



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 14TH NOVEMBER, 2017 AT 10.00 AM

MEMBERSHIP

Councillors

G Hyde	Killingbeck and Seacroft;
C Townsley	Horsforth;
Third Member to be confirmed	

Agenda compiled by:
Governance Services
Civic Hall
LEEDS LS1 1UR
Tel No: 37 88656

A G E N D A

Item No	Ward	Item Not Open		Page No
2			<p data-bbox="675 322 1134 358"><u>PRELIMINARY PROCEDURES</u></p> <p data-bbox="675 427 1077 461">ELECTION OF THE CHAIR</p> <p data-bbox="675 533 1402 600">APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p data-bbox="675 642 1382 786">To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p data-bbox="675 826 1386 969">(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

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

Item No	Ward	Item Not Open		Page No
5			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><u>HEARINGS</u></p>	
6	Guiseley and Rawdon		<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR CAFE/BAR 68 OTLEY ROAD, GUISELEY, LEEDS, LS20 8AH</p> <p>To consider the report of the Head of Elections, Licensing and Registration on an application for the grant of a premises licence, made by Mr Gareth Abraham, for Cafe/Bar 68 Otley Road, Guiseley, Leeds, LS20 8AH.</p> <p>(Report attached)</p>	1 - 24
7	Wetherby		<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR THE BEER STATION YORK ROAD INDUSTRIAL ESTATE, YORK ROAD, WETHERBY, LS22 7SU</p> <p>To consider the report of the Head of Elections, Licensing and Registration on an application for the grant of a premises licence, made by Wetherby Brew Co Limited, for The Beer Station York Road Industrial Estate, York Road, Wetherby, LS22 7SU.</p> <p>(Report attached)</p>	25 - 118

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 Charlotte Deighton
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 14th November 2017

Subject: Application for the grant of a premises licence for Cafe/Bar 68 Otley Road, Guiseley, Leeds, LS20 8AH

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Guiseley & Rawdon		
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 Mr Gareth Abraham, for Cafe/Bar 68 Otley Road, Guiseley, Leeds, LS20 8AH.

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

The application has attracted representations from other persons.

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

- 2.1 This is the first application for a premises licence for these premises.

3 The application

- 3.1 The applicant's name is Mr Gareth Abraham.
- 3.2 The proposed designated premises supervisor is Gareth Abraham.
- 3.3 In summary the application is for:

*Sale by retail of alcohol Sun-Thurs 10:00 - 22:30
Fri & Sat 10:00 - 23:00*

*Recorded music Sun -Thurs 10:00 - 23:00
Fri & Sat 10:00 - 23:30*

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule and/or the proforma risk assessment which is attached at Appendix A.

5 Location

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

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 West Yorkshire Police & Environmental Health in their capacity as responsible authorities.
- 6.3 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with Environmental Health & West Yorkshire Police. A copy of the agreements may be found at Appendix C.

Other representations

- 6.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 6.5 The licensing authority are in receipt of 4 representations from members of the public and ward councilors. These are based on the grounds of public nuisance.
- 6.6 In order to protect personal data, redacted copies of the representations are attached at Appendix D. 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 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.
- 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.
- 7.3 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 adversely impact on the licensing objectives.
- 7.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix E.

8 Equality and diversity implications

- 8.1 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 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.
- 9.2 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.

10 Background papers

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

M

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

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

To promote all 4 licensing objectives we will keep strong management controls and effective training to all staff members making them aware of the premises license and requirements. We will pay particular attention to –

No selling of alcohol to underage people

No drunk and disorderly behaviour on the premises

Vigilance in preventing the use and sale of illegal drugs on the premises

No violent and anti-social behaviour

No harm to children

Alcohol will not be sold outside the operating schedule and a premises supervisor will be in day to day to control this and provide good training to the staff with a signed training record.

CCTV system will be installed and clear challenge 21 posters/information will be visible to prevent under age drinkers

The premises already has interior roller metal shutters on the shop front for extra security.

We know that it is necessary to carry out our functions and operate a business with the purpose of promoting these objectives

b) The prevention of crime and disorder

CCTV system will be installed and monitor the entrance/exit and other parts of the premises to prevent crime.

A clear notice outside the premises indicating the normal hours of licensing permitted will be on view

Clear notices will be displayed warning of potential criminal activity such as theft that may target customers

No sale of alcohol to drunk or intoxicated customers

Vigilance at all times in sale or use of illegal drug on the premises

Staff will be trained in asking customers to use the premises in an orderly and respectful manner.

c) Public safety

Staff will be trained to carry out underage ID checks and environmental health requirements.

A log book will be kept on the premises to comply with the public safety conditions attached to the premises license that requires the recording of such information. The log book will be available for inspection when required by persons authorised by the licensing Act 2003 or associated legislation.

All parts of the premises and all fittings ie doors fastening, notices, lighting, heating, electrical, sanitary accommodation and all other installs will be maintained at all times and in good working order.

d) The prevention of public nuisance

Clear notices will be displayed at the exit requesting the public to respect nearby residents and leave the premises and the area quietly. Customers will be asked not to stand around outside in the street outside the premises loudly talking and will not be admitted to premises above the opening times.

The licensee will ensure that staff leaving late when the business has ceased trading leave in a quite manner to avoid disturbance to nearby residents.

The movement of bins and rubbish outside the premises will be kept to a minimum after 8.00pm to reduce the levels of noise.
 Any lighting in or out of the premises will be positioned in such a way that doesn't cause disturbance to nearby residents.
 Adequate waste bins for customer use will be provided in the local vicinity

e) The protection of children from harm

Staff will be trained about requirements for persons identification, age establishment etc...
 Acceptable ID would be a photographic driving license or passport if they wish to buy alcohol.
 All details will be provided in the training record book available on the premises

A challenge 21 sign will be visible that encourages anyone who is over 18 but looks under 21 to carry acceptable ID

Checklist

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where Applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

Applicable to all individual applicants, including those in partnership which is not a limited liability partnership, but not companies or limited liability partnerships

- I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15)

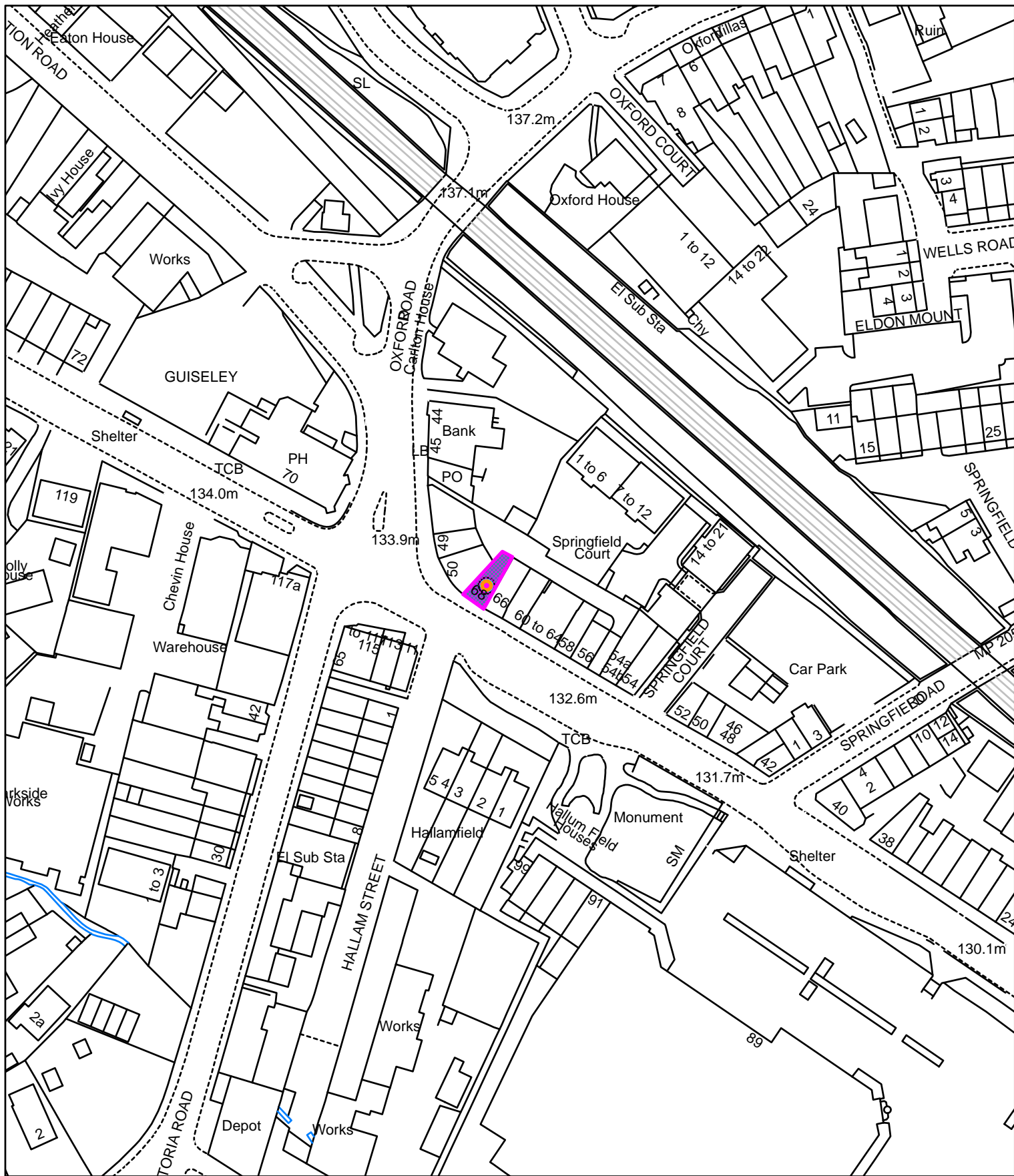
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION ASYLUM AND NATIONALITY ACT 2006 AND PURUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12). If signing on behalf of the applicant please state in what capacity.

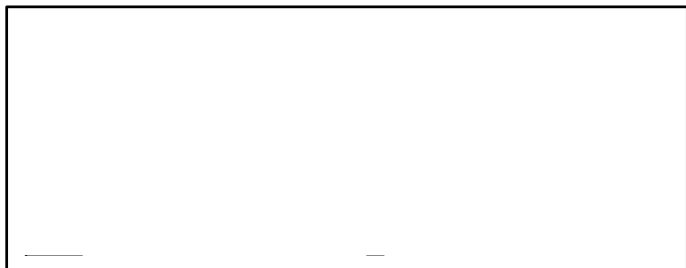
Declaration	Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership
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This map is based upon the Ordnance Survey's digital data with the permission of the Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office

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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: 68 Otley Road, Guiseley, Leeds, LS20 8AH,

Application for premises to function as a café bar situated on Otley Road, with nearest noise sensitive residential premises being a flat above and flats nearby.

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

- Prevention of public nuisance

Noise and Vibration

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
2. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises after 11pm.
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 activities of persons using any external areas such as for smoking shall be monitored after 11 pm and shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.

Litter

7. The PLH/DPS and premise staff 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

8. Clear and legible notices will be displayed at exits 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.

On 16 October 2017 at 12:44 "Patterson, Bob"

Classification: NOT PROTECTIVELY MARKED

Dear Gareth,

Thank you for your recent application for a new premises licence at the subject premises.

You will be pleased to know, albeit not altogether surprised I suspect, that West Yorkshire Police have no outright objections to your application.

However, West Yorkshire Police would recommend that you agree to the following measures being included as conditions of your licence, in relation to CCTV and in substitution to those CCTV measures you have already offered in your application on page 12.

As such, this email serves as an official representation to your application at this stage, but only as this is the final day to make representations.

The measures to agree 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 the main entrance/s and exit/s and designated emergency egress routes from the premises,*
- *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 measures are taken from the official Leeds City Council V7 Pro-forma risk assessment, which aims to produce a standardised wording of relevant conditions to promote the four licensing objectives.

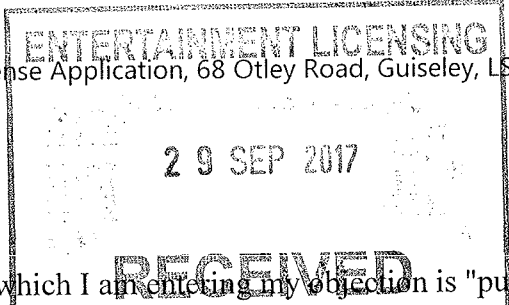
You may have seen this document already?

①

Appendix D
Prem/04072/001

Nelson, Matthew

From: >
Sent: 29 September 2017 21:02
To: Entertainment Licensing
Subject: Re: Objection to Entertainment License Application, 68 Otley Road, Guiseley, LS20 by Gareth Abraham



Dear Sirs,

Further to my email below, I wish to clarify that the ground on which I am entering my objection is "public nuisance/disturbance", in particular, during unsociable/unreasonable hours, i.e. from early evening until 11pm Monday to Saturday and 5pm to 11pm on Sunday.

The commercial premises at 68 Otley Road was previously used as a take away (which did not sell alcohol) when I moved into my flat in 2010. I had to endure several months of unreasonable behaviour from the business during their time occupying the business premises. In addition, there was a constant smell of indian food (although I believe the food was not prepared at the premises due to the business being owned by Mumtaz Restaurant in Bradford trading as "Jaldi Jaldi") coming from the commercial premises.

I was unable to communicate with the business owner directly because the business was staffed and not run by the business owners themselves. This resulted in numerous clashes with the staff in the take away who did not care that they continued to blast loud music, which came through into my flat, despite my efforts to ask them to reduce the volume to something more reasonable for the time of evening. In addition, the front door of the business premises did not shut properly which resulted in the door banging as it was closing. This shook the whole building.

The door, to this day, has not been fixed to prevent this from happening.

If the applicant proposes to close at 11pm every night, I anticipate that I will have to endure similar behaviour from the occupants which will cause unreasonable disruption to me and cause me to question what they will do next out of spite. This could involve, but not be exclusive to, excessive noise, disruptive noise, excessive noise that is above what would be created when shutting the premises at the end of an evening, for example, clearing up, emptying bins, taking the bins out etc.,. I would also have to endure disruption from any stragglers who attempt to get into the business premises after closing looking for whatever the business purposes to sell/trade in.

Due to the difficulties I experienced with the take away business that previously occupied the premises in question, I cannot see how a business who is seeking an entertainment licence would be any better or whether we can reach common ground if they are looking to open every day from 10am to 11pm, especially on Sunday.

As I am unaware of the type of business the applicant proposes to open at the premises, I can only assume that I will have to endure a similar experience, with the staff and owners of the business saying they can do whatever they want until whatever time they want. This would result in numerous calls to the noise abatement/nuisance team at Leeds City Council and undue stress that all this will cause me to suffer.

Furthermore, if the application includes the sale and consumption of alcohol on the pennies, this would only add to the unreasonable disruption that I would have to endure by visitors to the business. The anticipated noise that would be generated by people visiting the business premises up to and after the business is closed would breach also my rights as a private tenant.

As a private tenant, I am entitled to "hours of quiet enjoyment" under a implied covenant contained within my tenancy agreement.

Occupation of the business premises outside unreasonable hours, that which is proposed by the applicant of the entertainment licence, will breach the rights I enjoy under my tenancy agreement if they choose to be unreasonable.

It is clear that the Council have not written to me or any of my neighbours regarding the application and it is also clear that my landlord has failed to take responsibility for the duty of care that they owe me as their tenant. Had it not been for a neighbour who let me know about the notice in the window of the commercial premises, I would not have been aware of it's existence. You cannot rely on people reading a notice taped to the inside of the door or a notice printed in the local paper, which, in today's society, is no longer a sufficient method of notification.

I currently cannot work due to having been diagnosed with a progressive degenerative disease called Psoriatic Arthritis. I am therefore legally recognised as disabled as given at section 6 of the Equality Act 2010. I therefore rarely leave my flat for this very reason. This is why I would not have know about the application.

I have been living in my flat for several years now and I am quite familiar with the noise generated from people coming out of the pubs and bars around the centre of Guiseley, something which is only going to become more of an issue when the "Potting Shed" opens at the old HSBC Bank premises on Oxford Road, Guiseley.

I trust that my objections and representations will be fully noted.

I look forward to hearing from you further in this matter.

Yours faithfully

2

PREM/04072/001

Nelson, Matthew

From:
Sent: 02 October 2017 16:37
To: Entertainment Licensing
Subject: Objection to the application of "Entertainment License" 68 Otley Road, Guiseley, LS20 8AH.

