Performance of Dance was not mentioned at all on the advertised notice;

Provision of Live Music – the start times have been substantially brought forward, with the finishing times extended (to 0030hrs) on an additional 5 nights;

Recorded Music – the finishing time on a Sunday has been extended to 0030hrs;

Non Standard Hours – this was not indicated on the advertised notice.

Whilst there has been some concession in terms of the some activities shown on the advertised notice, the above amendments are to the detriment of those that were originally capable of objection / representation from the public, so I do not consider it acceptable that these amendments, issued after the closing date, are not the subject of a revised publication thus giving the opportunity for representation. Can you please set out the reasons for not publishing a revised notice, and preventing representations in what would be a 28 day following period?

I see that there is reference to the Applicant's agreement to 'certain conditions' under the 'prevention of Crime and Disorder'.

Can you please clarify precisely what this means and what are the 'conditions'? Our knowledge of this could alleviate some of the concerns regarding the impact on the local community.

I further note the reference now to the Opening Hours of the Premises, being to 30 minutes past midnight every night.

I understand that the Apres Café Bar closed at 11.00pm, and the other (current) two similar premises in the village close at varying times but at the latest at 12 midnight on just 3 nights in the week.

Bearing in mind the situation with one of the other premises in the village (which I accept is not the subject of this correspondence) can you please indicate if there is any proposal by the Applicant to use the outside space adjacent to the Café Bar for licensed activities?

Notwithstanding the fact that I believe that a revised notice should be published and the public be given the opportunity to follow the due process, I confirm that the principles associated with my objection set out within my letter of 16th August still apply.

Thank you and I look forward to hearing from you shortly in respect of the above and particularly regarding the specific questions.



JW

Prem/02214/002

9

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

ENTERTAINMENT LICENSING

19 AUG 2016

RECEIVED

17th August 2016

By Post and Email

Dear Sirs,

Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005

Variation Application – Après Café Bar, 179 High Street, Boston Spa, Wetherby, LS23 6AA

We are writing with regard to the above and that you note our objections in respect of the proposed variation to the existing premises licence.

Our home backs directly on to the car park and we are already disturbed at night by noise from loud talking and car engines and doors slamming. The Après Bar premises are within a residential area and ourselves and neighbours especially those with young children will find an extension of noise into the early hours difficult. To extend the hours to those suggested will undoubtedly increase the nuisance in the form of disturbed sleep patterns, brought about by the associated noise late into the night / early morning.

The variation of the license to allow live music up until 11.30 pm during the week and 1.30 am at weekends, together with the extended hours for the sale of alcohol will only exacerbate an already busy social night time use of this area. On current experience disturbing noise continues approximately an hour after premises close. Disturbance extending to around 02:30 in the morning may therefore be expected and this is distressing to residents living in the area. To allow extended opening hours as a regular occurrence would be unfair to the balanced use of this part of the village.

We are also concerned that this variation will set a precedent for future decisions in the local area.

We sincerely hope that you will take our objection to this variation proposal into account when making the decision.

Thank you.

Yours faithfully,

Also by email to entertainment.licensing@leeds.gov.uk

White, Emma

Jw

Prem/02214/002

⑧

From: [REDACTED]
Sent: 24 August 2016 17:23
To: Entertainment Licensing
Cc: [REDACTED]
Subject: Re: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Jane,

Many thanks for getting back to us. Unfortunately we still do not consider these amended opening times to be acceptable, so we therefore still wish to object to the application. We simply do not want a venue with such late opening hours directly next to our home. The closing times we suggested (11:30pm Sunday-Thursdays and 1:00am Friday-Saturday) are the very latest that we would accept.

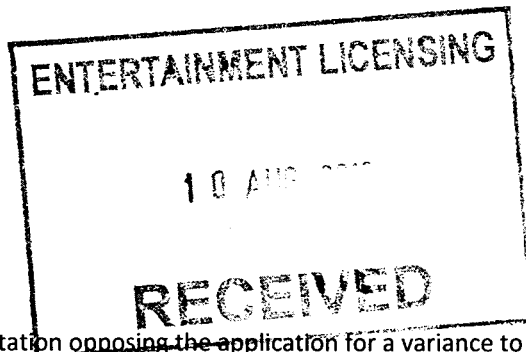
Kind regards,

[REDACTED]

Jw Prem/02214/002

(8)

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



3rd August 2016

To whom it may concern,

We wish to make a written representation opposing the application for a variance to the Premises License applied for by Après Café Bar, Boston Spa, LS23 6AA.

We believe that the proposed changes to the licensing would be a public nuisance. We are residents of the Shires Court Development situated directly opposite to Après Bar, and we are very concerned that the lateness of the Licensing hours applied for would unacceptably affect us and others nearby. There are several properties within our building with bedrooms that directly overlook the bar, and we are certain that the late licensing times would grossly affect us if approved.

It must be recognised that, whilst Après bar is located at what is considered the focal point of the high street, it is still within a residential area. There are already occasional late-night disturbances caused by the Stew and Oyster bar and Après bar (before closure for refurbishment); however we believe that as these premises close at latest by midnight they are better suited for a residential area. I do not feel that in this application the residents have been considered; it certainly seems more like the hours for a venue in the middle of a town rather than one in the centre of a village. I would therefore urge you to restrict the license applied for by considering the impact such a late opening venue would have on the people living nearby.

I therefore request that the various licenses applied for; the Sale by Retail of Alcohol, Films, Live Music and Recorded Music all be restricted to no later than 11.30pm Sunday-Thursday and 1:00am Friday-Saturday. We believe this to be an acceptable compromise; as the bar may operate largely as that applied for during the weekend, but the residents would be less affected during the working week.

Please understand that, as a whole, we are strongly in favour of the regeneration of Boston Spa. The opening of shops and cafes is obviously welcome and is giving the village a new vibrancy. However we do feel that the opening of a venue which could operate well into the night during work nights is inappropriate considering the large number of people living nearby.

May we also request that, unless it is necessary, our anonymity regarding this matter be kept, and all of the following in this letter be omitted if given to the applicant. As this is a small village we are acquainted with the one of the people who applied for this license. We would not wish to create an uncomfortable situation unless further action regarding this representation is required.

Please feel free to contact us regarding this matter on [REDACTED]

Yours faithfully,

[REDACTED]

White, Emma

JW

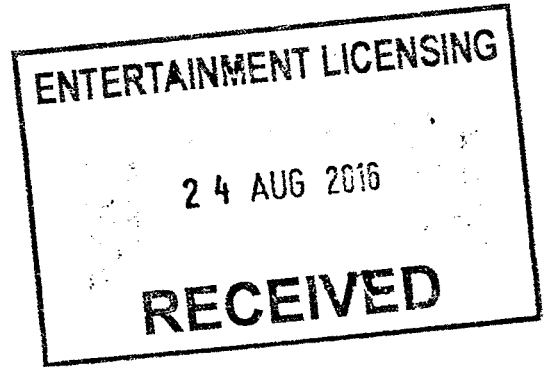
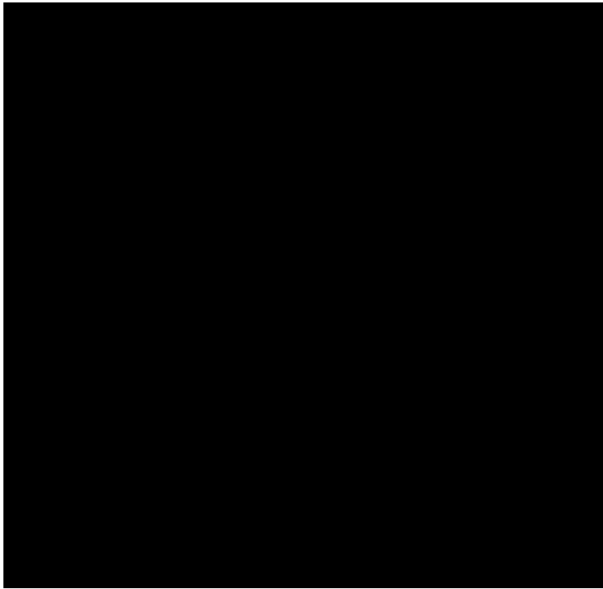
Prem/02214/002 (6)

From: [REDACTED]
Sent: 24 August 2016 17:24
To: Entertainment Licensing
Subject: Apres Cafe Bar, 179 High Street, Boston Spa, LS23 6AA

Dear Miss Wood,

I confirm my continued objection to the above application.