To whom it may concern:

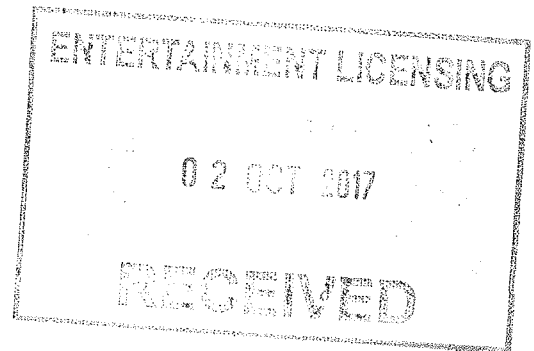
I am writing to you with regards to the application for an "Entertainment License" at the commercial premises at 68 Otley Road, Guiseley, LS20 8AH.

I object to the application made on the ground that it would cause a nuisance to me and my neighbours. There are no bars or pubs that are situated so close to residential properties, especially within such close proximity to my home.

I also object to the sale of alcohol and live/recorded music being played at the premises. We have enough problems with people congregating near our homes to do drugs or other illegal activity. We do not need further problems that will inevitably occur if the license is granted.

I confirm that I will be attending the hearing once a date has been set after the notice/consultation period ends on 15 Oct 2017.

Yours sincerely,



3

White, Emma

From: Phillips, Adam on behalf of Wadsworth, Cllr Paul
Sent: 12 October 2017 11:08
To: Deighton, Charlotte
Subject: PREM/04072/001 - 68 Otley Rd
Attachments: Document6.docx

Dear Ms Deighton,

Please find attached a letter regarding the licensing application for 68 Otley Road.

I would be grateful if you could inform me of the next steps with this application and if you could keep me informed of its progress please.

Thank you,

Councillor Paul Wadsworth
Guiseley and Rawdon Ward



Charlotte Deighton
Licensing Officer
Entertainment Licensing

(By Email)

Councillor Paul Wadsworth
Conservative Group Office
2nd Floor East
Civic Hall
Leeds
LS1 1UR

Date: 9 October 2017

Dear Ms Deighton

PREM/04072/001 - Cafe/Bar, 68 Otley Road, Guiseley, Leeds, LS20 8AH

I would like to place on record my objection to the above application.

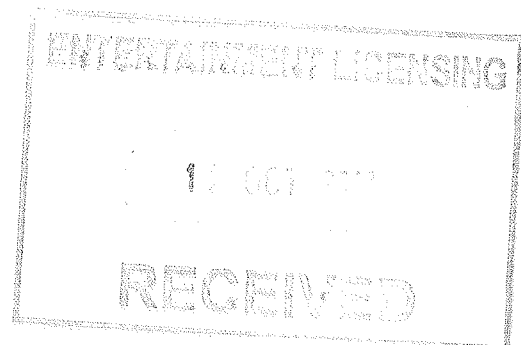
My concerns relate to the close proximity of the premises to residential properties above and nearby, and the inevitable noise nuisance that will result from the operation of the business, particularly from the outside area and the recorded music.

I also have concerns about the lack of any parking and the close proximity of other licenced premises

I would ask that, in the event the application is granted, that conditions are placed on the licence that ensure the outside area is closed at a reasonable hour.

Yours sincerely

Councillor Paul Wadsworth
Guiseley & Rawdon Ward





White, Emma

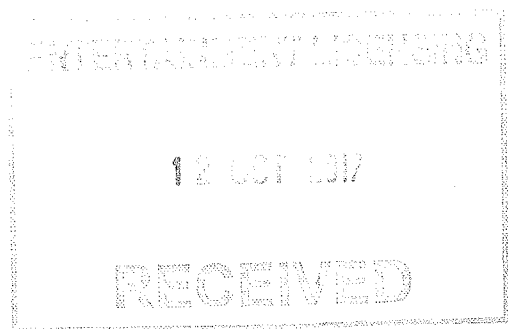
From: Phillips, Adam on behalf of Latty, Cllr Graham
Sent: 12 October 2017 10:35
To: Deighton, Charlotte
Subject: PREM/04072/001 - 68 Otley Rd
Attachments: 68 Otley Rd application oct17.doc

Dear Ms Deighton,

Please find attached a letter in respect of the licence application for 68 Otley Road.

Regards,

Councillor Graham Latty
Guiseley and Rawdon Ward



Councillor Graham Latty

**Charlotte Deighton
Licensing Officer
Entertainment Licensing**

(By Email)

11 October 2017

Dear Ms Deighton,

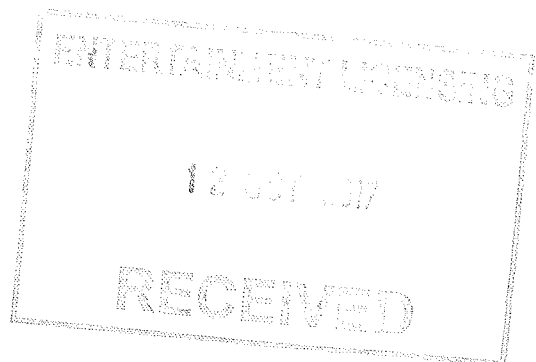
PREM/04072/001 - Cafe/Bar, 68 Otley Road, Guiseley, Leeds, LS20 8AH

I am writing to object to the above licence application on the grounds of the likely noise nuisance to the residents above and nearby the bar. The proposed use of recorded music and an outside area will likely cause noise issues for these residents.

I would be grateful if you would record this objection as part of your determination of this application.

Yours sincerely

**Councillor Graham Latty
Guiseley and Rawdon Ward**



Issued premises licences and club certificates within an area



PREM/00129/006 - Station Hotel, Otley Road, Guiseley, Leeds, LS20 8BH

Sale by retail of alcohol	
Thursday to Saturday	10:00 - 01:00
Sunday to Wednesday	10:00 - 00:00
Provision of late night refreshment	
Thursday to Saturday	23:00 - 01:00
Sunday to Wednesday	23:00 - 00:00
Performance of live music	
Thursday to Saturday	10:00 - 00:00
Sunday to Wednesday	10:00 - 23:00
Performance of recorded music	
Thursday to Saturday	10:00 - 00:00
Sunday to Wednesday	10:00 - 23:00
Entertainment similar to live music, recorded music or dance	
Thursday to Saturday	10:00 - 00:00
Sunday to Wednesday	10:00 - 23:00

PREM/03655/001 - Heather House, Station Road, Guiseley, Leeds, LS20 8BX

Sale by retail of alcohol	
Every Day	00:00 - 23:59

PREM/02863/004 - Domino's Pizza, 119-121 Otley Road, Guiseley, Leeds, LS20 8BH

Provision of late night refreshment (Delivery Service only after 23:30)	
Friday & Saturday	23:00 - 01:00
Sunday to Thursday	23:00 - 23:30

PREM/03999/001 - Potting Shed, Oxford Road, Guiseley, Leeds, LS20 8AA

Sale by retail of alcohol	
Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00
Provision of late night refreshment	
Monday to Saturday	23:00 - 01:30
Sunday	23:00 - 23:30
Performance of live music	
Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00
Performance of recorded music	
Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00

PREM/01115/012 - Morrisons, 89 Otley Road, Guiseley, Leeds, LS20 8PS

Sale by retail of alcohol	
Every Day	06:00 - 00:00
Provision of late night refreshment	
Every Day	23:00 - 00:00

PREM/01825/V01 - Pizza House Company (Otley Road), 8 Otley Road, Guiseley, Leeds, LS20 8AH

Provision of late night refreshment

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

CPREM/00283 - Fairfax Masonic Lodge (No.3255), Cavendish Road, Guiseley, Leeds, LS20 8DW

Supply 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

Performance of dance

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

Entertainment similar to live music, recorded music or dance

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30



Report author: Miss Jane Wood
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Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 14th November 2017

**Subject: Application for the grant of a premises licence for The Beer Station
York Road Industrial Estate, York Road, Wetherby, LS22 7SU**

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 for the grant of a premises licence, made by Wetherby Brew Co Limited, for The Beer Station York Road Industrial Estate, York Road, Wetherby, LS22 7SU.

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

The application has attracted representations from members of the public and responsible authorities.

This application was previously scheduled before the licensing subcommittee on 31st October 2017. Due to additional information provided by the applicant, it was decided that the hearing should be adjourned in order to distribute the information to all parties involved. Members' attention is drawn to **Appendix H**

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

- 2.1 This is the first application for a premises licence for these premises. The premises will incorporate a craft microbrewery, a brewery tap room and a bottle shop. The site will operate as a brewery during weekdays and a tap room and bottle shop at the latter part of the week. Emphasis will be placed upon retailing beers brewed on site.

3 The application

- 3.1 The applicant's name is Wetherby Brew Co Limited
- 3.2 The proposed designated premises supervisor is Mr Thomas Gwilym Roberts
- 3.3 In summary the application is for:
- 3.4 The original application that was submitted has now been reduced by the applicant in order to address any issues that may have arisen from local residents with regards to public nuisance. The amended activities applied for are as follows:

Supply of alcohol for consumption both On and Off the premises

Sunday to Thursday 10:00 – 22:30

Friday & Saturday 10:00 – 23:00

Indoor Sporting Event

Live Music

Recorded Music

Performance of Dance

Anything of a Similar Description

Sunday to Thursday 10:00 – 22:30

Friday & Saturday 10:00 – 23:00

Non standard timings

Provision of Bank Holidays, Public Events, Christmas, New Year. A 2 hour extension will be required for Bank Holidays and Sundays that fall before Bank Holiday.

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule at **Appendix A**

5 Location

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

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 Discussion is ongoing between the Planning Department and the applicant due to an objection regarding the operating hours. This remains outstanding at the moment and should be considered by members. A copy of the objection may be found at **Appendix C** along with correspondence from the applicant.
- 6.3 Any representation 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. A copy of the agreement may be found at **Appendix D**.
- 6.4 Agreements have been reached between the applicant and West Yorkshire Police. The applicant offered the measures attached at **Appendix E** within the pro forma risk assessment. These will now appear on the licence as conditions should the application be granted.

Other representations

The application has attracted representation from members of the public (described as 'other persons' in the legislation).

- 6.5 The Licensing Authority is in receipt of 25 individual letters of objection. Members of the public have concerns with regards to public nuisance. It is felt that should live music be played in outside areas it will cause a nuisance to residents. Concerns have also been expressed with regards to closing time of the premise and disturbance from patrons leaving the premises.
- 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 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.
- 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.
- 7.3 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 adversely impact on the licensing objectives.
- 7.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix G**

8 Equality and diversity implications

- 8.1 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 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.
- 9.2 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.

10 Background papers

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

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	N/A				
Tue			State any seasonal variations for performing play (please read guidance note 5)		
Wed					
Thu			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)		
Fri					
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	N/A				
Tue			State any seasonal variations for the exhibition of films None		
Wed					
Thu			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 None		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4) The occasional provision of traditional 'pub games' including skittles, darts, dominoes, cribbage, quoits (and others). Such games are purely for recreation and entertainment and will not be played as part of any 'gaming' activities or for gain or reward.
Day	Start	Finish	
Mon	1000	2300	State any seasonal variations for indoor sporting events (please read guidance note 5) None
Tue	1000	2300	
Wed	1000	2300	
Thu r	1000	2300	
Fri	1000	2400	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) None
Sat	1000	2400	
Sun	1000	2300	

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)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	N/A		Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 5)		
Thu r					
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	
Day	Start	Finish		Outdoors	
				Both	X
Mon	1000	2300	Please give further details here (please read guidance note 4) Live music will comprise solo or small music collectives (amplified and non-amplified). It is intended that live music will be an occasional activity, provided on an ad-hoc basis, perhaps on 3 or 4 occasions per month. State any seasonal variations for the performance of live music (please read guidance note 5) Provision for bank holidays, public events, Christmas, new year etc. A 2 hour extension will be required for bank holidays and Sundays that fall before bank holidays. 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) N/A		
Tue	1000	2300			
Wed	1000	2300			
Thu	1000	2300			
Fri	1000	2400			
Sat	1000	2400			
Sun	1000	2300			

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	
Day	Start	Finish		Outdoors	
				Both	X
Mon	1000	2300	Please give further details here (please read guidance note 4) Recorded music will comprise the provision of low volume , ambient background streamed music through a music system within the bar, lounge and outdoor areas. State any seasonal variations for the playing of recorded music (please read guidance note 5) Provision for bank holidays, public events, Christmas, new year etc. A 2 hour extension will be required for bank holidays and Sundays that fall before bank holidays. 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) N/A		
Tue	1000	2300			
Wed	1000	2300			
Thu	1000	2300			
Fri	1000	2400			
Sat	1000	2400			
Sun	1000	2300			

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	N/A				
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed					
Thu					
Fri			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) None		
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		
			Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Provision of 'other' forms of entertainment such as palm reading, tarot cards, 'race' nights, magic events, quizzes and other similar activities.		
Mon	1000	2300			
Tue	1000	2300	State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5). Provision for bank holidays, public events, Christmas, new year, etc A 2 hour extension will be required for bank holidays and Sundays that fall before bank holidays.		
Wed	1000	2300			
Thu	1000	2300			
Fri	1000	2400	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) N/A		
Sat	1000	2400			
Sun	1000	2300			

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Occasional provision of hot, late night refreshments by visiting food vendors i.e. food vans such as BBQ, Italian, Mexican, Indian food etc. To take place 3 to 4 times per month, usually on a Friday & Saturday afternoon/evening or Sunday afternoon. State any seasonal variations for the provision of late night refreshment (please read guidance note 5) Provision for bank holidays, public events, Christmas, new year. etc A 2 hour extension will be required for bank holidays and Sundays that fall before bank holidays. 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) None		
Mon	N/A	N/A			
Tue	N/A	N/A			
Wed	N/A	N/A			
Thu	N/A	N/A			
Fri	2300	2400			
Sat	2300	2400			
Sun	N/A	N/A			

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 type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	Yes
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) Provision for bank holidays, public events, Christmas, new year. etc A 2 hour extension will be required for bank holidays and Sundays that fall before bank holidays. 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) As above.		
	1000	2230			
Tue	1000	2230			
Wed	1000	2230			
Thu	1000	2230			
Fri	1000	2330			
Sat	1000	2330			
Sun	1000	2230			

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor (please see declaration about the entitlement to work in the checklist at the end of the form)

Name

[Redacted]

Address

[Redacted]

Postcode

[Redacted]

Personal licence number (if known)

[Redacted]

Issuing licensing authority (if known)

Leeds City Council

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)

None.

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) Provision for bank holidays, public events, Christmas, new year. etc. A 2 hour extension will be required for bank holidays and Sundays that fall before bank holidays.
Day	Start	Finish	
Mon	1000	2300	
Tue	1000	2300	
Wed	1000	2300	
Thu	1000	2300	
Fri	1000	2400	
Sat	1000	2400	
Sun	1000	2300	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) As above.

M

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

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

The Company Directors (and DPS of the applicant company) fully recognise the need to promote the four licensing objectives and take their professional and legal responsibilities very seriously. Achieving the four licensing objectives will be secured by **demonstrating clear and continuous leadership and commitment** to operating a business and premises that are safe for customers and staff, whilst preventing noise and nuisance for neighbours. **Working in partnership** with licensing authorities, law enforcement, neighbouring commercial premises and the local community will be at the heart of Company operations. Careful thought and consideration to the **design and layout** of the premises will ensure that there are no inherent or recurring issues that compromise achievement of the four licensing objectives. This includes **operating the business within its design capacity** and footprint at all times and not exceeding the safe and effective operating capacity/capability of the premises. **Effective training** will be provided to all staff and will be aimed at preventing and managing any potential problems that may occur at premises. Training for staff members will be regularly provided and records of such activities made available for inspection to relevant parties at all times. The **continuous review of standard operating procedures** and their impact upon others will be a core part of the day-to-day and strategic management of the premises. Daily briefing and debriefing of staff, the recording of issues, structured reviews throughout the business cycle and operational adjustments (where necessary) will ensure that the new business is safe and competent in trading and addressing the four licensing objectives. To achieve this ambition all four directors of Wetherby Brew Co Limited will be personally and actively involved in the operational business activities of the 'Beer Station' on a daily basis and will be responsible for managing the premises. Wetherby BrewCo Director Mr Thomas Roberts will undertake the role of DPS, ensuring that the premises are a safe environment, complying fully with all aspects of licensing law, public safety and legislation. The DPS has recently been awarded his 'personal licence' (having completed training and accreditation), two other directors successfully completed a BIIA APLH Level 2 accredited course to secure their personal licences during August 2017 and the fourth director completed the same course on the 1st September 2017. Consequently, all four directors will apply for personal licences from their respective local authorities and will be accredited and qualified to hold such licenses. Two of the directors have completed 30 year police careers with extensive experience of working within the licensing environment. Two of the directors have recent experience of operating a combined brewery and brewery tap in Garforth and one of the directors (Mr Roberts, DPS) has commercial experience of operating licensed premises as a professional employee of a national hotel chain. There is therefore significant business and licensing experience within the team. **To demonstrate their commitment towards promoting the four key licensing objectives the applicant Company has agreed that at least one of the directors will be personally present, on duty at all times, during hours of trading (both on and off sales) during the first twelve months of operations (whereupon the condition will be reviewed by the directors).** In summary, all four directors of the applicant company are experienced in licensing matters at the operational and strategic levels, they have recent knowledge and training in their responsibilities and are both well placed and fully committed to achieving the four licensing objectives.

b) **The prevention of crime and disorder**

The Prevention of Crime & Disorder (CD)

In addition to the measures that have been outlined within the previous section, the following actions will be implemented to prevent crime and disorder.

CD1. The licensed premises are situated within the heart of an industrial estate located within a secure, steel fenced compound. This area is locked by means of large iron gates when the premises are closed. The premises are located several hundred metres from the nearest residential areas and are bordered and enclosed by other industrial and commercial premises including nearby licensed premises. External lighting systems have been installed to the premises that are triggered by movement (PIR) and floodlight the external areas and curtilage to the premises should intruders enter the compound during darkness. The lights are not illuminated outside of operating hours, this to avoid creating a 'light pollution' nuisance to others.

CD2. A new, advanced digital alarm system has been installed at the premises to protect it from 'attack' whilst closed and during the hours of operation (panic button behind the bar). All exits to and from the premises have been alarmed to ensure that when the premises are open to the public that staff are immediately notified of any unauthorised opening or tampering of doors leading to controlled areas.

CD3. The alarm system makes provision for the immediate notification of suspect alarm activity (i.e. movement or activation) directly to the smartphones of the DPS and four Company directors in order that they can initiate appropriate action i.e. remotely review footage, alert police and ask them to attend, dispatch the DPS or director(s) to attend or reset system to avoid unnecessary alarm noise nuisance to neighbours.

CD4. A new wireless, digital CCTV system has been installed to both the inside and outside of the premises. High resolution digital cameras cover all internal areas accessible to the public (excluding the inside of toilets) and all areas immediately outside the premises including the outside seating area and car park

CD5. The date and time settings of the CCTV system are protected and recordings are retained (digitally) for 11 days. The recordings are high quality (HD 1080p - 30 frames per second) and they are recorded in 'real time' with the facility to review and copy footage for other agencies such as the police. The DPS, directors and trained staff will make all CCTV footage readily available to parties such as the police who may require both 'viewing' and 'hard copy' provision. A trained member of staff will be on duty at all times to operate the system whenever the premises are open. The security systems are integrated so that the alarm, CCTV and external lighting work together in an effective manner.

CD6. New internal and external lighting solutions have been installed to the premises and operational areas (internal and external) ensuring that it will be safely and appropriately lit at all times. This to promote safe operations and eliminate 'dark areas' where adverse incidents could take place. The lighting solutions also make provision for increased illumination at the close of business hours or in the event of a fire alarm, emergency or premises evacuation.

CD7. A documented procedure has been designed and produced to provide advice and guidance concerning the general admission of customers to the premises. This ensures that drunk, underage, undesirable clients are not admitted to the premises. Proactive measures to reduce the likelihood and incidence of queues forming have been prepared and will be implemented. The policy makes provision for ejecting or refusing the entry of persons to the premises if they do not meet admissions standards or they are known to be violent or aggressive. In such cases, an entry will be made in an incident or logbook and retained for inspection.

CD8. The business will strictly implement, train and operate the nationally recognised 'Check 25' policy of ensuring that the sale of alcohol only takes place to those above the age of 18

years (with age and identity verification for customers who appear to be below 25 years of age). Information concerning the operation of 'Check 25' will be displayed within the premises and on websites and social media sites relating to the business. Only approved identity documents that support 'Check 25' will be accepted by staff and 'rejections' and incidents of forged identity documents will be properly recorded and retained for inspection.

CD9. A policy of 'banning or excluding' clients who present a continuing compromise to safety and nuisance has been prepared and will be implemented (where necessary). Information concerning such exclusions will be confidentially shared with the police, relevant agencies and commercial partners (through local PubWatch and other similar partnerships). Regular personal liaison and contact with the local neighbourhood police officer(s) and PCSOs for the area will be instituted.

CD10. Judicious use of wall mirrors within the premises has been incorporated into the design and layout and 'Chelsea clips' have been installed in key areas to provide for the safe storage of handbags etc.

CD11. The business will operate a zero tolerance approach to the possession, use and supply of illicit drugs and a documented procedure has been designed and produced to provide advice and guidance concerning the search of customers and the premises for drugs, weapons and other illicit articles (should such action be required). This also includes guidance on the safe retention and disposal of drugs and illicit items seized to the authorities or destruction (if appropriate) and the reporting of incidents, events and 'intelligence' to the police. Drug awareness training will be provided to all staff and a record will be kept of those trained. Records will be made available for inspection by the police or licensing authority.

CD12. All private, 'staff only', working areas and store rooms will be kept locked and secured whilst the premises are open to the public. This includes access to storage zones and areas where the materials required for the production of beer (the brewery section) are retained.

CD13. A documented procedure has been designed and produced to effectively manage lost/stolen property including the recording and reporting of incidents, the safe retention of property and procedures for the return of items to their owners

CD14. A documented procedure has been designed and produced to safely and securely manage the flow of cash generated by the business (cash income, change for tills, cash floats etc) and an electronic card payment system will be in place to encourage non-cash payments for goods from customers.

CD15. All staff members will be personally inducted and trained to effectively and safely undertake their role within the overall operations of the business. The maintenance and operation of training systems will include records kept of the date and name of person trained. Records will be readily made available for inspection by the police or licensing authority.

CD16. The DPS will personally authorise, in writing, the sale of alcohol by staff members only after he is satisfied that effective training has taken place. This will ensure that the member of staff is competent to work within a licensed premises environment. The DPS will also ensure that provision for continuing training is in place.

CD17. A documented procedure has been designed and produced to promote safety and security in the operation of the business. This risk assessments driven policy promotes safe premises and protects staff and customers from threats, conflict or violence. Training in conflict resolution and the de-escalation of 'threat and risk' from customers will be provided to all staff to give them the knowledge and confidence to deal with difficult situations and reduce crime and disorder at the premises. Such training will also cover dealing with, the logging and reporting of incidents if they occur.

CD18. The licensed premises will be thoroughly checked and searched, both inside and out, for suspect packages before, during and after opening hours. Staff will be trained to

remain vigilant during opening hours and report any suspicious activity to a supervisor, the DPS or the police.

CD19. Security reviews will be held regularly and at least every three months with records kept. Daily staff briefing and debriefing will take place to enable staff to improve working practices in their premises. Briefings may be informal but any problems identified and remedial action taken will be recorded with records kept in the main office.

CD20. A policy to manage capacity will be adopted to prevent overcrowding and patrons possibly becoming aggressive through accidental jostling. For promoted events the use of clickers is essential to record the number of patrons inside the premises. For other events or smaller venues, ticket sales or head counts will be appropriate. Consideration will always be given to deliberately running below capacity to afford a 'comfort factor' to patrons and to avoid conflict, violence or aggression within the premises.

CD21. Alternatives to glass drinking vessels will always be considered to prevent glassware being used as an assault weapon, particularly during promoted events. Drinking vessels made from plastic or polycarbonate will be preferential particularly in outside areas. Where alternatives are not used, there will be a robust glass collection policy in place. This will include the regular collection of glassware by staff and prevention of glassware being removed from the premises.

CD22. In the event that an incident of note takes place (assault, disorder etc) measures to preserve a crime scene until police arrival, following the outbreak of disorder or any other crime will be clearly documented within an appropriate policy. Such a policy should be formulated in accordance with accepted good practice. All staff will receive training on the policy with a record kept of the date and names of persons trained. Records will be made available for inspection by the police or licensing authority.

CD23. Working in partnership to reduce incidents and promote safety is considered to be essential to the safe and effective operation of the business. This includes the sharing of information with others in the industry through local PubWatch and other similar schemes.

CD24. Working in partnership also concerns local communities in the vicinity of the premises and the business will actively provide information and seek feedback from neighbourhood watch groups, local councillors and other sources of 'community intelligence'. The business will carefully consider and always seek to respond positively to feedback and suggestions from such sources.

c) Public safety

The Promotion of Public Safety (PS)

In addition to the measures that have been outlined within the previous sections, the following actions will be implemented to promote public safety.

PS1. A detailed risk assessment relating to the entire spectrum of operational activities undertaken by the business in the production of beer (the brewery), the allied retail sale of alcoholic and non-alcoholic products to customers and provision of entertainment and food will be produced. This document will identify the inherent risks and identify measures that must be taken to eradicate, mitigate or reduce such risks. This policy will inform daily operating procedures and drive the training plan for new and existing members of staff. The risk assessment plan will be reviewed on a regular basis and will be readily available for inspection by relevant parties.

PS2. Drink and promotional activities for the business will be carefully formulated, targeting only over 25s thereby avoiding making the sale and/or consumption of alcohol 'attractive' to children and young people. Such campaigns will conform with national and recognised industry standards.

PS3. The premises will operate upon a clear principle of recognising and discharging its 'duty of care' to customers, staff members and neighbouring communities. A wide range of soft

drinks will be available and these will be clearly visible. The sale of soft drinks will be encouraged, free potable water will be available at all times and the sale of stronger beers (above 5.5% ABV) will be closely monitored by staff.

PS4. All staff will be trained to understand the impact and effect of alcohol upon customers, to spot the signs of excessive consumption/drunkenness and to take action as necessary. This includes the cessation of the supply of alcoholic drinks to individuals, the provision of soft drinks or water and assistance with travel home such as the calling of local taxi firms (for free), information re local buses and contacting friends or family members (if necessary).

PS5. A designated driver scheme will be encouraged. Information concerning the safe and responsible consumption of alcohol, recommended safe drinking levels and where further information can be found will be provided by within the premises and upon the website and social media pages.

PS6. A recommended 'safe capacity limit' for the internal and external areas of the premises will be formulated and introduced with operations below such levels being preferred. Numbers of patrons attending the premises, particularly for events, will be monitored with action taken to avoid queues which in turn can lead to 'tension' and delays in service. In addition, the overall temperature and heating and cooling of the premises will be continually monitored to ensure that a comfortable environment is provided, one that does not trigger poor behaviour as a consequence of extremes of temperature and discomfort.

PS7. A first aid station equipped with suitable, appropriate and 'in-date' first aid equipment will be established and staff members will receive input and training in first aid measures and how to secure further help should an incident occur. Members of staff will receive first aid instruction as part of their induction and continuous training and development.

PS8. Staff will be briefed and trained in fire and emergency evacuation procedures and this will be the subject of a documented policy that will be rehearsed regularly with records being kept of such events. The premises are fitted with an advanced fire alarm system and appropriate 'in-date' fire extinguishers will be readily available with staff having been trained and briefed upon their use. Fire doors will be unlocked at all times when the business is open and they will be fully prepared for use (if required).

PS9. In accordance with legislation, no smoking is allowed within the inside of the premises and a small dedicated smoking area has been established to the outside of the premises at the point furthest from the entrance doors. This area is equipped with suitable receptacles for smoking materials and it will be regularly checked and cleaned to ensure that it does not present a noise or 'smell nuisance' to patrons or neighbours.

PS10. Staff members will be trained in techniques to de-escalate possible conflict and aggression on the part of clients within the premises. This will include safe, practical techniques to reduce risk and the threat of harm to customers and staff members. Safe directions to leave the premises and ejections will be accompanied with advice and guidance on alerting and involving supervisors, the DPS and the police (where necessary) in dealing with aggressive customers.

PS11. Staff will be briefed on the requirement to act swiftly and safely in the event of a drinks spillage or glass/bottle breakage. The safe cleaning of such accidental incidents will take place quickly to remove/reduce the likelihood of slippage or injury to customers. In addition, bottle bins will be kept in areas away from public access.

d) The prevention of public nuisance

The Prevention of Public Nuisance (PN)

In addition to the measures that have been outlined within the previous sections, the following actions will be implemented to prevent public nuisance.

PN1. In the design, layout and fitting out of the premises for operations every opportunity will be taken to factor in the use of recognised design and material choices that act to reduce/eradicate the diffusion of noise to neighbouring communities. The premises are 'industrial' in design and construction and their location within an industrial setting means that by nature, noise does not reach or cause nuisance to neighbours, especially residential communities. Every opportunity will be taken in the installation of entrances and doors to reduce the diffusion of noise and levels will be actively monitored inside the premises, to the outside areas and the wider perimeter. A telephone number will be advertised on the website and social media pages of the business that provides for immediate contact with the supervisor on duty at the premises in order that any concerns regarding noise nuisance can be reported and immediately acted upon. Records of noise monitoring by staff members and the reporting of noise nuisance will be fully recorded, reviewed and acted upon. The business will actively seek out engagement and feedback from neighbourhood watch and other sources of 'community feedback' concerning its operations and allied impact upon the locality.

PN2. Clear signs asking customers to disperse and leave the area quickly and quietly will be displayed at exits and other key points. The dispersal and departure of customers at the end of service will be actively monitored by staff members.

PN3. Where necessary taxis will be ordered for customers with taxi drivers asked to collect from the premises car park and to not create a noise nuisance for local residents. Clients awaiting taxis will be asked to wait inside the premises or in the immediate area of the entrance. Similarly, those providing entertainment who may be loading equipment at the end of service will be asked to do so with consideration for neighbours and the final departure of staff members will be similarly controlled. Large bottle recycling receptacles located within the car park of the premises will not be loaded late at night.

PN4. Staff will undertake regular perimeter patrols of the premises to ensure that there is no litter or noise nuisance and lighting to the exterior of the premises will not be active after service has concluded and the premises are secured. This to reduce any possibility of light pollution/nuisance.

PN5. Close monitoring of noise and food smells from occasional events being held in the outdoor area of the premises will be controlled and monitored to ensure that there is no nuisance to local communities.

PN6. The final period of trading (the last half hour) will see a change in background music and lighting to promote a 'chill out' and to act to ensure calm prior to departure from the premises. There will be no late or re-admission to the premises once the sale of alcohol has ceased at the end of service.

e) The protection of children from harm

The Protection of Children From Harm (CH)

In addition to the measures that have been outlined within the previous sections, the following actions will be implemented to protect children from harm.

CH1. As part of the overall risk assessment of safe and effective operations at the premises all hazards relating to the access and presence of children and young people (under 18s) on the premises will be identified and measures introduced to reduce or mitigate such risks. All staff will be trained and briefed to be aware of the identified risks and the measures that are required to be taken. Records of such training will be maintained and held for inspection.

CH2. As a matter of clear Company policy, no alcohol will be provided to, or allowed to be consumed on the part of any person under the age of 18 years, in any circumstances whatsoever (even allowing for the provision in law of alcohol with food on some occasions to under 18s).

CH3. The 'Check 25' system of identity and age verification will be introduced and strictly adhered to (see CD8 above).

CH4. The admission of children will be strictly monitored with U16s only allowed to enter and remain on the premises when accompanied and supervised by family adults. This access will only be afforded prior to 8pm during periods of operation. From 8pm children aged under 16 years (and most likely their accompanying adult) will be asked to vacate the premises.

CH5. There will be no display of promotional material within the premises that could cause harm or distress to a child or young person and any screening of films (as per the licence application) will be strictly controlled in accordance with British Board of Film Categorisation for suitable watching.

CH6. As part of the recruitment process for new staff members vetting will take place including screening for criminal convictions and the consideration of DBS checks.

CH7. The design and positioning of alcohol for retail sale will be carefully considered and designed to ensure that all such spaces can be controlled by staff members and are covered by CCTV.

CH8. There will be no installation of gaming machines within the premises Entertainment machines will only take the form of 'console' devices such as PlayStations, Nintendo, Microsoft 'X Box' etc and will occasionally be made available within the premises as part of pre-determined, time limited activities for children and young people.

CH9. Access to the brewing area of the business will be physically controlled to prevent entry for all patrons (including under 18s) to the production and equipment areas.