Regards



Wood, Jane

From: planning.comments@leeds.gov.uk
Sent: 05 August 2016 12:51
To: Wood, Jane
Subject: Comments for Licensing Application PREM/02214/002

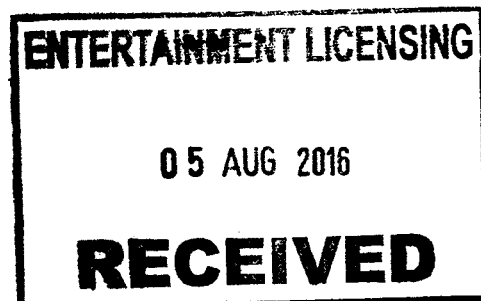
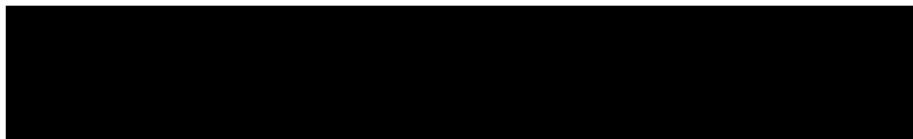
Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:54 PM on 05 Aug 2016 from [REDACTED]

Application Summary

Address: 179 High Street Boston Spa Wetherby LS23 6AA
Proposal: Premises Licence - Full Variation
Case Officer: Miss Jane Wood
[Click for further information](#)

Customer Details



Comments Details

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

Reasons for comment:

Comments: 12:54 PM on 05 Aug 2016 I occupy a flat virtually overlooking the Apres bar. Since the opening of Stew & Oyster bar in Boston Spa the amount of street noise both verbal and vehicle has grown considerably and this bar has a licence to midnight. Given that the Apres want a 1.30am licence this will only increase alcohol intake producing unacceptable levels of noise and no doubt disruption in the early hours of the morning and is therefore likely to have an adverse effect on the following objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance

I therefore object to this application on these grounds.

Prem/02214/002

(S) JAW

Wood, Jane

From: [REDACTED]
Sent: 03 August 2016 09:38
To: Entertainment Licensing
Subject: APRES CAFE BAR , 179 HIGH STREET, BOSTON SPA

Dear Sir, Madam

I have just noticed that a licence application has been made for the property named above.

I have no objections to the principal of the licence, but I do object to the times that have been requested.

I object on the grounds of occupants causing a public nuisance standing outside to smoke and when leaving the property.

I live directly opposite the venue (on Shires Court) but also have a retail property opposite the venue on the High Street.

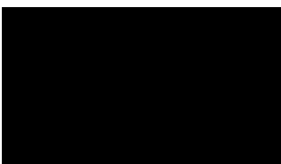
When the venue was open as 'APRES BAR' myself and my family were frequently disturbed by the noise from the bar in the early hours of the morning and therefore feel that any 'Extended Hours' would cause us unnecessary nuisance and indeed downgrade the area in which we live and run our business.

One shop opposite the venue has recently been damaged by drunken behaviour and I feel we need to prevent this occurring again both to the shops and indeed my property and my land.

I would therefore request the the licence is only granted in line with other venues on the high street with a 'stop selling' time of midnight, with drinking up time to follow.

I trust that this objection will be considered.

Many thanks



Sent from my iPhone

Sent from my iPhone



Prem/02214/002

(4) JWA

Wood, Jane

From: [REDACTED]
Sent: 03 August 2016 09:26
To: Entertainment Licensing
Cc: [REDACTED]
Subject: PREVENTION OF PUBLIC NUISANCE - LICENSING APPLICATION PREM/02214/002

On behalf of a local resident I wish to object to this application but if the terminal hour is reduced to midnight I would withdraw this objection.

There are numerous residential properties in very close proximity to these premises and the hours applied for would cause serious disturbance to local residents.

Regards.



JW

Prem/02214/002

(3)

Interested Party Representation (Form IPR1)



Section 1 - Licence application details

Please indicate as appropriate :

- I wish to object to the following application:
- I wish to support the following application:

Applicant name (if known): PREM/02214/002

Applicant premises name and address: 179 HIGH STREET BOSTON SPA LS23 6AA
APPES CAFE BAR

Section 2 - Your personal details

NB : If you are acting as a representative, please go to Section 3.

Title

Surname

First name(s)

Address (incl postcode):

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

Section 3 - Representative details

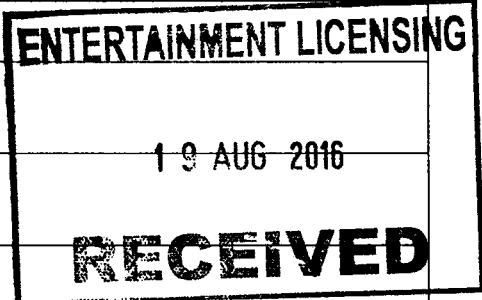
If you are representing someone else please complete details below

Name of Representative/
Organisation

Full postal address
(incl postcode)

Please indicate capacity :

- Representative of Residents Association
- Parish Council
- Trade Association
- Ward Councillor
- MP
- Other (please specify) _____



Section 4 – Representation grounds

The representation is relevant to one or more of the following licensing objectives:

Please tick relevant box(es)

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

Please select :

- I object to the application being granted at all
- I object to the application being granted in its current form*

*If you choose this option remember to tell us in the next section what changes you would prefer to see.

The grounds of the representation is based on the following:

PREVENTION OF PUBLIC NUISANCE -

THE SUGGESTED LATE OPENING HOURS WILL LEAD TO NOISE DISTURBANCE IN WHAT IS A 'RESIDENTIAL' AREA. LATE NIGHT OPENING IS NOT A 'VILLAGE' NECESSITY. NOISE CAN BE HEARD ALL THE WAY DOWN THE HIGH ST.

PUBLIC SAFETY -

PEOPLE AT NIGHT ON A BLIND CORNER (PEOPLE WILL HANG ABOUT OUTSIDE) - COULD CAUSE AN ACCIDENT.

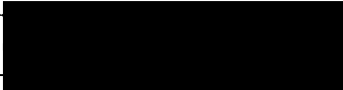
I AM DELIGHTED TO HAVE A RESTAURANT SERVING THE COMMUNITY BUT OBJECT TO THE 'LATE HOURS' ASPECT OF THEIR APPLICATION.

You need to complete this box as fully as possible. If you do not the Licensing Authority may not be able to assess the relevance of your representation.

Please attach supporting documents/further pages as necessary - please number all additional pages.

Try to be as specific as possible and give examples, e.g. on 1 February I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises open until 2am this will cause a nuisance to me and other residents of the street.