Checklist

Please tick to indicate agreement

- I have made or enclosed payment of the fee X
- I have enclosed the plan of the premises X
- I have sent copies of this application and the plan to responsible authorities and others where Applicable X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable X
- I understand that I must now advertise my application X
- I understand that if I do not comply with the above requirements my application will be rejected X

Applicable to all individual applicants, including those in partnership which is not a limited liability partnership, but not companies or limited liability partnerships

- I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15) N/
A

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION ASYLUM AND NATIONALITY ACT 2006 AND PURUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO

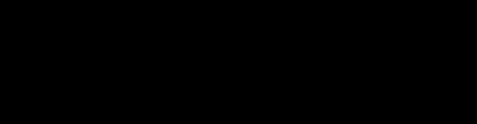
IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

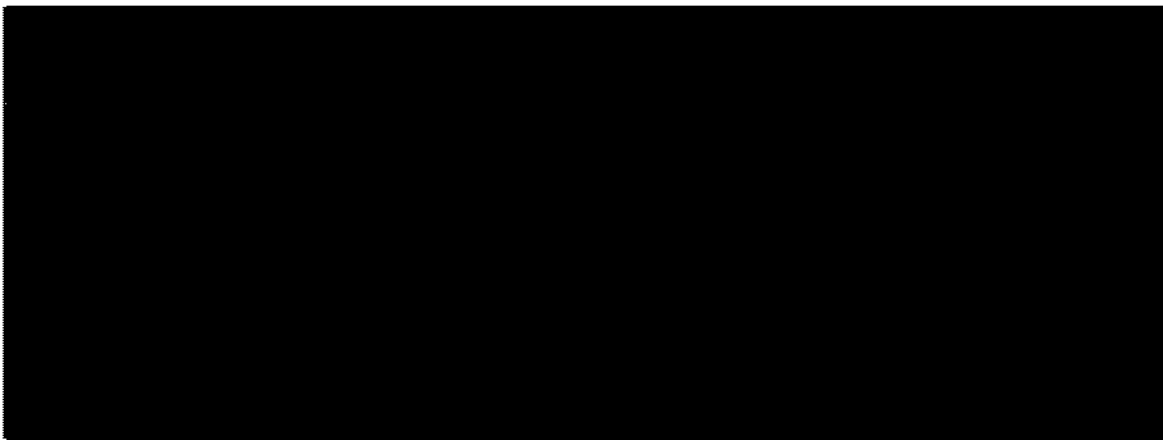
Part 4 – Signatures (please read guidance note 11)

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

Declaration	Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership <ul style="list-style-type: none"> I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).
Signature	
Date	
Capacity	

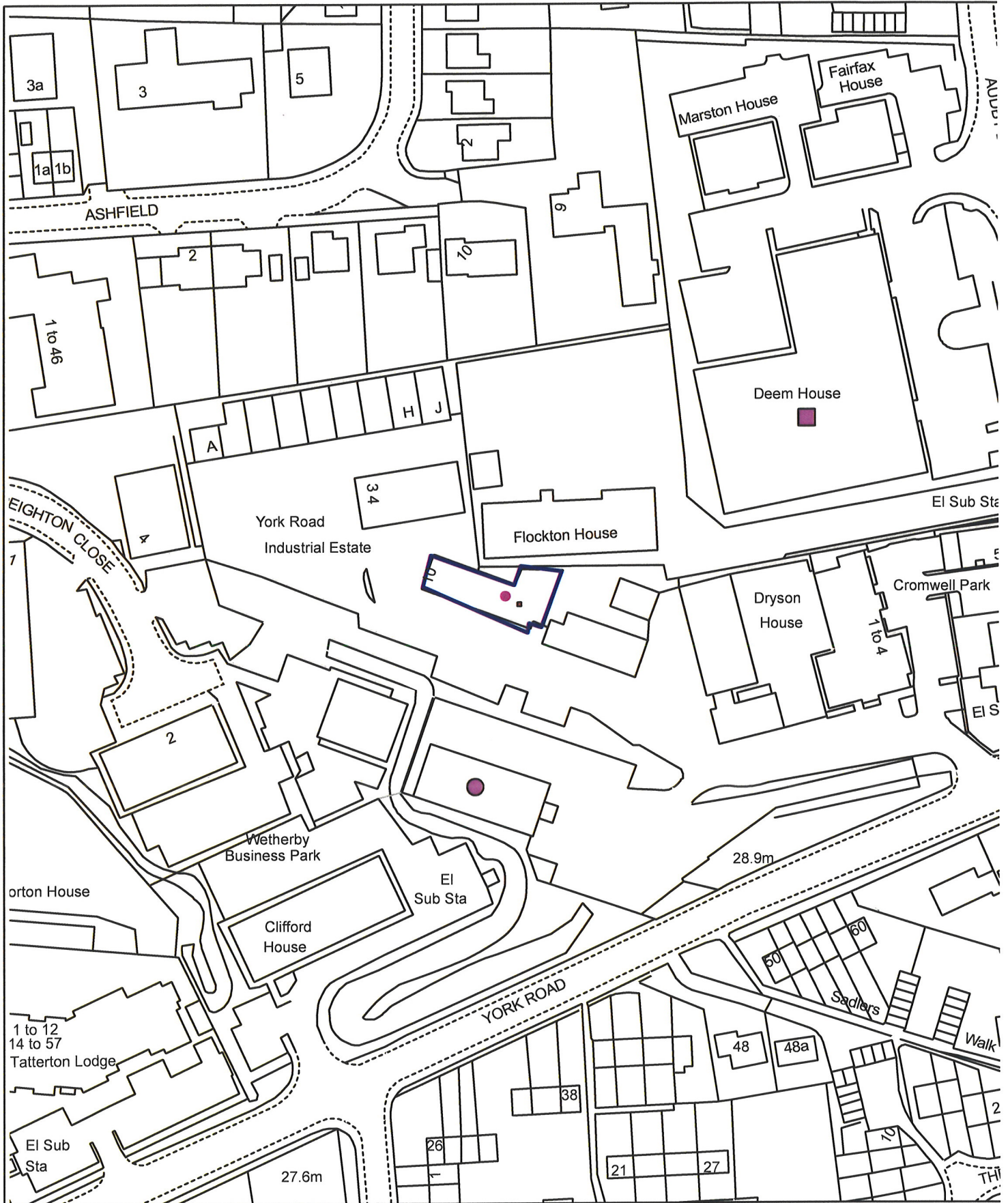
For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	13th September 2017
Capacity	Company Director - Wetherby BrewCo Limited



Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.





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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Wetherby Brew Co. Limited
 York Road Industrial Estate
 York Road
 Wetherby
 LS22 7SU

Development Department
 The Leonardo Building
 2 Rossington Street
 LEEDS
 LS2 8HD

Contact: **Chris Sanderson**
 Tel: 0113 3788069
 Fax: 0113 2478230

Your Ref:
 Our Ref: Licence Applications

Date 5th October 2017

Dear Sir/Madam,

Subject: APPLICATION FOR PREMISES LICENCE

Thank you for submitting your application for licensed activities at:

Name of venue:- The Beer Station

Address:- York Road Industrial Estate, York Road, Wetherby, LS22 7SU.

We write to inform you we shall be objecting to your application and a copy of this letter will be sent to the Licensing Authority.

The premises are a former printers and the proposed use under the licensing application as a bar (A4) constitutes a material change of use of the premises that has not obtained the necessary planning approval.

The proposed use of the premises identified in the licence application, including the activities within and outside, the intended opening hours of the premises and the close proximity to residential are considered unacceptable.

The Development Department objects to the granting of a Premises License in the terms applied for due to the fact that the premises do not have planning permission for the current use and the proposed hours.

It is considered that the use/opening hours applied for at these premises would conflict with the Licensing objective of preventing public nuisance.



The Development Department considers that the proposed opening hours and unauthorised use of the premises are unacceptable and that a Premises Licence should not be granted.

Yours faithfully

Chris Sanderson
Principal Compliance Officer

Wood, Jane

From: [REDACTED]
Sent: 11 October 2017 08:22
To: [REDACTED]
Cc: Wood, Jane
Subject: Premises Licensing Application - The Beer Station, Wetherby (Additional Information)
Attachments: LeedsDevRepsLetterOct2017.pdf; WBCLtdLocationMap.pdf; Screenshot 2017-10-11 at 07.07.07.png; Screenshot 2017-10-11 at 07.06.16.png; Screenshot 2017-10-11 at 07.05.36.png; Screenshot 2017-10-11 at 07.05.08.png; Screenshot 2017-10-10 at 08.00.02.png; licensingactparliamentaryguidance.pdf; PREM04071001 The Beer Station (1).pdf; WestYorksPoliceBeerStation.pdf; WetherbyBrewCoLtdBeerStationRiskAssessmentV7Oct2017 (1).pdf

Dear Mr Sanderson,

Please find attached to this email correspondence and supporting attachments in respect of your recent letter to our Company. This concerns our current application for a premises licence (sale of alcohol and associated licensable activities) at The Beer Station, York Road Industrial Estate, Wetherby LS22 7SU.

Please do not hesitate to contact me should you wish to discuss any aspect of the information that has been provided.

With thanks,



Wetherby BrewCo Ltd



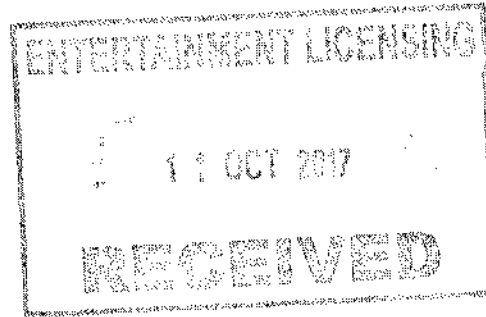
Prem/0407/1/001



Mr Chris Sanderson
Principal Compliance Officer
Leeds City Council
Development Department
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

11th October 2017

[REDACTED]
Wetherby BrewCo Limited
York Road Industrial Estate
Wetherby
LS22 7SU



[REDACTED]
Dear Mr Sanderson,

Wetherby BrewCo Ltd – Application For Premises (Sale of Alcohol) Licence

Thank you for your letter of the 5th October 2017 that sets out representations on the part of your organisation in respect of our current application for a premises licence to retail alcohol and undertake other licensable activities at The Beer Station, York Road Industrial Estate, Wetherby LS22 7SU.

I should say at the outset that both as a Company and as individual directors, that we are very keen to engage with and work positively with parties to the licensing application process [such as yourselves] including also local businesses and residents within the vicinity of our premises and proposed licensed venue.

Therefore, please consider this letter as a positive and constructive response to your letter, one that in the spirit of the Licensing Act (2003) seeks to work with parties who have made representations to properly receive such submissions, consider them fully and act positively upon them with a view to achieving a mutually suitable resolution.

Myself and fellow directors of Wetherby BrewCo Ltd have taken the time to carefully consider the content of your letter of the 5th October 2017 and it would seem that your representations concerning the licence application centre upon three central issues;

1. The current planning designation of our premises in respect of the fact that we do not presently have planning permission to operate as licensed premises (A4 planning consent);
2. The 'geographic proximity' of our premises to residential communities in and around York Road and residential areas neighbouring the York Road Industrial estate; and
3. The impact of our business activities on others in respect of 'noise nuisance'.

I will therefore address your concerns and provide further information concerning your representations around these three principal themes.



1. The current planning designation of our premises in respect of the fact that we do not presently have planning permission to operate as licensed premises

It is entirely correct to point out that our business premises on the York Road Industrial Estate are currently assigned planning permission B2 - 'General Industrial Use' and that formerly, for a number of years, the site was occupied and operated by A1 Press Ltd; a printing business.

Whilst we have undertaken some preliminary investigative and building works within the premises, you will note from page 3 of our licensing application ('operating schedule') that we have been clear and explicit in stating that concurrent to applying for a premises licence (alcohol retailing) that we have also submitted a full planning application to Leeds City Council (planning) to vary the planning permission for our premises from B2 - General Industrial Use to also include permission A4 – 'Drinking Establishment'.

Both applications (planning and premises licensing) were submitted on the same day, 13th September 2017 and are presently under public and general consultation. We fully recognise that we cannot, and should not, operate commercially until both planning and premises licensing have been properly secured and we are not trading in any way at the present time.

However, whilst there is clear synergy and overlap between the planning and premises licensing application processes they are discrete and separate processes that are following different pathways within the local authority; to be scrutinised and determined upon by different departments. Each department (planning & licensing) will wish to know that the other application has been submitted and is being progressed but neither is dependent upon each other and they stand as separate applications.

Importantly, in considering the grounds upon which an organisation or individual can make representations concerning a new premises licence application the Licensing Act (2003) is clear in stating that representations (objections) can only be made in respect of a possible breach or compromise of the four main licensing objectives of that legislation.

As I am sure you are aware, those licensing objectives are;

1. The prevention of crime and disorder;
2. Public safety;
3. Prevention of public nuisance; and
4. The protection of children from harm.

We believe therefore that whilst your observations concerning planning consent are accurate they are not however valid or relevant in respect of forming a legitimate objection under the premises licensing application process as it does not relate to the four licensing objectives (above).

Moreover, we feel that concerns that you may have regarding our planning status would be more appropriately directed to our current planning application that is open for consultation with Leeds City Council. The reference number for this planning application is 17/06060/FU and the consultation process, including opportunities to make representations, is open until the 10th November 2017. A copy of our planning application can be viewed at:

<https://publicaccess.leeds.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OW9G0AJBLH700>



I attach to this document recent guidance produced by the House of Commons (June 2017, for Parliamentarians) relating to the application for premises licences; the process and valid reasons for making representations. This guidance explains very clearly the importance of the four licensing objectives and that representations must centre upon them.

2. The 'geographic proximity' of our premises to residential communities in and around York Road and areas neighbouring the York Road Industrial estate

The 'geographic proximity' of our business premises to residential areas is not in itself a valid reason upon which representations can be made as it is not, in itself, a breach or direct compromise of any of the four licensing objectives.

For information purposes I enclose with this letter a Google map of York Road, Deighton Close and the York Road Industrial areas of Wetherby. I have annotated the map to indicate;

1. The location of our business premises, the building and private courtyard (marked in red);
2. The walking route from the entrance to our premises to the first residential dwellings on York Road (the red dotted line). This distance has been measured to be 98 metres (322 feet) to the nearest residential dwelling on York Road;
3. The position of our neighbouring licensed premises (building and car park), 'The Engine Shed' (in blue); and
4. The position of the nearest residential dwellings on York Road (in green).

Wetherby is perhaps unusual and different to other similar sized towns in that the incremental development of commercial, industrial and residential development over a number of decades has led to a situation where industrial estates such as York Road and Sandbeck are close to the town centre and now largely surrounded by established and recently built dwellings.

The point therefore is that industrial, commercial and residential activities are located in such a way that effective co-existence is vital to the success of business and in ensuring that that town remains a safe, pleasant and enjoyable place to live; an ambition that our Company fully supports and aspires to.

'Geographical proximity to residential areas' in itself is therefore not directly linked to the four licensing objectives and cannot form a valid representation in its own right. We would also point out that The Engine Shed (see map) is a very well-established licensed venue, one that provides for weddings, parties, events and other licensable activities for over 10 years.

You will note from the plan that The Engine Shed (and large car park) is much closer and in fact adjacent to York Road and residential areas, it is much a larger venue and is licensed to open beyond midnight when open. As such, a precedent for licensing activities within this area has been established and proven to be capable of co-existence with neighbourhoods over a long period of time.

I attach to this email screenshots of the premises licence that is in force for The Engine Shed. This provides detail concerning the licensing hours of the premises and the licensable activities that they are authorised to undertake. You will note from this information that The Engine Shed is much closer to residential communities on York Road, that it is licensed to open until 00.30 hours on Thursday evening into Friday morning and until 01.30hrs into Saturday and Sunday mornings.



The Engine Shed has been operating for well over 10 years and our recent contact and business liaison with the owners of those premises indicate that their operating model is not causing nuisance or complaint to local residents, despite the fact that they are a 'venue' for weddings, parties, events and that they are considerably larger than our proposed business both in premises and adjoining car park capacity.

You will note that our licensing application includes information concerning opening hours and proposed licensable activities. Our core business is that of being a micro craft brewery with beer produced on the premises. The licensable activities of retailing alcohol and limited forms of entertainment are complimentary to that core purpose and we will not be retailing alcohol beyond 23.30hrs on any night of the week. We do in fact anticipate that the majority of our footfall and business will in fact be during the daytime and early evening with the specialist bottle shop and brewery sales (trade) forming a key part of the commercial model

We believe that your reference to 'geographic proximity' was intended to flag up potential issues concerning noise and other nuisance and I will address these concerns within the next passage.

3. The impact of our business activities in respect of 'noise nuisance'

Noise nuisance is a licensing objective and a valid area within which representations can be made to the granting of a new licence and this would seem to be the only area of representation that you are advancing that is compliant with the legislation and guidance (Licensing Act 2003). We are absolutely committed to ensuring that our business operates responsibly and sensitively to the environment within which it is located.

Our proximity to local people and the town centre is a real strength but brings with it important responsibilities to avoid, prevent and/or reduce noise nuisance wherever possible, at all times. We believe that our commitment to this ambition is clearly set out within our licensing application; particularly the sections relating to our overall approach to promoting the licensing objectives and how we will implement measures around each area. This information is contained from page 11 of the application onwards.

In addition, and very importantly, as part of the licensing consultation process we have received a request from Leeds City Council – Environmental Protection Department (Mr Trevor Porter) with respect to noise and other forms of nuisance.

Environmental Protection have asked us to incorporate seven conditions within our premises licence which are designed to prevent/reduce the likelihood of nuisance occurring. We have accepted these conditions in full and as a consequence of that there is no objection to our premises licence from the Environmental Protection Department of Leeds City Council and they plan to take no further action or activities in respect of our application.

We contend that these are pragmatic and sensible conditions; ones that we can readily accept and work with. We would also advance an argument that Environmental Protection are the local government experts in the area of noise and other nuisance and if we have met their threshold of conditions then we have moved significantly to ensure that the premises are operated responsibly.

The premises licence conditions suggested by Environmental Protection and agreed by us are as follows;



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 after 11pm;
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 and external areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 11pm; and
7. The activities of persons using the external areas such as for smoking 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.

You will note that most of the conditions relate to external areas of the business and our operating model is predicated upon a business that operates almost exclusively within the internal areas of the building. We would ask you to review the conditions above and re-visit the conditions set out within our application to address noise and nuisance. We feel that they are more than adequate but if you wish to propose any further possible licence conditions then we would of course give such suggestions very serious consideration.

I should also say that formal consultation with West Yorkshire Police has not revealed any concerns on their part. They have suggested further measures to prevent crime and we have agreed to incorporate them as conditions within our premises licence. Copies of correspondence with Environmental Protection and West Yorkshire Police are provided with this letter.

However, and very importantly, if it is the case that you base your current representations concerning noise and other nuisance upon data, complaints from residents or businesses or any other form of 'hard data' we would be delighted to receive and review that information so that we can better understand the nature of previous complaints and respond accordingly.

In closing, I believe that we have identified that of the three areas of representation that you have advanced only that relating to noise and other nuisance could be considered to be relevant under the legislation and guidance.

We have provided information relating to our approach to addressing this important area of concern and the ways in which we have responded to the suggestions of consultees including environmental protection and the police.

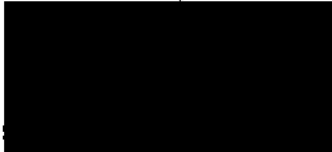
The spirit of the Licensing Act (2003) allows for engagement and dialogue between licence applicants (ourselves) and those who may make representations (yourselves). I would be more than pleased to speak with you in person or on the telephone concerning these matters and this letter contains my contact details.



We hope that we have provided further context and detail that reassures you in respect of your representations and that in actual fact that you may now feel that the substantive area of potential noise and other nuisance is now adequately addressed through proposed licensing conditions. In which case you may feel it appropriate to withdraw or amend your representations accordingly.

Please do not hesitate to contact me should you wish to discuss these matters or if you require any further information.

Yours sincerely,



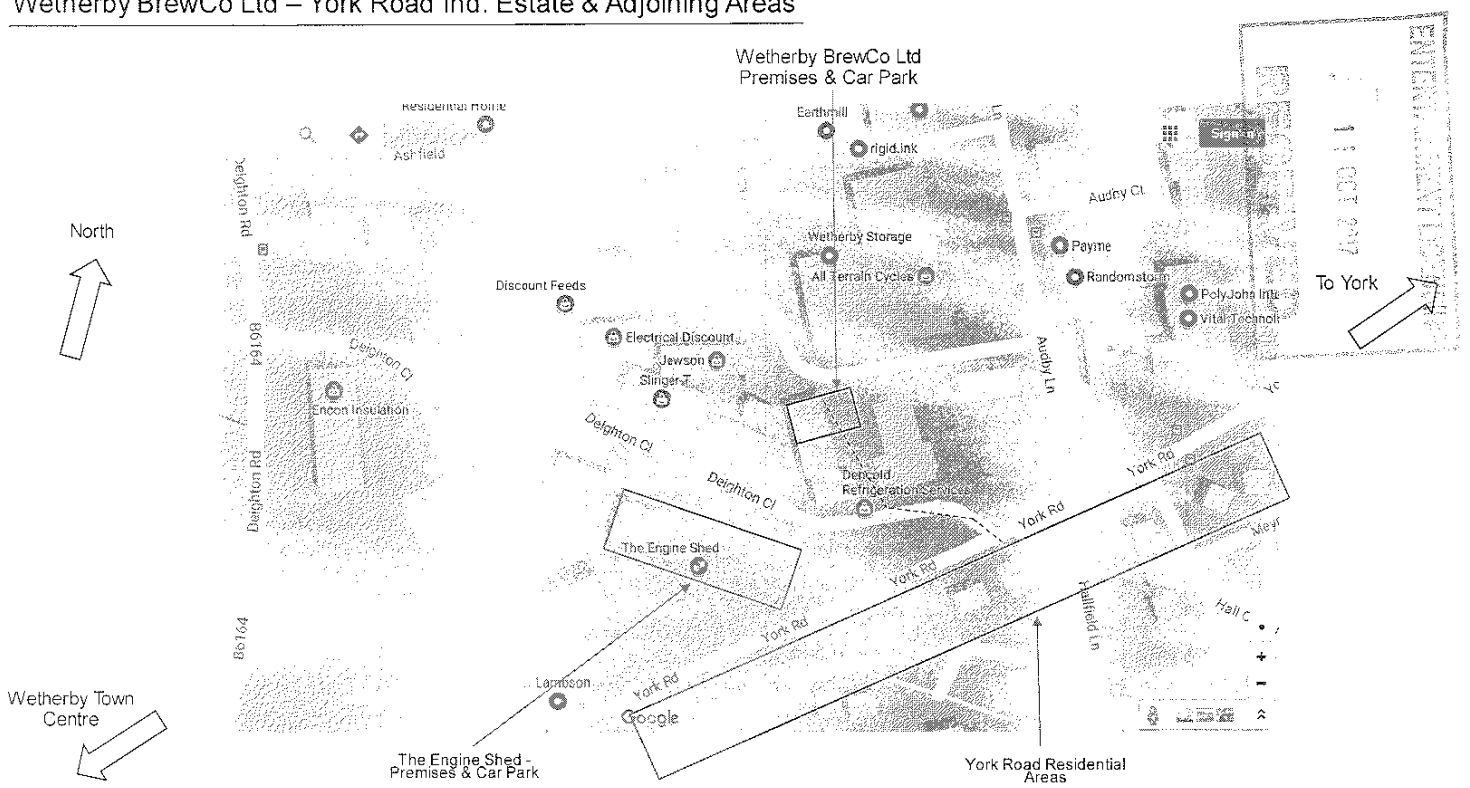
Wetherby BrewCo Limited

Enclosures:

1. Map of York Road Industrial Estate;
2. Premises Licence Information - 'The Engine Shed', Wetherby;
3. Copy of House of Commons Guidance Concerning Licensing Representations;
4. Copy of correspondence with Leeds City Council, Environmental Protection ; and
5. Copy of correspondence with West Yorkshire Police.

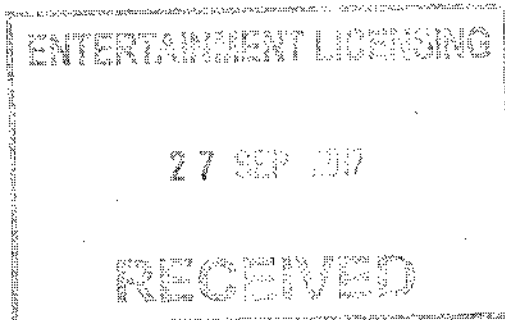
cc. Miss Jane Wood, Leeds City Council, Entertainment Licensing

Wetherby BrewCo Ltd – York Road Ind. Estate & Adjoining Areas





Wetherby Brew Co Limited
York Road Industrial Estate
York Road
Wetherby
LS22 7SU



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

Contact: Mr Trevor Porter
Tel: 0113 378 6592

Our reference: PREM/04071/001
27 September 2017

Dear Sir / Madam

Licensing Act 2003

Name and Address of Premises: York Road Industrial Estate, York Road, Wetherby, LS22 7SU,

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



Mr Trevor Porter
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: York Road Industrial Estate, York Road, Wetherby, LS22 7SU,

Micro brewery serving alcohol to public (application for class 4 drinking establishment), with live / recorded music, indoor sporting events and late night refreshment. Close proximity to the Engine Shed licensed establishment with nearest noise sensitive residential premises at Ashfield to the North and York Road to the South approximately 60m either way.

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

- Prevention of public nuisance

Noise and Vibration

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
2. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises after 11pm.
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 and external areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 11pm.
7. The activities of persons using the external areas such as for smoking 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.

Conditions offered for prevention of public nuisance with the application will apply.

Signed: 

Dated: 27/9/2017

PART 2

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: York Road Industrial Estate, York Road, Wetherby,
LS22 7SU,

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: York Road Industrial Estate, York Road, Wetherby,
LS22 7SU,

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

PART 2

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: York Road Industrial Estate, York Road, Wetherby,
LS22 7SU,

I/We Wetherby BrewCo Limited

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: [Redacted] DIRECTOR, WETHERBY BREWCO LTD.

Dated: 14/10/17

PART 3

Name and Address of Premises: York Road Industrial Estate, York Road, Wetherby,
LS22 7SU,

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.

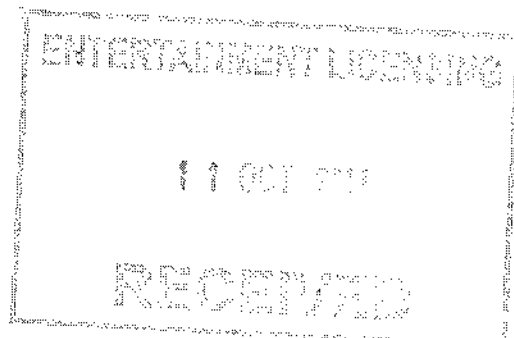
In this instance we understand that Leeds City Council's environmental action service will
maintain their representation to my /our application, which will now proceed to a hearing
before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

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



Prem/04071/001

Wood, Jane

APPENDIX E

From: [REDACTED]
Sent: 04 October 2017 10:23
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: BEER STATION WETHERBY - NEW PREMISES LICENCE APPLICATION [NOT PROTECTIVELY MARKED]
Attachments: WetherbyBrewCoLtdBeerStationRiskAssessmentV7Oct2017.pdf

Good morning,

Please find attached to this email a completed Leeds City Council risk assessment proforma in respect of our premises application (the sale of alcohol) for the Beer Station, York Road Industrial Estate, Wetherby (LS22 7SU).

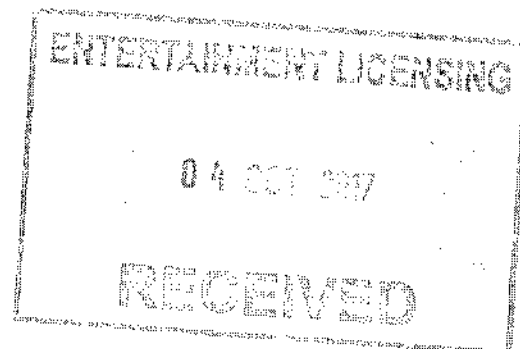
We are more than happy to accept and incorporate the suggested conditions within the risk assessment as part of the premises licence application process.

Please let me know if I can be of any further assistance.

With thanks,



Director
Wetherby BrewCo Ltd



From: Patterson, Bob [REDACTED]
Sent: 28 September 2017 17:16:25
To: [REDACTED]
Cc: Jane.Wood(GCSx); Carmel.Brennand(GCSx); Arkle, Catherine
Subject: BEER STATION WETHERBY - NEW PREMISES LICENCE APPLICATION [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED

Dear [REDACTED]

Thank you for your recent application for a new premises licence.

There will be no police objections to this application, which will probably be of no great surprise to you, but we would nevertheless like to make the following observations and recommendations.

The description the application gives, and the extremely comprehensive content given at pages 11-17 of the PREM 1, is in fact a credit to whoever has completed these sections.

However, that being said, therein lies a slight problem.

Whilst very detailed and articulate, this section M would normally be used to translate exactly any information contained there, into actual conditions of the premises licence once issued.

With respect, this would be quite a difficult task here, in line with the statutory guidance about conditions being clear and precise, so as to be easy to understand and comply with from the licence holders perspective, but also enforce (if needed), by the licensing authority and other responsible authorities.

For this reason alone, I attach a Leeds City Council V7 Pro forma risk assessment, used by applicants particularly for new premises, and would invite you to complete and return it as an alternative. You may have already seen it? It is a 'fit for all purpose' document, so there will be sections which don't apply to you, and it covers all four licensing objectives.

Therefore, I am coming only from the 'Crime & Disorder' section, and any other section is between you and the other relevant responsible authorities to consult over.

So, with regards to the 'Crime & Disorder' section of the attached V7 document only, West Yorkshire Police would recommend as an alternative, but also taking into consideration what you have already offered, that you choose the following codes from the document, which will then become conditions of your premises licence once issued.

The codes are:-

7PF001

7PF004

7PF007

7PF008 – (with respect, variations may include 30 or 28 days, but 11 days is unheard of!)

7PF010

7PF016

7PF017

7PF023

7PF024 – (minus the door staff bits!)

7PF025

7PF036 – (the premises will also have a separate 'mandatory' condition in relation to an age verification policy!)

7PF 044.

I look forward to your reply hopefully with the attached document completed.

Please copy in Jane Wood who is the case officer for Leeds City Council.

If you reply after the 11th October, could you also please copy in PC Cath Arkle of West Yorkshire Police, who will deal with the matter in my absence.

Thank you in advance for your cooperation.

Regards.

Mr Bob Patterson
Leeds District Licensing Officer
Leeds District Licensing Department

Elland Road, Leeds, LS11 8BU

External: 0113 3859414/5

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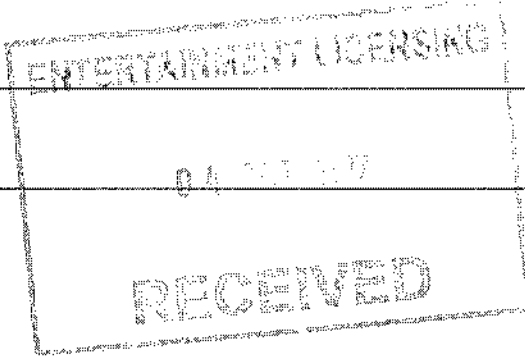
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For more information please visit <http://www.symanteccloud.com>

Please complete the details below:

Applicant name: Wetherby BrewCo Limited	 <p>ENTERTAINMENT LICENSING 04 07 13 RECEIVED</p>
Business name: The Beer Station	
Business address: York Road Industrial Estate York Road Wetherby West Yorkshire	
Postcode: LS22 7SU	

Guidance about this document

1. The Licensing Authority recommends that you complete this specially designed pro forma risk assessment to help you decide what should be entered in your operating schedule to show how you will promote the four licensing objectives.
2. Whilst the Licensing Authority cannot insist that you use this document it takes the view that it assists responsible authorities in assessing the operating schedule, promotes discussions and partnership working and will reduce the number of representations and hearings.
3. If you do not use this risk assessment pro forma then you will need to demonstrate how you will meet the licensing objectives by providing other supporting evidence via your operating schedule.
4. The Licensing Authority strongly recommends that you consult with the responsible authorities early in the application process to ensure that the measures you are suggesting are appropriate and sufficient for your application. Contact details for the responsible authorities are in the guidance note in the application pack. Please contact Entertainment Licensing if you cannot find this information.

How to use this document

1. This document has four sections which correspond with the four licensing objectives. In each section you will find information on potential control measures (each with an individual code) which we suggest may help you meet the four licensing objectives.
2. Run through the questions at the beginning of each section and consider the potential control measures listed in the columns beneath.
3. If you are happy to volunteer the control measures as part of your application place a tick in the relevant box in the right hand column. You can then enter the corresponding codes in page 14 of your application form in the boxes which match up with the licensing objectives or simply write "see pro forma risk assessment". These measures will then appear on your licence.