Signed:



Date: 16/8/16

Issued premises licences and club certificates within an area



Leeds
CITY COUNCIL

PREM/00995/006 - Fifty 50, 146A High Street, Boston Spa, Wetherby, LS23 6BW

Sale by retail of alcohol	
Thursday to Saturday	08:00 - 00:00
Sunday to Wednesday	08:00 - 23:00
Performance of recorded music	
Thursday to Saturday	08:00 - 00:00
Sunday to Wednesday	08:00 - 23:00

PREM/03593/001 - La Casita, 174 High Street, Boston Spa, Wetherby, LS23 6BW

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

PREM/03489/001 - Boston Spa Stew & Oyster, 175 High Street, Boston Spa, Wetherby, LS23 6BH

Sale by retail of alcohol	
Monday to Saturday	10:00 - 00:00
Sunday	10:00 - 22:30
Provision of late night refreshment	
Monday to Saturday	23:00 - 00:00
Performance of a play	
Monday to Saturday	10:00 - 00:00
Sunday	10:00 - 22:30
Exhibition of a film	
Monday to Saturday	10:00 - 00:00
Sunday	10:00 - 22:30

PREM/02110 - Happy Chef, 138 High Street, Boston Spa, Wetherby, Leeds, LS23 6BW

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

PREM/03095/001 - The Spice Box Limited, 152 High Street, Boston Spa, Wetherby, LS23 6BW

Sale by retail of alcohol	
Every Day	12:00 - 23:00
Performance of recorded music	
Every Day	10:00 - 23:00

PREM/01353 - Costcutter Stores, 182 High Street, Boston Spa, Wetherby, Leeds, LS23 6BT

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

PREM/00343 - Londis, 150 High Street, Boston Spa, Wetherby, Leeds, LS23 6BW

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

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Report author: Miss Jane Wood
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 20th September 2016

Subject: Application to vary a premises licence held by Mews 16 Bank Street, Wetherby, Leeds, LS22 6NQ

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

Summary of main issues

This is an application to vary a premises licence, made by Market Town Taverns Limited, for Mews 16 Bank Street, Wetherby, Leeds, LS22 6NQ

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

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

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 An application was first received on 10th June 2005 to convert and vary the existing Magistrates licence. Representations were received from both Responsible Authorities and Members of the Public. Agreements were reached between Leeds City Council Environmental Protection Team and Health and Safety Team. However a hearing was scheduled for 2nd August 2005 due to representations from members of the public.

At the hearing the Committee took into account submissions from the Applicant and from the Officer Report and decided to Grant the Variation application as requested.

A number of applications have been received since this licence was Granted in order to vary the Designated Premise Supervisor at the Premise. All applications received were subject to consultation with West Yorkshire Police and all were duly granted.

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

3 The application

- 3.1 The applicant is Market Town Taverns Limited
- 3.2 Briefly the application is to:
 - Add an additional hour onto the hours for sale of alcohol with a terminal hour being midnight throughout the week.
 - Remove and amend conditions attached to the operating schedule
 - Make structural alterations
 - To permit the opening of the premises from 09:00 daily.

4 The operating schedule

- 4.1 The applicant considers that the existing measures and those to be amended and offered on the application are sufficient to promote the licensing objectives and no further measures are necessary.
- 4.2 A copy of the application can be found at **Appendix B**

5 Location

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

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 Environmental Protection Team in their capacity as a responsible authority. A copy of the representation may be found at **Appendix D**. This remains a matter for Members consideration.
- 6.3 It is brought to Members attention that though representation has not been received with regards to this application from Health & Safety liaison has occurred and it has been agreed that certain conditions shall remain under the Public Safety objective. Members may refer to **Appendix A** , specifically conditions 17 and 18. Agreement attached at **Appendix E**

Other representations

- 6.4 The application has attracted representations from members of the public (described as 'other persons' in the legislation).
- 6.5 Entertainment Licensing is in receipt of two letters of objection. Concerns have been raised with regards to the potential nuisance that may occur should this application was granted.
- 6.6 In order to protect personal data, redacted copies of the representations are attached at **Appendix F**. Unredacted copies will be available at the hearing for Members consideration.

7 Licensing hours

- 7.1 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.
- 7.2 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.

7.3 A list of premises in the local area and their licensed hours and activities is provided at **Appendix G**

8 Equality and diversity implications

10.1 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.

9 Options available to Members

9.1 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.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

9.2 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.

10 Background papers

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

Details of premises licence

For: Mews



This document provides details of the premises licence issued to the stated premises and is not a licence itself.

Licence number: PREM/00217/004

Premises the licence relates to: Mews, 16 Bank Street, Wetherby, Leeds, LS22 6NQ

Date licence first effective: 23rd August 2005

Date current version effective from: 8th July 2016

Licensable activities authorised by the licence:

Sale by retail of alcohol
Every Day 10:00 - 23:00

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

Performance of live music
Every Day 10:00 - 23:00

Performance of recorded music
Every Day 10:00 - 23:00

Opening hours of the premises:

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

Premises licence holder(s):

Market Town Taverns Limited, 4a Mercury Court, Manse Lane, Knaresborough, HG5 8LF

Designated premises supervisor:

Mr Andrew Hayden Levine

Access to the premises by children

Access to the premises by children is restricted

Annex 1 – Mandatory Conditions

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

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- a. games or other activities which require or encourage, or are designed to require or encourage individuals to -
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee other public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 6. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

- a. a holographic mark, or
- b. an ultraviolet feature.

7. The responsible person must ensure that -

- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml;
- b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and
- c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Annex 2 – Conditions consistent with the operating schedule

Additional details in respect of licensable activities authorised by this licence

Provision of late night refreshment

Location of activity:	Indoors
Further details:	Hot drinks may be served to customers during the wind down period after the end of sale of alcohol. Also hot meals/hot drinks may be served to diners whose meal is not complete by 23:00.

Performance of live music

Location of activity:	Indoors
Further details:	Occasional live (unamplified) music and singing.

Performance of recorded music

Location of activity:	Indoors
Further details:	Any recorded music which will be played on the premises will be incidental or background music only.

All activities

Non standard timings:	10:00 New Years Eve - 03:00 New Years Day
	10:00 - 00:00 on Friday, Saturday, Sunday and Monday of Bank Holidays weekends and Christmas Day and Boxing Day.
	For customers partaking in table meals the finish time to be extended by up to one hour. Half an hour on Sundays.

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

9. Membership and compliance with the agreed protocols of the local pubwatch scheme.
10. Adopt an appropriate proof of age scheme in accordance with guidance issued by West Yorkshire Police.
11. The Police to be consulted in advance of any unusual or non standard event is planned

Public safety

12. 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.
13. 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.
14. 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.
15. Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
16. 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.
17. 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.
18. 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.
19. All floor surfaces will be suitably slip resistant, kept in good condition and free of obstructions to prevent slips, trips and falls.
20. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
21. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scalds or burns to them.
22. A suitably trained first aider or appointed person will be provided at all times when the premises are open.
23. Adequate and appropriate first aid equipment and materials will be available on the premises.
24. 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.
25. 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.
26. No strobes, lasers, smoke machines or any other special effects will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

The prevention of public nuisance

27. Ensure that no nuisance is caused by noise and vibration emanating from the premises.
28. Noise shall be inaudible at the nearest noise sensitive premises after 23:00 hours and when entertainment takes place on a regular basis.

29. Ensure that all licensable activities are conducted and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
30. No bottles shall be placed in the external receptacle after 23:00 hours to minimise noise disturbance to adjoining properties.
31. Ensure the rating level of noise from plant and machinery is no higher than 5dB below the lowest background level at the most affected noise sensitive premises during the operation of the plant. Plant and machinery shall be regularly serviced and maintained to continue to meet the rating level.
32. There shall be no external loudspeakers.
33. Patrons shall not be allowed to use the beer garden, or any external area after 23:00 hours.
34. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti social behaviour. The activity of persons leaving the premises shall be monitored and they shall be reminded to leave quietly where necessary.
35. A facility shall be provided for customers to order taxis and telephone numbers for taxi firms shall be displayed in a prominent location. Where possible there should be liaison with a local taxi firm to ensure a ready supply of transport and thereby reduce disturbance. To prevent disturbance a waiting area within the premises shall be provided.
36. Ensure that lighting provided for the purpose of customer and staff safety, for the security of the premises, and lighting associated with activities of entertainment and advertising is of such an intensity, suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining properties.
37. Ensure the premises are operated so as to prevent the omission of unwanted odours.