Crime and Disorder

CCTV

Does the premises have CCTV?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
Was the siting and standard agreed with West Yorkshire Police (WYP)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with WYP?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
The premises have a duly licensed Data Controller under the Data Protection Act 1998	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If NO:	
Have you consulted WYP about whether CCTV should be installed?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
(NB unless WYP have agreed CCTV is not required, a representation is likely)	

Suggested measures	Code	✓
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.	7PF001	✓
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).	7PF002	
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.	7PF003	
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.	7PF004	✓
The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority	7PF005	
The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.	7PF006	
The CCTV system will contain the correct time and date stamp information.	7PF007	✓
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.	7PF008	✓
The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.	7PF009	

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.	7PF010	✓
The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images caught on cameras on the premises will, on the lawful request of an authorised officer of a Responsible Authority (under the Licensing Act 2003), be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that it is secured to prevent any overwriting.	7PF011	
The CCTV system will be capable of securing relevant pictures for review or export at a later date.	7PF012	
The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.	7PF013	
The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.	7PF014	
It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.	7PF015	

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES ✓ NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the DPS contactable in emergency?	YES ✓ NO <input type="checkbox"/> N/A <input type="checkbox"/>
If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence?	YES ✓ NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Supervisor's Register bound with consecutively numbered pages?	YES ✓ NO <input type="checkbox"/>

Suggested measures	Code	✓
A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.	7PF016	✓
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.	7PF017	✓

Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Are they Security Industry Authority (SIA) registered?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you specify a minimum number of door supervisors?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES, state the number of staff _____	N/A
Days (and times) employed _____	N/A
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a policy with the door supervisor or security company which covers:	
• Vetting customers entering the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Is there a prominently displayed written search policy on the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Controlling customers entering, within or leaving the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Safeguarding the public within and immediately outside the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Notifying WYP at the earliest opportunity of any problems or incidents?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Exclusion of persons who have had too much to drink or appear inclined to disorder?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Daily Record Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Can you identify who was on duty at any particular time?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have an Incident Report Register?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Incident Report Register bound with consecutively numbered pages?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Suggested measures	Code	✓
The minimum number of door supervisors for the premises is _____ Please specify days and hours door supervisors operate on the premises.	7PF018	
The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.	7PF019	
The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).	7PF020	
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	7PF021	
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	7PF022	

The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.	7PF023	✓
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.	7PF024	✓
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	7PF025	✓

Drugs and Offensive Weapons

Do you have a policy and procedure to prevent use of illegal drugs or weapons (e.g. a search policy)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with WYP?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the policy include:	
• recording any search	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• seizing drugs/weapons found	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• informing the police of any search and seizure	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	7PF026	
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	7PF027	
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.	7PF028	
Notices will be prominently displayed at the entrances of the premises which state: <ul style="list-style-type: none"> • a search will be conducted as a condition of entry to premises; • Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register. • Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. 	7PF029	

<ul style="list-style-type: none">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		
--	--	--

Communication

Do you subscribe to a form of communication link (radio/text/pager system). The system shall be recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police.	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	Code	✓
There will be a communication link via radio to other venues in the city centre. This will be the system recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police	7PF030	
Such communication link will be kept in working order at all times when licensable activities are taking place	7PF031	
The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	7PF032	
Any police instructions or directions given via the link will be complied with whenever given.	7PF033	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	7PF034	

Responsible Sale of Alcohol

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Alcohol Designated Public Places Orders</u>	
If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS 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.	7PF035	
or		
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.	7PF036	✓
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.	7PF037	
or		
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.	7PF038	
<u>Glass and Bottles</u> 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.	7PF039	
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	7PF040	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	7PF041	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by West Yorkshire Police / British Transport Police (e.g. football match days)	7PF042	
<u>Alcohol Designated Public Places Orders</u> Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	7PF043	

<u>Membership of a Recognised Body</u>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you belong to a Licensees Association/Body	
If YES, please state which body: Wetherby Pub Watch Scheme	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Exclusion from Premises</u>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you operate a system of excluding customers who are known to cause problems?	
If YES:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• is this your own system or	
• a system run by a local licensees body	Both <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Dispersal Policy	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour)	
If YES:	
• Was this agreed with WYP (and BTP where applicable)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Are all bar and door staff trained on the policy?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
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	7PF044	✓
The PLH/DPS 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 PLH/DPS will ensure that staff receive training on the policy.	7PF045	

Is your premises predominantly a restaurant?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Prior to the submission of your application it is recommended that you consult with the West Yorkshire Police on your proposals to operate as a restaurant. The discussions should be to agree the number of covers to be set aside and your proposals for service.	

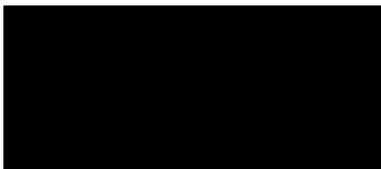
Suggested measures	Code	✓
The premises shall be and remain predominantly food led.	7PF046	
An agreed number of covers will be maintained at all times the premises are operating. The number of covers will be _____	7PF047	
At any time that the premises licence has effect the sale of alcohol for consumption on the premises will be ancillary to the service of table meals	7PF048	
Waiter/waitress service will be in operation throughout the premises in relation to orders for food and/or alcohol	7PF049	
The sale/supply of alcohol shall only be made to accompany the sale of food. This does not preclude the sale/supply of alcohol to a person waiting to be seated in the restaurant or at the conclusion of the meal.	7PF050	

Entertainment of an Adult Nature e.g. Strip Tease Dancing or Nude Dancing

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
---	--

Please note that should you provide relevant entertainment more than 12 occasions per 12 month period or more frequently than monthly you will be required to apply for a Sex Establishment licence.

Suggested measures	Code	✓
Entertainers will be aged no less than 18 years.	7PF051	
Price lists will be clearly displayed at each table and at each entrance to the premises.	7PF052	
Entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.	7PF053	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	7PF054	
Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence.	7PF055	
Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.	7PF056	
Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.	7PF057	
Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.	7PF058	
Sex toys must not be used and penetration of the genital area by any means must not take place.	7PF059	
Customers will not be permitted to throw money at the entertainers.	7PF060	
All areas used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.	7PF061	
All areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.	7PF062	



1st October 2017

Ref.PREM/04071/001

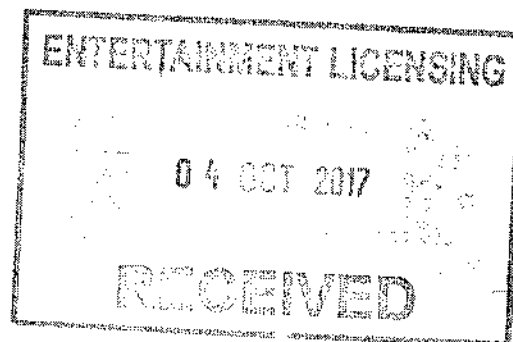
Dear Miss Wood

We are writing with reference to the licensing application from the Wetherby Brew Co.Ltd. We have obtained details of the proposed opening times (which are 7 days a week until late at night), and the indoor and outdoor entertainment programme.

We are extremely concerned that the continuous level of noise from this would be intrusive, especially from the outdoor music events. This was apparent over the August Bank Holiday this year when the Engine Shed hosted the Shed Stock event. The noise from this amounted to noise pollution and prevented us from enjoying our weekend.

We strongly object to any additional similar events taking place in this area. The location is alongside a large residential area and is wholly unsuitable, not just from the unacceptable level of noise it would create, but from the increased traffic and all the safety implications of this.

Yours sincerely



2

PREM/0471/001

Dear Madam,

(SW)

I wish to state strongly that I do not wish the Wetherby Brew Co Ltd to be allowed to trade on Sandbeck way.

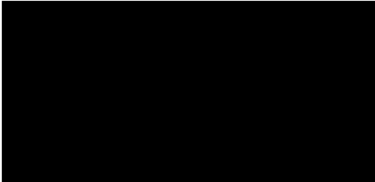
As well as the noise issue I am concerned about extra traffic at the junction of Hullfield Lane and York Road,

I think that this area of Wetherby is well served by the Social club and the Engine Shed,

Yours faithfully



Prem/04071/001 (3)
J.W.



3rd October 2017

Reference: PREM/04071/001

Dear Miss Wood.

I am writing to oppose the application from Wetherby Brew Company Ltd to be allowed a licence to hold **outdoor** performances of live music, recorded music and entertainment.

The reason for the objection is that the premises are in the vicinity of a residential area and the noise will easily carry across. This was demonstrated over the August Bank Holiday weekend following which we made a formal complaint to the Council about the 'Engine Shed' having open air performances the noise from which prevented us from enjoying the garden for two days.

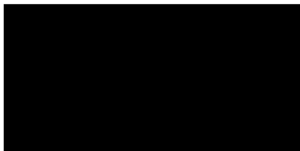
I would suggest that the place for outdoor performances or music should be in public areas such as the Ings as is the current practice.

The other concern is the indoor licence being allowed to 12.00 which again given the residential area I would suggest is too late and should be in line with public houses (two of which in Wetherby town centre are obviously struggling to stay open which begs the question why grant a new one?).

My final point would be to ask why there are no public notices of this application in surrounding areas as would normally be the case?

I would appreciate you acknowledging receipt of this letter and, as we didn't receive the formal acknowledgement of our complaint as expected following the August Bank Holiday, if you would also confirm for us that that complaint has been logged on your systems.

Yours sincerely



1st October 2017 (4)

F.A.O. The Entertainment
'and Licensing Committee

Ref. PREM/04071/
001

Miss Jane Wood

We recently heard of an application from the Wethersby Brew Co Ltd situated on the York Road Trading Estate to use the old 'Al Pies' premises for the sale of their beers with indoor and outdoor entertainment

We have lived off the B1224 York Road for over thirty years and would find this intolerable. The Engine shed also on this estate already causes late night noise particularly at weekend events followed by bawdy behaviour disturbing the peace of the area.

Our daughter has schizophrenia and needs unbroken sleep to remain well.

Yours sincerely,

(S)

SW.



3rd October 2017

FAO Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Ref PREM/04071/001

Dear Sirs

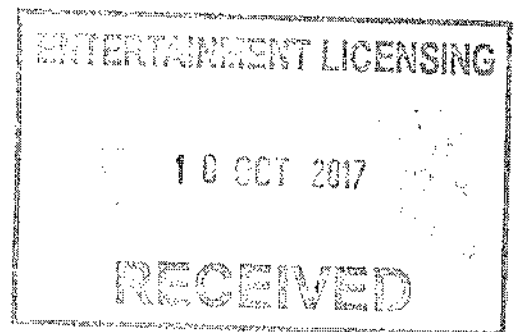
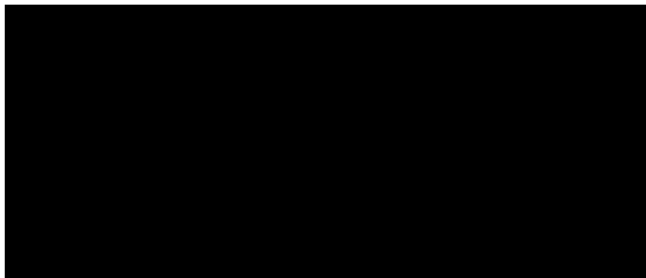
Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby.

We have seen details of this application including proposed opening times for alcohol sales and outdoor and indoor entertainment.

The activities and timetable, in particular music and drinking outside, have the potential for causing rowdiness and unacceptable noise for our neighbourhood.

We object to the application.

Yours faithfully



6



3rd October 2017

FAO Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Ref PREM/04071/001

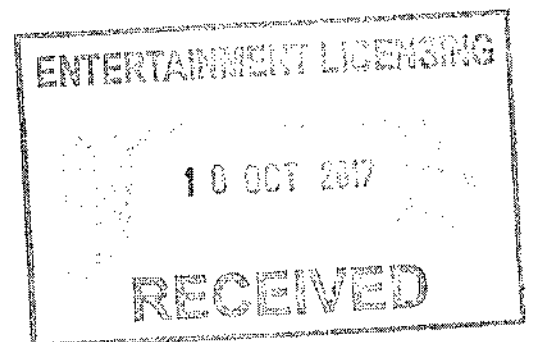
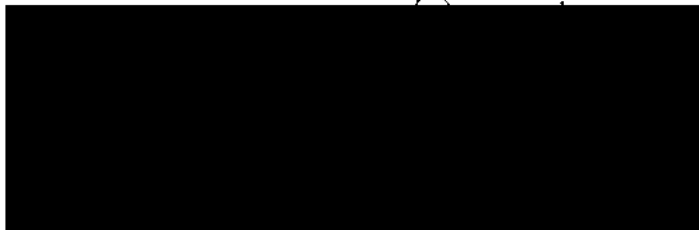
Dear Sirs

Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby.

I have seen details of this application, including the opening times for alcohol sales and times for entertainment inside and outside the premises.

I am concerned about the noise which will be caused and I wish to object to the application.

Yours faithfully



7



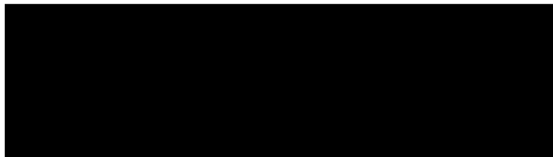
3rd October 2017

Dear Sirs

Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby

Ref PREM/04071/001

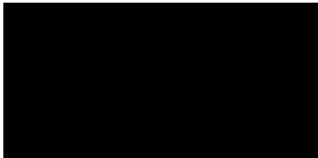
I live in [REDACTED] a road which runs parallel to the York Road Trading Estate. As such, I object to the above application which will cause noise and disturbance for residents in this vicinity.



FAO Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR



8



3rd October 2017

Dear Miss Wood

Application by Wetherby Brew Co Ltd: the Beer Station, York Road Trading Estate, Wetherby. Ref PREM/04071/001

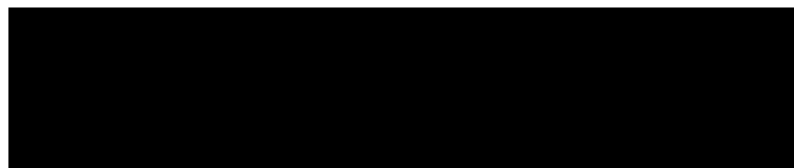
We live in the vicinity of the York Road Trading Estate and we object to this application.

We have noted the proposed opening times for the sale of alcohol and the proposed times for the provision of indoor and outdoor entertainment, and the effect will be an unacceptable noise disturbance for us and our neighbours.

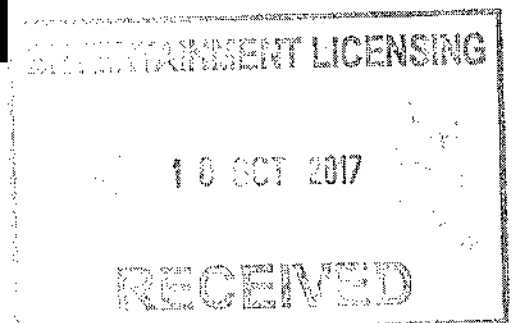
The Engine Shed on the York Road Trading estate has late night drinking and entertainment and is situated relatively close to the Beer Station.

Two licensed premises on the same Estate are unnecessary. The disturbance generated will be intolerable for residents in the area.

Yours sincerely



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



9

3rd October 2017

[REDACTED]

FAO Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Ref PREM/04071/001

Dear Sirs

Application by Wetherby Brew Co Ltd: the Beer Station, York Road Trading Estate, Wetherby.

We live immediately behind York Road, opposite the York Road Trading Estate.

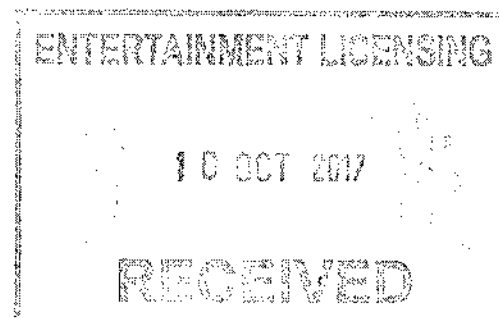
We have seen a copy of this application with proposed opening times for the sale of alcohol and proposed times for indoor and outdoor entertainment, and we are very concerned about the disturbance and inconvenience this will mean for us and our neighbours.

Having outdoor music and entertainment in an area like this is unsuitable. As one example, on August Bank Holiday this year the Engine Shed (also on the York Road Trading Estate) ran a "Shedfest" of live music all day and into the night. This spoilt the day for us and many other residents who were disturbed and inconvenienced by the continuous loud noise.

If this business goes ahead, there will also be noise from customers leaving on foot late at night and from increased traffic.

We object to the application.

[REDACTED]



10



To: Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

3rd October 2017

Dear Miss Wood

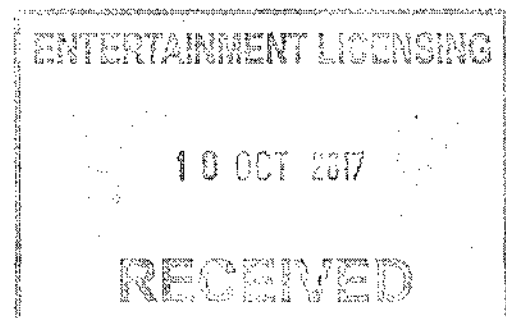
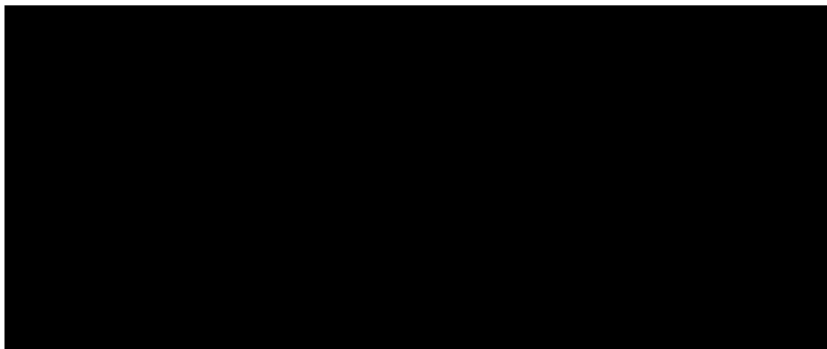
Application by Wetherby Brew Co Ltd: the Beer Station, York Road Trading Estate, Wetherby. Ref PREM/04071/001

Sadlers Walk is directly behind York Road, opposite the York Road Trading Estate.

We are concerned about the noise from the Beer Station if this application is approved. We and our neighbours have seen the proposed opening times for the sale of alcohol and the proposed times for indoor and outdoor entertainment. This will mean we are disturbed by noise late into the night and that's not acceptable.

The Engine Shed on the Estate is open until very late at night. With traffic leaving the Beer Station at the same time, it's going to be chaotic on York Road, noisy and unsafe.

We object to the application.



11

FAO Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR



2nd October 2017

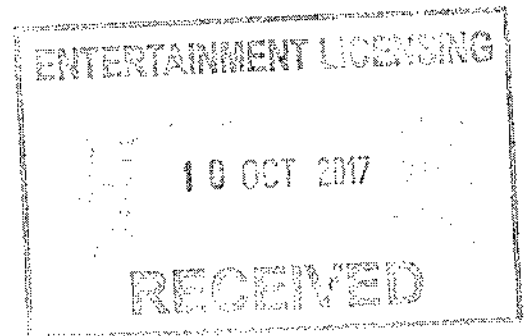
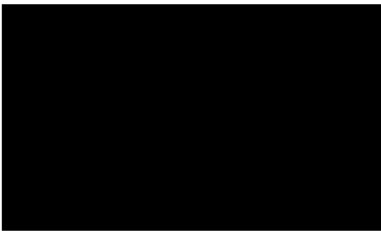
Ref PREM/04071/001

Dear Sirs

Application: Wetherby Brew Co Ltd, York Road Trading Estate, Wetherby

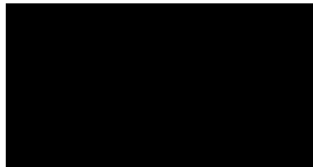
My home is opposite the York Road Trading Estate. I have seen the details for this application, including proposed opening times for the sale of alcohol and proposed times for indoor and outdoor entertainment and I object.

I am concerned about the effect on this residential area if this application is approved. There will be an increase in noise and traffic. Music played or heard outdoors, and drinking outdoors, will cause a huge disturbance to the neighbourhood.



12

Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR



3rd October 2017

Dear Miss Wood

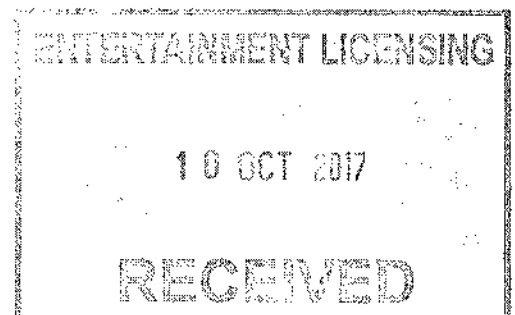
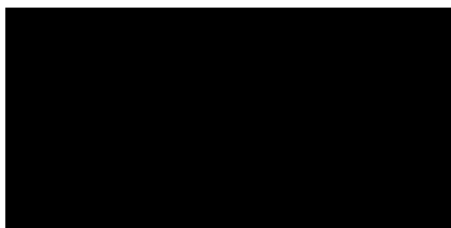
Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby. Ref PREM/04071/001

I wish to object to the above application.

I am particularly concerned about the noise disturbance from night-time entertainment and drinking.

The venture is not right for a residential area. There is already one music and drinking venue on the Trading Estate (the Engine Shed) and on occasions we are disturbed with the noise from that. One such venue is enough.

Yours faithfully



13

FAO Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR



3rd October 2017

Ref PREM/04071/001

Dear Sirs

Wetherby Brew Co Ltd, York Road Trading Estate, Wetherby

We have seen a copy of this application, reference above, and we wish to object.

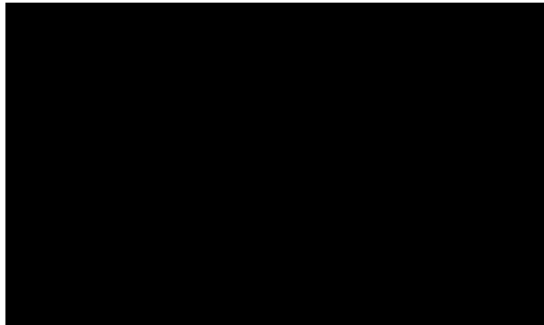
We live near to the York Road Trading Estate, and the nuisance which this proposed business will cause is totally unacceptable. In this we include noise from music and from customers drinking outside.

There is no need for another licensed premises on this site. The Engine Shed has late night drinking and late night entertainment.

Wetherby's character as a small market town is gradually being eroded without any consideration to residents. We already bear the brunt of anti-social behaviour late at night, from people walking home from other licensed premises in the vicinity.

Residents pay a premium in council tax to live in Wetherby but their entitlement to enjoy their home without disturbance appears to be disregarded.

Yours faithfully





Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR



2nd October 2017

Ref PREM/04071/001

Dear Miss Wood

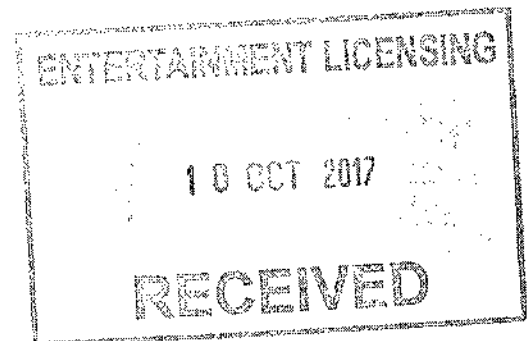
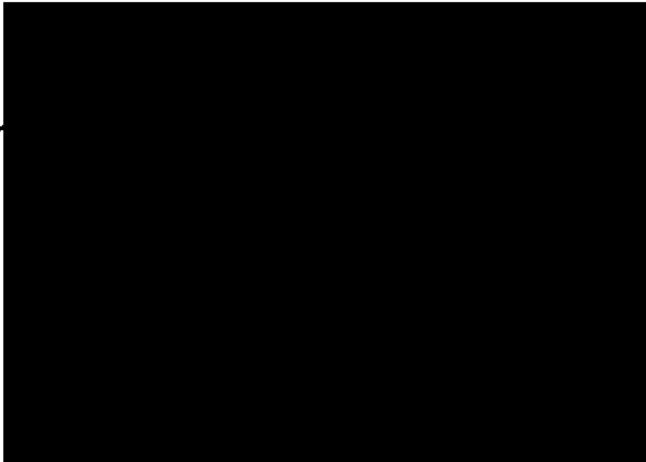
Wetherby Brew Co Ltd, York Road Trading Estate, Wetherby

We have been shown details for this application, including proposed opening times for the sale of alcohol and proposed times for indoor and outdoor entertainment.

We live opposite the Trading Estate, relatively close to the premises in question, and we are concerned about the nuisance this business will cause us; particularly noise at night from customers and music, and an increase in traffic trying to get in and out of the Estate.

Therefore we object to the application.

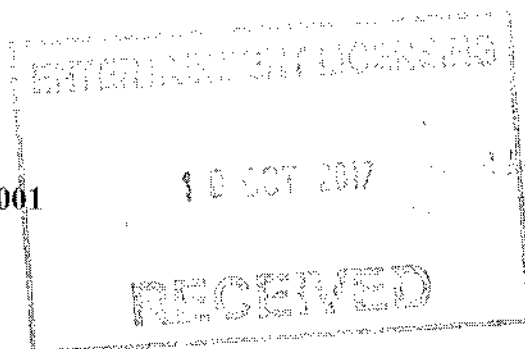
Yours sincerely



KS

FAO Miss J Wood

Ref: PREM/04071/001



4th October 2017

Dear Sirs

Application: Wetherby Brew Co Ltd -the Brew Station, York Road Trading Estate, Wetherby

We have seen a copy of the above application with the proposed times for the sale of alcohol and provision of indoor and outdoor entertainment, as well as "refreshment".

First, we would like to say that we heard of the application by chance. No notice has been displayed in York Road and we would like to ask why that is.

We strongly oppose the application for the following reasons.

This is a residential area. With the exception of two schools, this side of York Road and the roads behind are given over to housing. The Beer Station premises are relatively near the boundary with York Road and noise from the premises will be within earshot. We and our neighbours should not have put up with the noise nuisance from commercial premises, whether that's the noise of customers eating and drinking outside, outside entertainment or music transmitted outside from within.

We live directly opposite the Trading Estate and the Beer Station premises. In their planning application the applicants include a smoking and "small external drinking area". We appreciate that buildings must allow for outside smoking but in this particular case that in itself is a problem. People having to go out to smoke can create a noise nuisance. Music will carry outside because the doors to the building will likely be left open as people go in and out for a smoke. Here, there will be the added noise from customers drinking outside.

Also, there is the risk that the "small external drinking area" will eventually expand into what is currently the proposed parking area, further increasing noise from customers.

The planning application (p.5) says the site's position provides a buffer of several hundred metres from the nearest residential development. We have paced the distance from the site to our own house and that is some 40 metres, 50 at most if we disregard our front garden.

The planning application refers to access to the premises being easily achieved. We have lived in this house for 37 years and have first-hand experience of the traffic situation on this road. Access to the Estate allows for no more than one car in, one car out at the same time. There is a hazardous junction (York Road/Audby Lane/Hallfield Lane) just metres away from the Estate entrance. If this business goes ahead, there will be increased traffic on York Road and the risk of queues forming, particularly at night when the Engine Shed (on the same Estate) is also open. This will be dangerous for all road users, especially after dark.

Residents will be disturbed by taxis dropping off and collecting customers, with the noise that entails. The proposed licensing hours extend to midnight on a weekend; this means the disturbance will continue into the early hours. And, whatever assurances the proprietors give,

they have no control over customers once those customers have left the premises. Earlier this year we had a rowdy crowd congregating in the road outside our house after being turned out by the Engine Shed. It was a frightening experience. Our fear is that late night licensing hours will mean drinkers visiting the Beer Co to carry on drinking when the pubs in Wetherby town centre have closed. Even if they are turned away, it is likely to be the residents who suffer the consequence. We cannot see any good reason why this business should be allowed to offer late night drinking.

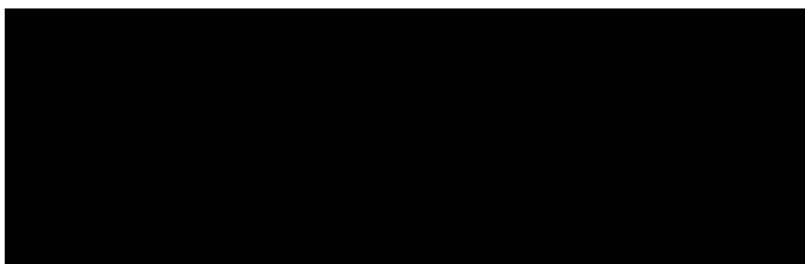
In a letter passed to us by a third party, the Beer Station write that they are looking to provide outdoor entertainment, in their words, "e.g. on bank holidays". This is the last thing we want. We should be left in peace to enjoy our homes as we choose. The Beer Station is a commercial venture and should not be allowed to disturb the neighbourhood in this way. We should not have to go out at Bank Holiday – or at any other time- to avoid this sort of nuisance. On August Bank Holiday this year the Engine Shed had what they called a "Shed fest" of live music through the day and into the night. We could not enjoy sitting out in our garden because of the noise.

We do not need, or want, entertainment on our doorsteps from commercial enterprises. We would suggest that the place for outdoor music and entertainment is the Ings which is accessible to the whole community. Disturbing the neighbourhood to further a commercial enterprise is wrong.

The application includes provision for late night refreshment and eating outdoors and so we are also concerned that food odours will give rise to nuisance. We know that some businesses use caterers with food stalls and food vans and by their very nature that means cooking outside. If this business is permitted to serve food outside, whatever assurances the proprietors give now, there would be nothing to stop them going down this route at a later date. We are asking for this to be refused now, to save everyone's time and effort in having the licence reviewed later.

We have included the references to the Engine Shed because we thought that might help to demonstrate our concerns.

Last, could we ask if granting the Beer Co a licence for outdoor entertainment will make it easier for the Engine Shed to obtain a similar licence?



16

Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

4th October 2017

Ref PREM/04071/001

Dear Miss Wood

Application: Wetherby Brew Co Ltd for the Brew Station, York Road Trading Estate, Wetherby

We have seen a copy of this application with details of proposed times for sales of alcohol and for indoor and outdoor entertainment. There has been no notice of the application posted on York Road and it was merely by chance that we found about it. That is our first query and we would be grateful if you could tell us why that was the case.

We strongly oppose the application. We live directly opposite the entrance to the York Road Trading Estate and we have a number of concerns.

There is bound to be an increase in traffic on York Road if these proposals go ahead. We already live near a hazardous junction, York Road is a busy road and cars queuing to get into the Trading Estate will only add to the danger, especially in the dark. Added to this is the nuisance to residents from taxis and traffic leaving the premises late at night or (if licensing until midnight is granted) in the early hours of the morning, tooting horns and the shouting from customers leaving on foot. Whatever assurances the proprietors give, they have no control over customers who have left the premises. We know this from experience with customers leaving the Engine Shed at night.

There is a plan for an outside sitting and drinking area, ref.17/06060/FU and the application refers to provision of late night refreshment and entertainment outdoors.. There is bound to be noise from this and there is also the potential for nuisance from food odours. These days it is not uncommon for food waggons such as burger vans to be hired for events at premises like these.

All this is unacceptable in what is a residential area. We are entitled to enjoy our homes without interference from commercial ventures. There is no need for such ventures on the York Road Estate.

We would also like to ask if granting a licence for outdoor entertainment will make it easier for the Engine Shed to obtain a similar licence? The outcome would be pandemonium.

ENTERTAINMENT LICENSING

10 OCT 2017

RECEIVED

17

3rd October 2017

FAO Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Dear Sirs

Application by Wetherby Brew Co Ltd: the Beer Station, York Road Trading Estate, Wetherby. Ref PREM/04071/001

We found out about this application by chance. There is no notice posted in York Road. Now we have seen the application, we wish to object strongly.

We live opposite the York Road Trading Estate. The majority of residents on this road and the roads behind are older people, some in warden accommodation. None of us should have to put up with disturbance from commercial establishments. The trading estate is the wrong place for licensed premises. We do not need a pub. At least one pub in Wetherby is closing down, presumably from lack of custom.

The Beer Station is relatively close to the boundary with York Road. Noise from outside drinking and music will needlessly change the neighbourhood for the worse. The Engine Shed had an outdoor music festival on August Bank Holiday this year, all day and into the night. The continuous loud music meant residents could not enjoy their own homes and gardens.

There will be an increase in taxis and customer traffic going in and out of the trading estate and problems from parking on the road. This is a main road and the outcome will be mayhem.

We are also concerned about the policing of the establishment. Earlier this year there was an incident at night at the Engine Shed. The management couldn't cope with the rowdy behaviour of a crowd of customers and had to call the police. It was some time before the police could reach Wetherby, and the crowd hung around in the middle of York Road waiting for transport. This shows that whatever safeguards the Beer Station puts in place, there is no guarantee they will be able to control customers, especially when they have left the premises.



18

[REDACTED]

4th October 2017

FAO Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Ref PREM/04071/001

Dear Sirs

Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby.

I have seen details of this application, and wish to object.

In particular I am concerned about day and night-time noise from the outside entertainment.

[REDACTED]



19

FAO Miss J Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR



4th October 2017


Dear Sirs

Application from Wetherby Brew Co Ltd, York Road Trading Estate, Wetherby

I am writing to object to the above application, reference PREM/04071/001.

I live across from the entrance to the York Road Trading Estate, a distance of just a few metres.

As well as objecting to the nuisance which this enterprise will generate from outside music and outside drinking, I am concerned about the traffic hazard.

 where Hallfield Lane and Audby Lane join York Road. It is no exaggeration to say that cars regularly misjudge the junction. My boundary fence, as well as the Council's road furniture, has been damaged on a number of occasions. Cars regularly park on York Road and on occasion I have had to ask the drivers to move, to avoid a dangerous situation.

If the Wetherby Brew Co's proposals are approved, the traffic situation will be chaotic. At most, the entrance to the trading estate allows for one car in, one car out simultaneously and that entrance is just a few metres from the junction. There will most likely be queuing up and down York Road. The disruption will be a continuous nuisance for residents and extremely hazardous for all road users.