Protection of children from harm

38. Children under 14 accompanied by an adult will be permitted on the premises until 20:00 each day.

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

None

Part 3 – Variation

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

If not do you want the variation to take effect from Day Month Year

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

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see Guidance Note 1) yes no

Please describe briefly the nature of the proposed variation (please read guidance note 2)

Application is made to vary the Premises Licence so as to amend the layout and hours of operation. Additionally a review of the conditions endorsed upon the Licence has been undertaken and application is made to amend or delete those which are no longer appropriate.

Application is therefore made as follows:-

1. Layout

As per drawing 1998/002A attached the premises has had the benefit of a substantial refurbishment and the plans reflect the layout. The premises is principally dining orientated and has limited fixed seating so as to maximise the potential facility for dining combinations and covers and internally is of a very clean and simple composition.

Externally the forecourt has been upgraded with the provision of tables and chairs. This Licence is sought so as to facilitate waitress dining but is restricted to retail sale of alcohol and late night refreshment only.

2. Hours

Currently retail sale of alcohol ceases at 23:00 hours daily and a limited extension of 1 hour is sought providing retail sale of alcohol until 12 midnight throughout the week. This will match the current provision in respect of late night refreshment, live music is not sought to be enhanced.

Recorded music is sought to be extended until 12 midnight.

Opening Hours. It is noted that the premises is already permitted to open until 00:30 Monday to Saturday, an extension of 30 minutes is therefore sought in respect of Sunday providing opening until 00:30 hours. The premises seeks to open from 09:00 so as to facilitate sales of coffees, teas, breakfasts etc., in the morning.

3. Conditions

As a result of the variation a review of the conditions endorsed upon the Licence has been undertaken. It is proposed that the following deletions or amendments be undertaken.

Condition 15 – To be amended so as to read:

“Empty bottles and glasses will be collected regularly.”

The premises has no balcony areas.

Condition 16, 17, 18 and 19 – To be deleted - it is understood that these conditions are no longer sought to be endorsed upon Premises Licence issued by Leeds City Council. Should this not be the case then these conditions may remain.

Condition 25 and 26. To be deleted. It is understood that the premises does not provide entertainment of this nature and these are conditions relating back to the Public Entertainment Licence.

Condition 33. To be amended so as to read:

“Patrons shall not be allowed to use beer garden or any external area after 00:00 hours.”

Condition 34. To be amended so as to read:

“Clear and visible notices should be displayed at all exits requested and the public to respect the needs of local residents and to leave the premises and area quietly.”

Condition 35. It is proposed that this condition should be amended to:

“Telephone numbers for local taxi firms shall be displayed in a prominent location.”

Condition 38. In view of the increased level of food service and potential attraction to families for dining purposes it is proposed that Condition 38 should be amended to:

"Children under the age of 16 shall not be permitted onto the premises after 21:00 hours unless dining or attending a pre-booked function."

The proposed changes have been considered in conjunction with the revised operation of the premises and it is considered that they will not pose adverse risk in connection with the four licensing objectives.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 3)	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:00	Please give further details here (please read guidance note 4)		
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	10:00	23:00			
Fri	10:00	23:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	23:00			
Sun	10:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 3)	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	00:00	Please give further details here (please read guidance note 4)		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur	10:00	00:00			
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	00:00			
Sun	10:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors		
Day	Start	Finish		Outdoors		
Mon	23:00	00:00	Please give further details here (please read guidance note 4) To include new external area.	Both	✓	
Tue	23:00	00:00				
Wed	23:00	00:00		State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	00:00				
Fri	23:00	00:00				
Sat	23:00	00:00		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sun	23:00	00:00				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box: Y) (please read guidance note 8)	On the premises		
Day	Start	Finish		Off the premises		
Mon	10:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5) To include new external areas.	Both	✓	
Tue	10:00	00:00				
Wed	10:00	00:00		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	10:00	00:00				
Fri	10:00	00:00				
Sat	10:00	00:00		No application is made to alter non standard timings.		
Sun	10:00	00:00				

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	
Fri	09:00	00:30	
Sat	09:00	00:30	
Sun	09:00	00:30	
Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			

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

Conditions 16, 17, 18, 19, 25 and 26

Please tick ✓ yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

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

The original Premises Licence is with the Licensing Authority in support of an application to vary the Designated Premises Licence at these premises.

M

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

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

A risk assessment has been undertaken with regard to the internal changes. These are considered to be non controversial, confirming the premises as a food led establishment and confirm the premises as one with a significant food offer.

The external areas have been reviewed, these have operated for a considerable period of time and have no attracted complaints and it is therefore proposed that their inclusion within the licensed area is a benefit and the slight extension to the period of use should not cause noise nuisance to arise.

A review of the conditions endorsed upon the Licence has been undertaken with a view to simplifying the Licence and ensuring enforceability and appropriateness of those conditions which are to be complied with.

The above is provided by way of explanation and is not intended to be converted into conditions.

b) The prevention of crime and disorder

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

c) Public safety

Revised conditions are proposed are as follows:

1. Empty bottles and glasses will be collected regularly

d) The prevention of public nuisance

Revised conditions are proposed as follows:

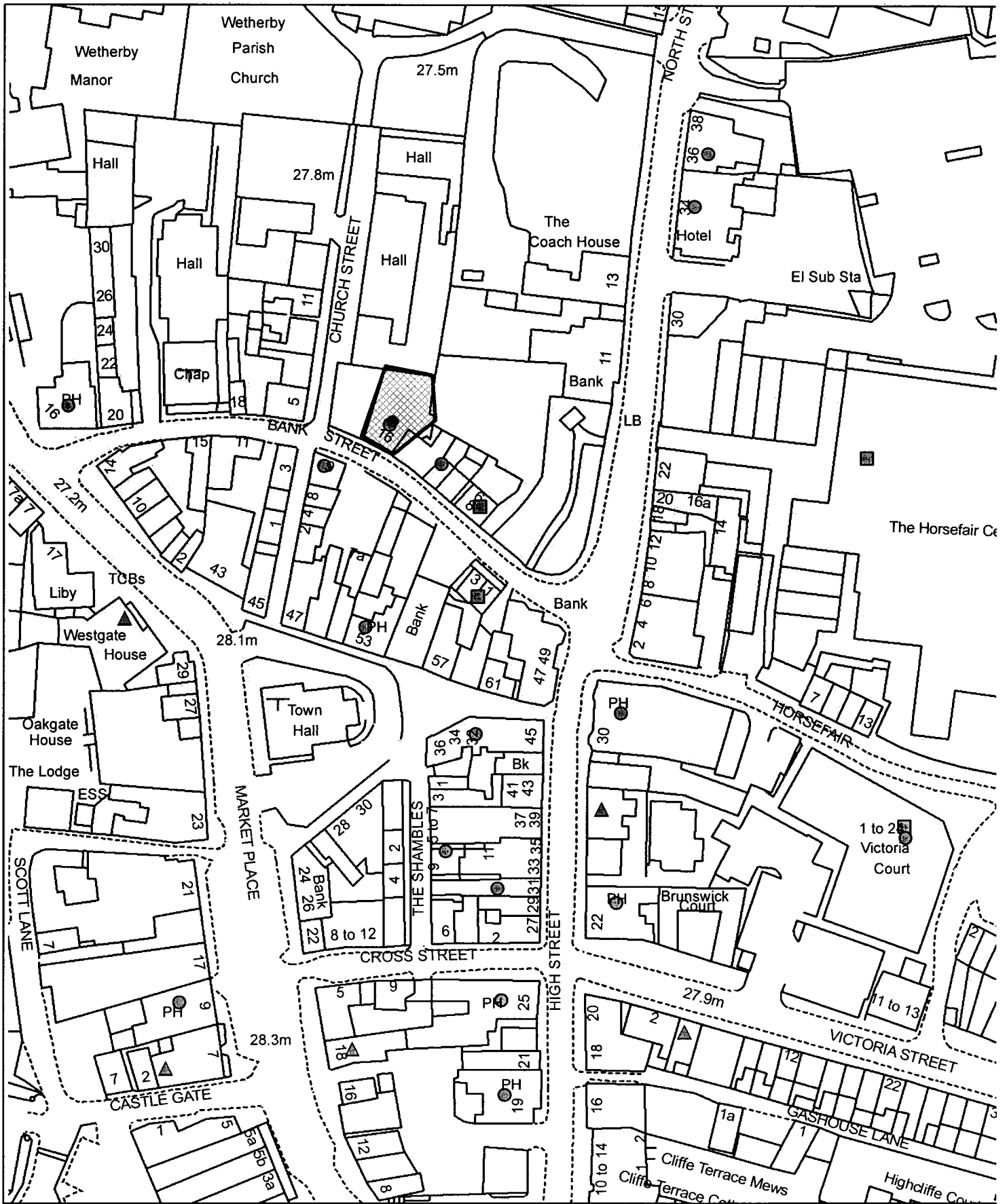
1. Patrons shall not be allowed to use beer garden or any external area after 00:00 hours.
2. Clear and visible notices should be displayed at all exits requested and the public to respect the needs of local residents and to leave the premises and area quietly.

e) The protection of children from harm

It is proposed that the condition in respect of children be amended to:

Children under the age of 16 shall not be permitted onto the premises after 21:00 hours unless dining or attending a pre-booked function.

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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

Key

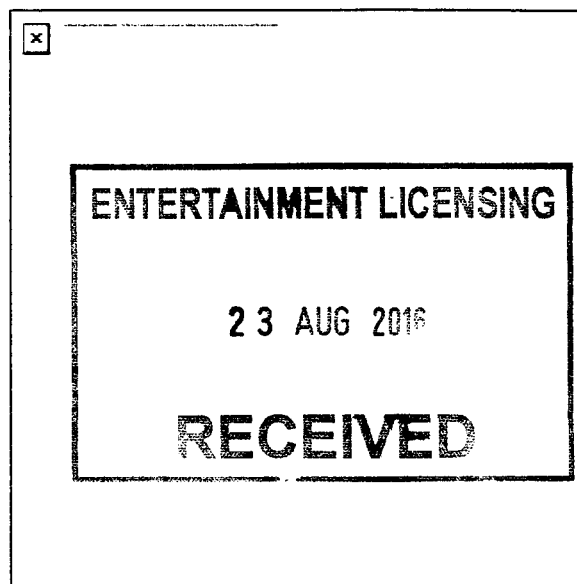


On licence



Late night

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John Gaunt & Partners
 Omega Court
 372 Cemetery Road
 Sheffield
 S11 8FT

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

Contact: Mr. Mudhar
 Tel: 0113 3786591

Our reference: PREM/00217/005
 Date: 23 August 2016

Dear Ms. Hazelwood

Licensing Act 2003

Name and Address of Premises: Mews 16 Bank Street, Wetherby, Leeds, LS22 6NQ

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 that includes information specifically associated with the premises and the area .

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

operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours sincerely



Gurdip Mudhar
Environmental Health Officer

PART 1

To be completed by the Responsible Authority

**Leeds City Council's Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003
Name and Address of Premises: 16 Bank Street, Wetherby, Leeds, LS22 6NQ**

The application premises comprises an end of terrace 2 storey commercial property which is located at the junction of Bank street and Church Street in Wetherby Town Centre. It is joined to a similar licensed venue (Mango Vegetarian Restaurant). Diagonally opposite the application premises is another licensed restaurant known as Yum Yum. There are residential properties situated on Church Street which are approximately 6 meters away from the external seating and drinking area of the premises. The bedrooms of these residential properties have openable windows facing the external seating area. A map which identifies the location of these premises is attached at **Appendix 1**.

The proposal consists of allowing the premises to open at 9:00 hours and allowing the external eating and drinking area to be used until midnight as currently it is restricted till 23:00 hours. It has also been proposed to extend the terminal hours on Sundays in line with rest of the week.

The Environmental Protection Team is concerned that by permitting the outside seating area to be used till midnight will give rise to noise nuisance complaints (by way of raised voices) as the residential properties are situated very close and they will have their bedroom windows open for ventilation purposes especially during the summer months. Unlike other sources of noise such as amplified music which can be controlled by the fabric of the building or by electronic means, the applicant will be unable to control the patron's raised voices in the external areas other than by displaying some signage which will only have minimal effect.

Having considered the application, we consider that the following measures are relevant and reasonable in order to meet the Prevention of public nuisance objective of the Licensing Act 2003.

1. The existing condition No: 33 shall remain and read as follows:

"Patrons shall not be allowed to use the beer garden, or any external area after 23:00 hours".

2. The existing condition No: 34 shall be amended and read as follows:

"Clear and visible notices should be displayed at all exits and the external seating area requesting the patrons to respect the needs of local residents and leave the premises and area quietly".

3. The existing condition No: 35 shall be amended and read as follows:

"Telephone numbers for local taxi firms shall be displayed in a prominent location. To prevent disturbance a waiting area within the premises shall be provided".

4. The following new condition shall be attached:

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

5. The following new condition shall be attached:

"The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises".

In conclusion subject to above mentioned amendments to the condition Nos: 33, 34 and 35 together with the addition of two new conditions, all the other conditions which are attached to the current premises licence PREM/00217/004 should remain.

Signed:



Gurdip Mudhar

Dated: 23rd August 2016.

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Jw

Prem/00217/005

Entertainment Licensing

From: Sue McCourt <smccourt@john-gaunt.co.uk> on behalf of Michelle Hazlewood <MHazlewood@john-gaunt.co.uk>
Sent: 22 August 2016 13:50
To: Entertainment Licensing
Cc: Jackson, Phillip
Subject: Mews, Bank Street, Wetherby - Application to vary Premises Licence.

Dear Sirs

We refer to the above mentioned application and communication with Mr Jackson the Health & Safety Inspector.

As a result of that communication please take this as notification of our clients request to withdraw the deletion of condition 17 and 18.

~~We understand that Mr. Jackson is content for the remaining request to be implemented.~~

We have copied Mr. Jackson into this correspondence and would be grateful if he could confirm to you that this is in accordance with our discussions.

Should you have any queries please do not hesitate to contact me.

Yours sincerely

Michelle Hazlewood

Partner
Sent by Sue McCourt

MHazlewood@john-gaunt.co.uk | www.john-gaunt.co.uk
T: 0114 266 8664 | M: 07801 924 301 | F: 0114 267 9613



JG&P John Gaunt
& Partners

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

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

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Jw

[REDACTED]

Miss Jane Wood
Licensing Authority
Leeds City Council
The Civic Hall
Leeds
LS1 1UR

9 August 2016

Dear Miss Wood

PLANNING APPLICATION OBJECTION
THE MEWS, WETHERBY - REF PREM/00217/005

I wish to place my objection to certain items in the above planning application.

- **Extended opening hours from 11:30am to the earlier time of 09:00am**
 - To open at 09:00am would add to the already busy traffic in Bank Street and Church Street. It is at around this time that parents leave the area in their cars having dropped infants off at the Nursery School.
 - Bank Street is a very busy street at this time also, not only with cars, but also pedestrians.
 - It is worth noting the Church Street is a private road, and not to be used by Muse customers.
- **Closure extended to midnight from 23:00, with no restrictions to the use of the beer garden.**
 - If the extended hour is to be granted, then it would be respectful to the local residents for patrons to go inside. There are a number of flats in Bank Street and Church Street that are not outwardly visible.
 - There is already a great deal of excessive and unnecessary noise from staff clearing and stacking chairs, removing umbrellas, plus one female (presumably a waitress) who frequently screams 'important' news across the courtyard.

I for one, certainly do not welcome these proposed changes, and for the genuine reasons outlined above, strongly object to the extended opening hours.

Yours sincerely

[REDACTED]

[REDACTED]



JW

Prem/00217/005

②



August 8, 2016

LICENCING AUTHORITY
LEEDS CITY COUCIL
THE CIVIC HALL
LEEDS
WEST YORKSHIRE
LS1 1UR

REF. PREM/00217/005 MEWS 16 BANK STREET WETHERBY LS22 6NQ

Dear Sirs

We wish to object to the part of the application that seeks to extend the opening hours until midnight both inside and outside. There is more than enough disturbance currently with 1100HRS closing time.

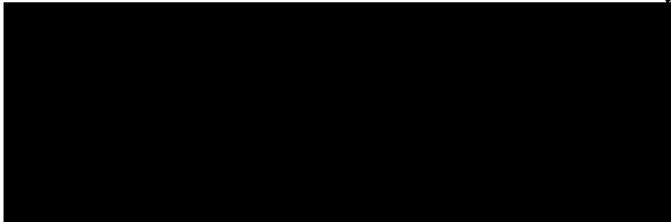
Also the clear and legible notices ought to say that patrons should vacate the outside area by 1100HRS. and not park in Church Street which is a private road.

If you are familiar with the site you will know that these cottages are less than 20 feet from the "the beer garden" which has an open aspect.

Sadly the Muse is not complying with it's current Mandatory conditions. All notices requesting consideration for the residents of Church Street and vacating the beer garden by 1100HRS. were removed some months ago during a refurbishment. Furthermore on warm evenings the beer garden is sometimes not vacated until well after 11.00 pm followed by jolly staff tidying up

ENTERTAINMENT LICENSING
09 AUG 2016
RECEIVED

Yours faithfully



P.S. Please count This as 2 objections!

Issued premises licences and club certificates within an area



PREM/00440/023 - Brunswick Bar, 22 High Street, Wetherby, Leeds, LS22 6LT

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

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

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

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

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

PREM/00580/010 - The Angel, High Street, Wetherby, LS22 6LT

Sale by retail of alcohol	
Monday to Saturday	10:00 - 00:00
Sunday	12:00 - 00:00
Provision of late night refreshment	
Monday to Saturday	23:00 - 00:00
Performance of live music	
Monday to Saturday	10:00 - 00:00
Sunday	12:00 - 00:00
Performance of recorded music	

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

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

Performance of live music (Multi Purpose Hall & Function Room)	
Monday to Saturday	08:00 - 11:00
Performance of recorded music (Multi Purpose Hall & Function Room)	
Monday to Saturday	08:00 - 11:00
Performance of dance (Multi Purpose Hall & Function Room)	
Monday to Saturday	08:00 - 11:00
Entertainment similar to live music, recorded music or dance (Multi Purpose Hall & Function Room)	
Monday to Saturday	08:00 - 11:00

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

Sale by retail of alcohol	
Monday to Thursday	17:30 - 00:00
Friday & Saturday	12:00 - 00:00
Sunday	15:00 - 23:30
Provision of late night refreshment	
Monday to Saturday	23:00 - 00:00
Sunday	23:00 - 23:30
Performance of recorded music	
Monday to Thursday	17:30 - 00:00
Friday & Saturday	12:00 - 00:00
Sunday	15:00 - 00:00

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

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

PREM/01818/004 - Sir Dukes, 6 Bank Street, Wetherby, Leeds, LS22 6NQ

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

PREM/00737/008 - Bar THR3, Market Place, Wetherby, Leeds, LS22 6LQ

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

PREM/00079/V01 - New Inn, Westgate, Wetherby, Leeds, LS22 6LL

Sale by retail of alcohol	
Monday to Thursday	09:00 - 23:00
Friday & Saturday	09:00 - 00:00
Sunday	09:00 - 23:00
Provision of late night refreshment	
Monday to Thursday	23:00 - 23:30
Friday & Saturday	23:00 - 00:30
Sunday	23:00 - 23:30
Performance of live music	
Monday to Thursday	09:00 - 23:00
Friday & Saturday	09:00 - 00:00
Sunday	09:00 - 23:00
Performance of recorded music	
Monday to Thursday	09:00 - 23:00
Friday & Saturday	09:00 - 00:00
Sunday	09:00 - 23:00

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

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

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

Performance of live music

Monday to Friday 08:00 - 01:00

Saturday 08:00 - 00:00

Performance of recorded music

Monday to Friday 08:00 - 01:00

Saturday 08:00 - 00:00

Performance of dance

Monday to Friday 08:00 - 01:00

Saturday 08:00 - 00:00

Entertainment similar to live music, recorded music or dance

Monday to Friday 08:00 - 01:00

Saturday 08:00 - 00:00

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

Sale by retail of alcohol

Every Day 11:30 - 00:00

Provision of late night refreshment

Every Day 23:00 - 00:00

Exhibition of a film

Every Day 11:30 - 00:00

Performance of recorded music

Every Day 11:30 - 00:00

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

Sale by retail of alcohol

Every Day 11:00 - 23:00

Performance of recorded music

Every Day 08:00 - 23:00

PREM/00926/014 - Morrisons, 7 The Horsefair Centre, 22 - 28 North Street, Wetherby, Leeds, LS22 6JG

Sale by retail of alcohol

Every Day 06:00 - 00:00

PREM/01336/009 - Black Bull, 53 Market Place , Wetherby, Leeds, LS22 6LN

Sale by retail of alcohol

Monday to Saturday 10:30 - 00:30

Sunday 12:00 - 00:00

Exhibition of a film

Monday to Saturday 10:30 - 00:30

Sunday 12:00 - 00:00

Indoor sporting events

Monday to Saturday 10:30 - 00:30

Sunday 12:00 - 00:00

Performance of live music

Monday to Saturday 10:30 - 00:30

Sunday 12:00 - 00:00

Performance of recorded music

Monday to Saturday 10:30 - 00:30

Sunday 12:00 - 00:00

Performance of dance

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

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

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

PREM/02315/008 - Marks & Spencer Simply Foods Ltd, The Cattle Market, Horsefair, Wetherby, LS22 6RF

Sale by retail of alcohol	
Every Day	00:01 - 00:00

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

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

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

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

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

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

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Report author: Miss Jane Wood
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 20th September 2016

Subject: Application for the grant of a premises licence for Wetherspoons 37 Main Street, Garforth, Leeds, LS25 1DS

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Garforth & Swillington		
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 for the grant of a premises licence, made by JD Wetherspoon Plc, for Wetherspoons, 37 Main Street, Garforth, Leeds, LS25 1DS.

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

The application has attracted representations from responsible authorities.

1 Purpose of this report

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a new 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 the premises

The premises currently benefit from a premises licence issued under the Licensing Act 2003. J D Wetherspoon acquired these premises in April 2015 and transferred the licence into their name at that time. This application is to supersede the current licence due to a change of the operating style of the premises.

- 2.1 The applicant's name is JD Wetherspoon Plc.
- 2.2 The proposed designated premises supervisor is Deborah Hay
- 2.3 In summary the application is for:
- 2.4 Supply of Alcohol for consumption Both On and Off the Premise:

Everyday: 09:00 – 00:00

Late Night Refreshment:

Everyday: 23:00 – 00:00

No non-standard timings for Bank Holidays or special occasions are proposed

Opening Hours

Everyday: 07:00 – 00:30

3 The operating schedule

- 3.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule which is attached at **Appendix A**.

4 Location

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

5 Representations

- 5.1 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

- 5.2 Representations have been received from Environmental Protection Team in their capacity as a responsible authority which may be found at **Appendix C**.

Other representations

- 5.3 There are no other representations.

6 Licensing hours

- 6.1 Members are directed to paragraphs 6.8 to 6.15 of 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.
- 6.3 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.
- 6.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix D**.

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 application as requested.
 - Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
 - Exclude any licensable activities to which the application relates.
 - Refuse to specify the said person as the designated premises supervisor.
 - Reject the whole or part of the application.

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

9 Background papers

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

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Public Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

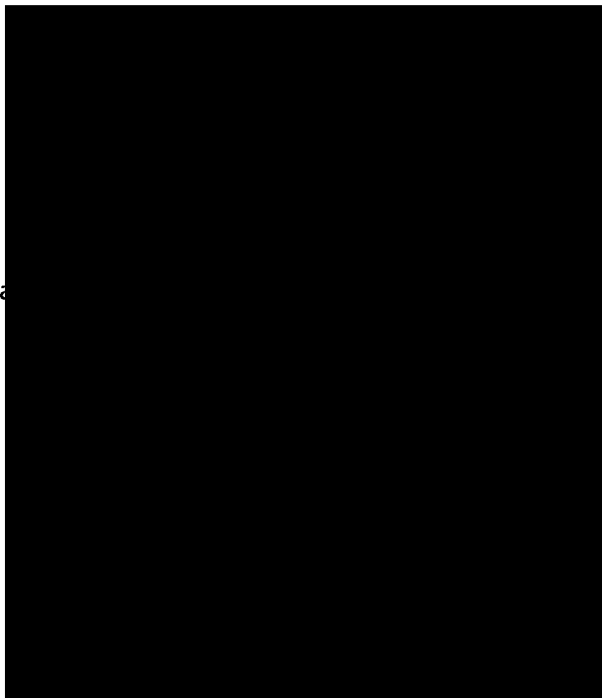
Country

Contact Details

E-mail

Telephone number

Other telephone number



Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/ /
dd mm yyyy

Provide a general description of 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.

[Empty text box for general description of the premises]

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Continued from previous page...

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start
Start

End
End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start
Start

End
End

WEDNESDAY

Start
Start

End
End

THURSDAY

Start
Start

End
End

FRIDAY

Start
Start

End
End

SATURDAY

Start
Start

End
End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Enter the contact's address

Building number or name

Street

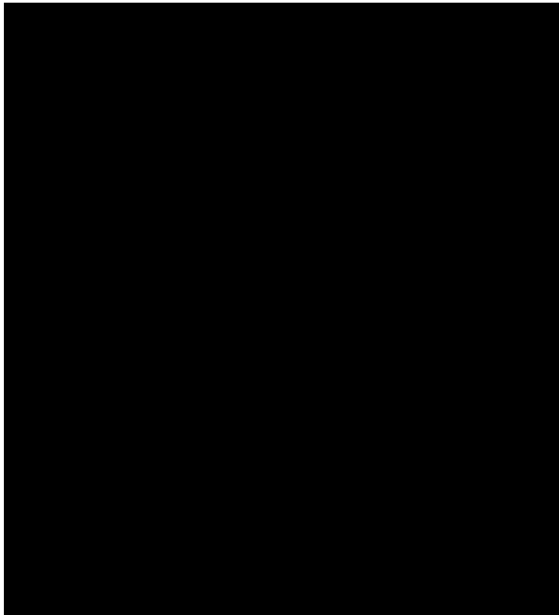
District

City or town

County or administrative area

Postcode

Country



Continued from previous page...

Personal Licence number
(if known)



Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. The premises licence holder will ensure that all staff at the premises have been trained in accordance with established JD Wetherspoon plc training procedures. Specifically the premises licence holder will ensure that all employees who work front of house are trained in their responsibilities to prevent alcohol being served to anybody who is under the legal age limit or to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf.

b) The prevention of crime and disorder

1. The premises licence holder will ensure that there are sufficient staffing levels including managers to encourage

Continued from previous page...

responsible behaviour on the premises at all times.

2. CCTV shall be installed in the premises. Images will be retained for a minimum of 30 days and will be available to the police upon request. Members of the management team will be trained in the use of the system.

3. Non-alcoholic beverages including soft drinks, water, coffee and tea shall be available at all times, sale by retail of alcohol carried out at the premises.

4. There shall be no use of the outside beer garden area by customers for the purposes of the consumption of food or drink after 22:00

c) Public safety

See conditions 1 to 4 Box B above.

d) The prevention of public nuisance

See conditions 1 to 4 Box B above.

e) The protection of children from harm

1. The premises licence holder will operate a "Challenge 21" Policy at all times.

2. Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

The premises licence fee is based on the non domestic rateable value of the premises these fees are:

Non domestic rateable value £4,300 or less - £100

Non domestic rateable value between £4,301 and £33,000 - £190

Non domestic rateable value between £33,001 and £87,000 - £315

Non domestic rateable value between £87,001 and £125,000 - £450

Non domestic rateable value £125,001 or more - £635

If the premise▲ non domestic rateable value is £87,001 or more and the premises is used exclusively or primarily for the supply of alcohol for consumption on the premises the fee for this application is:

Non domestic rateable value between £87,001 and £125,000 - £900

Non domestic rateable value £125,001 or more - £1905

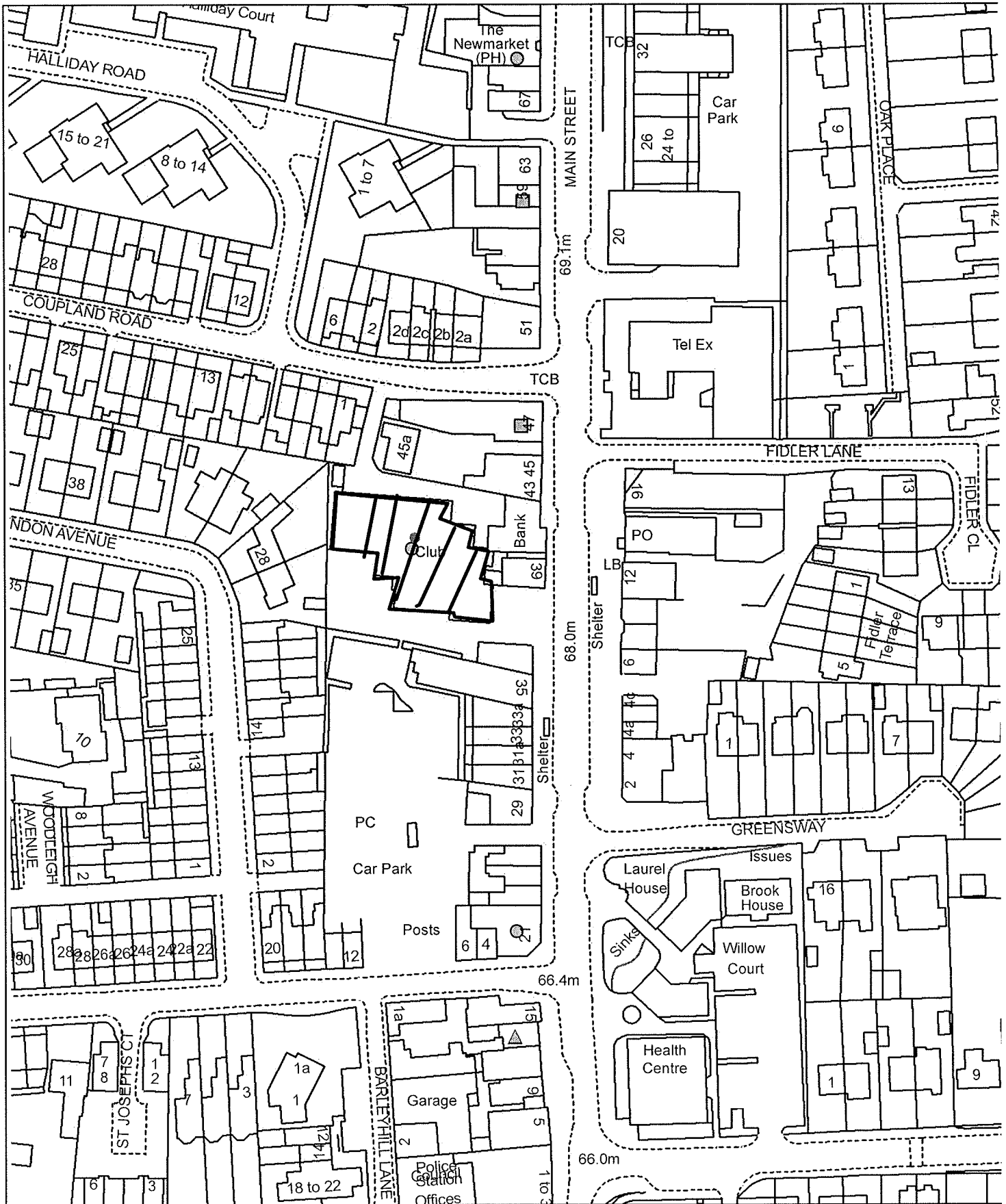
If this application is for a community premises e.g. a village hall or community centre and the application does■ t include the sale of alcohol as an activity there is no fee payable.

If the premises will have 5,000 people or more in attendance at any one time there is an additional fee payable which we will contact you to pay when you submit your application. Details of these fees are available at http://www.leeds.gov.uk/Business/Licences_and_street_trading/Licence__alcohol_and_entertainment.

* Fee amount (£)

190.00

DECLARATION



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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JD Wetherspoon Plc
Reeds Crescent
Watford
Hertfordshire
WD24 4QL

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

Contact: Mr. Mudhar
Tel: 01133786591

Our reference: PREM/03825/001
Date: 23 August 2016

Dear Sir / Madam

Licensing Act 2003

Name and Address of Premises: Wetherspoons 37 Main Street, Garforth, Leeds, LS25 1DS,

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 that includes information specifically associated with the premises and the area .

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.

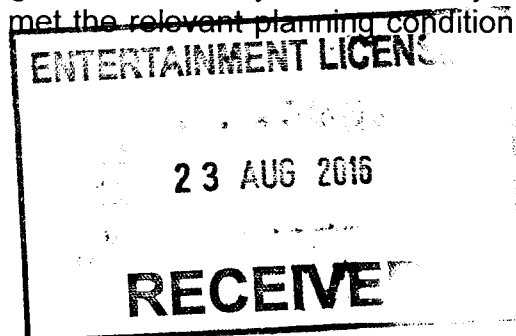
If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

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.

Yours faithfully



Gurdip Mudhar
Environmental Health Officer
PART 1



To be completed by the responsible authority

Leeds City Council's Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003
Name and Address of Premises: 37 Main Street, Garforth, Leeds, LS25 1DS,

The application premises are situated on a busy Main Street in Garforth, Leeds and lies within a mixed residential and commercial area. The residential properties are situated to the rear of the premises and here have been a number of complaints relating to music from the previous use therefore we are likely to receive complaints in the future should any disturbance occur. There is also the potential for noise nuisance from the patrons voices when using the external areas for drinking and smoking purposes. Controlling customer noise is difficult and usually reliant on restricting times an area can be used, restricting access to it by customers or close and careful monitoring by staff.

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 Prevention of public nuisance objective of the Act:

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 be audible at the nearest noise sensitive premises at Coupland Road and Lyndon Avenue.
3. There shall be no external loudspeakers
4. Bottles will not be placed in any external receptacle between 11 pm and 7 am the following day to minimise noise disturbance to neighbouring properties.
5. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
6. The PLH/DPS will ensure patrons use beer gardens, external areas and in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 22:00 hours.

NB: The use of the external area has also been restricted by the Council's Planning Department until 22:00 hours.

7. The activities of persons using the external areas shall be monitored after 11 pm and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.
8. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.

Litter

9. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

Transport / Pedestrian Movement

10. 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.
11. 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.
12. A facility will be provided for customers to order hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

Signed:

A black rectangular box redacting the signature of Gurdip Mudhar.

Gurdip Mudhar.

Dated: 23 August 2016.

PART 2

To be completed by the applicant / representative.

**Leeds City Council's Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003
Name and Address of Premises: 37 Main Street, Garforth, Leeds, LS25 1DS,**

I / We

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

In signing this document I / we agree with the measures proposed by Leeds City Council's Environmental Action Service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

PART 3

Name and Address of Premises: 37 Main Street, Garforth, Leeds, LS25 1DS,

I / We

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

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

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

Signed:

Dated:

Please return this document to:

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

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Issued premises licences and club certificates within an area



PREM/02180/003 - Co-op Late Shop, 20 Main Street, Garforth, Leeds, LS25 1AA	
Sale by retail of alcohol	
Every Day	07:00 - 23:00
PREM/00268/009 - Sainsbury's, 47 - 49 Main Street, Garforth, Leeds, LS25 1DS	
Sale by retail of alcohol	
Every Day	07:00 - 23:00
PREM/03787/001 - Fulton Foods, 75 Main Street, Garforth, Leeds, LS25 1DS	
Sale by retail of alcohol	
Every Day	08:00 - 22:00
PREM/03523/001 - Garforth Cricket And Social Club, Church Lane, Garforth, Leeds, LS25 1HB	
Sale by retail of alcohol	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of live music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of recorded music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
PREM/02968/005 - Bargain Booze Select Convenience, 57 - 59 Main Street, Garforth, Leeds, LS25 1AF	
Sale by retail of alcohol	
Every Day	07:00 - 23:00
PREM/01826 - Newmarket Inn, 71 Main Street, Garforth, Leeds, LS25 1AF	
Sale by retail of alcohol	
Every Day	09:00 - 00:00
Performance of recorded music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 23:00
PREM/02798 - La Bella Vita, 17 Main Street, Garforth, Leeds, LS25 1DS	
Sale by retail of alcohol	
Monday to Saturday	12:00 - 00:00
Sunday	12:00 - 23:00
Provision of late night refreshment	
Monday to Saturday	23:00 - 00:00
Performance of recorded music	
Monday to Saturday	12:00 - 00:00
Sunday	12:00 - 23:00

PREM/01306/002 - China Town Chinese Take Away, 13 Main Street, Garforth, Leeds, LS25 1DS

Provision of late night refreshment
Every Day

23:00 - 00:00

PREM/01496 - Garforth Community Association, Garforth Miners Welfare Hall, 56 Main Street, Garforth, Leeds, LS25 1AA

Performance of a play

Monday to Saturday

09:00 - 00:00

Performance of live music

Monday to Saturday

09:00 - 00:00

Performance of recorded music

Monday to Saturday

09:00 - 00:00

Performance of dance

Monday to Saturday

09:00 - 00:00

Entertainment similar to live music, recorded music or dance

Monday to Saturday

09:00 - 00:00