ENTERTAINMENT LICENSING
10 OCT 2017
RECEIVED

20



3rd October 2017

FAO Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Ref PREM/04071/001

Dear Sirs

Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby.

We have seen details of the above application and we wish to object to it.

Our house is situated behind York Road, facing towards the Trading Estate and the Beer Station premises.

If the application is approved, there will be unacceptable levels of noise and disturbance late at night from customers taking a short cut through The Chase on their way home from the premises.

Our other concern is the noise that will be generated daytime and late at night from the music and entertainment.

This is a residential area and we should not have to tolerate these nuisances.



ENTERTAINMENT LICENSING
10 OCT 2017
RECEIVED

(21)



3rd October 2017

Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

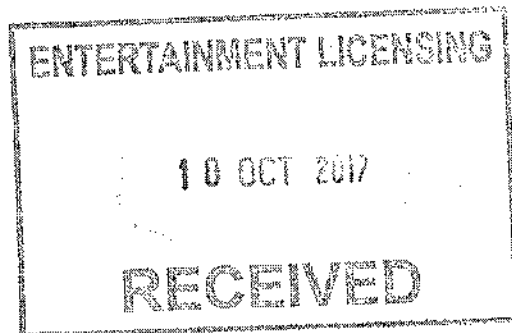
Ref PREM/04071/001

Dear Miss Wood

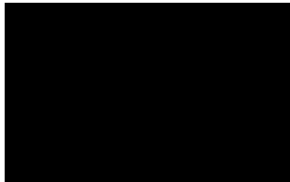
Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby.

I have been shown details of this application, including the opening times for alcohol sales and times for entertainment inside and outside the premises.

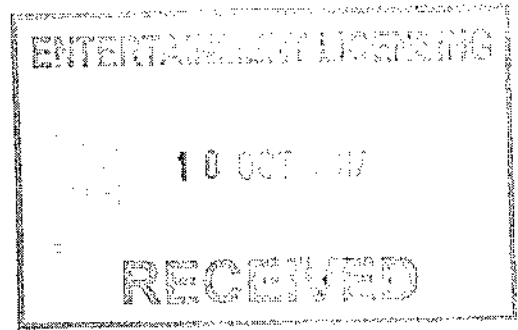
I wish to object to the application, in particular because of the noise which will result from outside entertainment and from customers drinking outside. At night this will be particularly disturbing for me and my neighbours.



22



2nd October 2017




Dear Sirs

Application by Wetherby Brew Co Ltd. for the premises known as the Beer Station, York Road Trading Estate, Wetherby

Ref PREM/04071/001

The above application has been brought to our attention. It includes a request for permission to perform live music, recorded music and "entertainment of a similar description" inside and outside the premises until midnight on Fridays and Saturdays, as well as until 11.00 pm Sunday to Thursday.

 is in close vicinity to the Beer Station. It is home to three elderly residents with special needs whose sleeping arrangements and comfort will be disturbed by such activities.

We object to this permission being granted.



FAO Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Prem/04071/001

23



4th October 2017

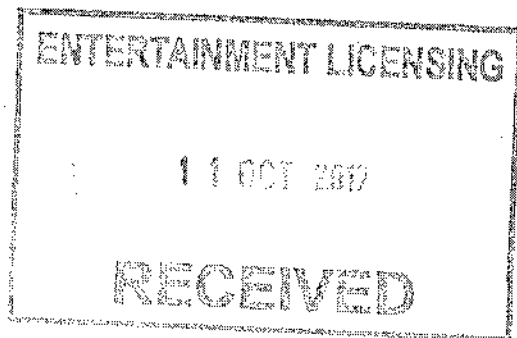
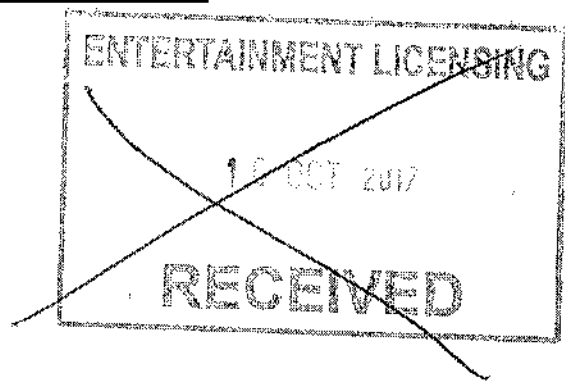
FAO Miss Jane Wood
Entertainment and Licensing
Leeds City Council
Civic Hall
Leeds LS1 1UR

Ref PREM/04071/001

Dear Sirs

Wetherby Brew Co Ltd. Application for the Beer Station, York Road Trading Estate, Wetherby.

I have seen a copy of this application and I am objecting to it because I am concerned about the noise we'll get from the day and night-time music and entertainment.



PREM/04071/001

JW.

(24)



6 October 2017

Miss Jane Wood

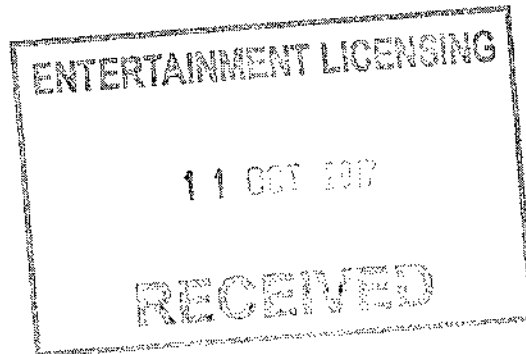
Entertainment and Licensing

Leeds City Council

Civic Hall

Leeds LS1 1UR

Dear Miss Wood



Re: Licensing Application PREM/04071/001 Wetherby Brew Co Ltd

I write to raise objection to the licensing application above for the new business proposed at the premises to be named The Beer Station, York Road Industrial Estate, York Road, Wetherby LS22 7SU.

From the copy of the licensing application I have seen I understand the new business will include a license to have music performance outside the premises, it is this that I most strongly object to.

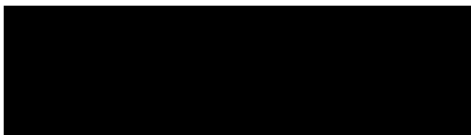
The proposed activity is a short distance from my home and the residences of many other Wetherby residents including a high percentage of elderly people including new residents [REDACTED] on York Road, who will be adversely affected by this. The noise levels at night will affect people's sleep and for any persons who rise early for work. This has the potential to lead to poor quality sleep affecting people's health and work performance.

The new business is in close proximity to the Engine Shed which held an outdoor music event on the recent August bank holiday weekend which was disruptive to local residents with the level of noise created. Noise from the Bramham Music Festival and events at Wetherby Ings can often be heard easily in this area. In addition we already experience a lot of noise from the motorway network.

People in the area of The Chase, Saddlers Walk, Freemans Way, Hallfield Lane are already disturbed by individuals walking home when they have been drinking making a disturbance without the proposed potential increase to this.

I understand that the applicants must see that they are creating a business for themselves however Wetherby is already well serviced by many public houses, restaurants and cafes; some of which are currently available to lease. Therefore, I cannot see why a further premise for this trade is required.

I hope you will consider these comments when considering this application.



25

Prem/04071/001

TW.

Wood, Jane

From: planning.comments@leeds.gov.uk
Sent: 11 October 2017 21:43
To: Wood, Jane
Subject: Comments for Licensing Application PREM/04071/001

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

Comments were submitted at 9:43 PM on 11 Oct 2017 from [REDACTED]

Application Summary

Address: York Road Industrial Estate York Road Wetherby LS22
7SU

Proposal: Premises Licence - New Application

Case Officer: Miss Jane Wood

[Click for further information](#)

Customer Details

Name: [REDACTED]

Email: [REDACTED]

Address: [REDACTED]

ENTERTAINMENT LICENSING

11 OCT 2017

RECEIVED

Comments Details

Commenter Type: Neighbour response

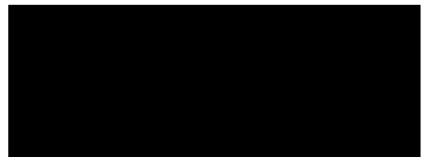
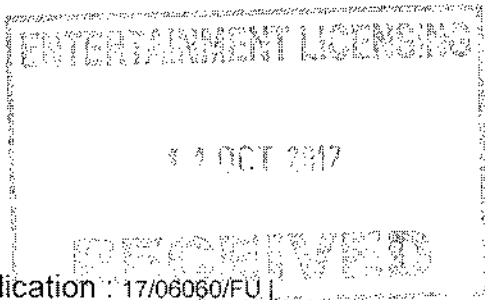
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 9:43 PM on 11 Oct 2017 I am unable to detail my full comments as there seems to be an error on the website. Please advise an email address that I can send this to instead. In essence we strongly object to one element of the application being the performance of music outside. Given the planning application (not wishing to cause noise or nuisance) we believe this may be an error so perhaps should be removed from the licence application.

(25)

PREM/04071/001



Dear Miss Wood

Re. Planning application : 17/06060/FU
Licence application: PREM/04071/001

Address: Unit 14 And 17 Dryson House, York Road Industrial Estate, York Road, Wetherby, LS22 7SU

We write to express our concern regarding the above proposed development. Whilst we are happy to see the sympathetic regeneration of that area and understand the benefits of brownfield sites being utilised, there are elements of this application which give rise to concern.

We should point out that, not being licensing law experts, our concerns may be unfounded, perhaps it is purely the standardised nature of the application and the applicant's reply may well be that they have no intentions of utilising the property to the full extent permitted by the proposed application. In which case, we would ask that, if the license is granted, conditions are imposed to curtail the site's use to their actual intended use and no wider.

Our particular concerns are:

1. performance of live music outdoors
2. performance of recorded music outdoors
3. entertainment of a similar description outdoors

We note that the proposed development is adjacent to residential areas and therefore such noise will potentially impact on those residents as has been the case recently with 'The Engine Shed'- notably the live music played outdoors over the August bank holiday. As a one-off this did not represent too much disturbance but this licence application carries the potential for external music /noise every day of the week, late into the evenings - year round. We would find this extremely disturbing and therefore object strongly to this element of the application. It will be noted that there is a wide range of accommodation types within the vicinity from both young families to elderly residents - the potential for disturbance to a wide variety of people is significant.

Reading about the general nature of the company and the planning application it seems they are not 'in the business' of having loud music or playing music outside. From the planning application design and access statement:

"Importantly, the applicants have designed the project to be a positively viewed amenity, one that does not have a negative or adverse impact upon the local area through noise, litter, anti-social behaviour and other 'nuisance'."

Perhaps therefore this is simply an error and could be removed from the licence application - in which case we would not have such strong objections.



Issued premises licences and club certificates within an area



PREM/01696/014 - Wetherby Service Station, Deighton Road, Wetherby, Leeds, LS22 7TS

Sale by retail of alcohol	
Every Day	00:00 - 23:59
Provision of late night refreshment	
Every Day	23:00 - 05:00

PREM/03880/001 - Champagne Warehouse, Wetherby Storage, Walker Court, Audby Lane, Wetherby, LS22 7FD

Sale by retail of alcohol	
Every Day	00:00 - 23:59

PREM/01420/008 - Engine Shed, York Road, Wetherby, Leeds, LS22 5SU

Sale by retail of alcohol	
Monday to Wednesday	11:00 - 23:00
Thursday	11:00 - 00:00
Friday & Saturday	11:00 - 01:00
Sunday	12:00 - 01:00
Provision of late night refreshment	
Thursday	23:00 - 00:00
Friday to Sunday	23:00 - 01:00
Performance of live music	
Friday & Saturday	20:00 - 01:00
Sunday to Thursday	19:30 - 23:00
Performance of recorded music	
Every Day	00:00 - 23:59
Performance of dance	
Friday & Saturday	20:00 - 01:00
Sunday to Thursday	19:30 - 23:00
Entertainment similar to live music, recorded music or dance	
Friday & Saturday	20:00 - 01:00
Sunday to Thursday	19:30 - 23:00

CPREM/00232 - Wetherby Masonic Institute, Masonic Hall, Deighton Road, Wetherby, Leeds, LS22 7SZ

Supply 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
Performance of dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Entertainment similar to live music, recorded music or dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

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Entertainment Licensing

From: [REDACTED]
Sent: 01 November 2017 08:15
To: [REDACTED]
Cc: [REDACTED]
Subject: APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR THE BEER STATION YORK ROAD INDUSTRIAL ESTATE, YORK ROAD, WETHERBY, LS22 7SU
Attachments: WBCSubmissionLicensingHearingFInal.pdf; Appendix2WetherbyBrewCoLtd.pdf; Appendix1WetherbyBrewCo.pdf; Objectors - Google Docs.pdf

Good morning,

Re the licensing sub-committee meeting of yesterday, whilst we were disappointed that our application was not heard, we do of course accept and understand that the two remaining panel members felt that the information they were provided with on the day was detailed and required more time to consider and assimilate.

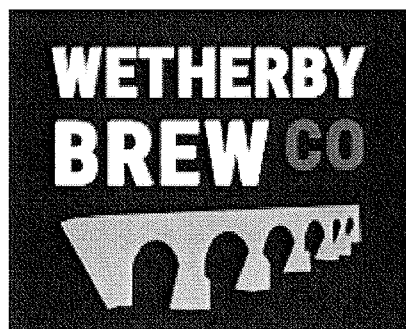
I have discussed the matter with my fellow directors and we would wish the matter to be heard at the licensing sub-committee meeting scheduled for the 14th November 2017. We understand that there is a 'slot' available on that date and it would be in the best interests of all parties to proceed at the earliest opportunity.

I attach to this email copies of documentation that should be provided to panel members ahead of the 14th November 2017.

Please contact me should you require any further help or assistance.

With thanks,

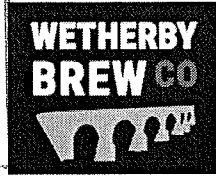
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



ENTERTAINMENT LICENSING

1 NOV 2017

RECEIVED



Application For A Premises Licence To Be Granted (Licensing Act 2003)

**Premises: The Beer Station, York Road Industrial Estate, York Road,
Wetherby, LS22 7SU**

Application No: PREM/04071/001

Licensing Sub-Committee Hearing – 31st October 2017

Provision of Additional Information (Applicant)

1 Introduction

1.1 This briefing note has been prepared to provide additional information to the Leeds City Council Licensing Sub-Committee meeting that has been convened to consider the premises licence application submitted by Wetherby BrewCo Ltd, (The Beer Station, Wetherby).

1.2 The information provided is intended to assist the Committee in their scrutiny and deliberations over the licence application and in particular to demonstrate that the applicants have fully considered and addressed the concerns of residents in the area of York Road, Wetherby who have lodged representations (objections) to the granting of the licence.

1.3 It is intended that the additional information will provide sufficient reassurance that the premises licence can be granted as a consequence of the withdrawal and variation of proposed licensable activities (operating schedules) on the part of the applicant together with the stipulation of additional conditions (if deemed necessary) by the Committee. This briefing note should be considered in conjunction with the original premises licensing application and accompanying documentation.

1.4 Importantly, in completing both the initial application for a premises licence and this additional document, the applicants have applied due regard to the provisions of the Licensing Act (2003) and the Leeds City Council, Statement of Licensing Policy (2014-2018).

2 Context to The Premises Licence Application

Community Amenity & Economic Benefit

2.1 This application is not a simple or 'crude' initiative to establish a 'bar' or 'pub' venture, Committee members will note from the application documentation that the applicants are seeking to establish a new business that comprises:

1. A microbrewery where a wide range of craft ales are produced on the premises from raw ingredients (water, barley, wheat, hops & yeast);
2. The provision of a specialist bottle shop that retails craft ales from around the world (for consumption both on and off the premises);
3. The retail sale of beer (including guest ales) produced on the premises together with other alcoholic and non-alcoholic beverages;
4. The provision of brewery tours and 'brew school' opportunities where visitors are able to become involved 'hands on' in the production of beer; and
5. The provision of entertainment (predominately live music from local musicians) within the premises and the occasional sale of hot food from visiting food vendors.

2.2 The business model for The Beer Station (as set out above) is only commercially viable if a premises licence is granted and **all of the different elements of the business model are supported** through the sale of alcohol and the other licensable activities (as set out within the application and operating schedule).

2.3 The establishment and licensing of The Beer Station brings the brewing of beer back to Wetherby on a commercial basis for the first time since the end of the second world war. It provides an amenity for local people that is unique, different and unmatched by any other commercial offering in Wetherby (or nearby). The development and introduction of this new business supports the Council's stated ambition (Statement of Licensing Policy (2014-2018, para. 1.5) that it adopts an overall approach of encouraging the responsible promotion of licensed activities

2.4 Similar business models within the industrial setting to that proposed by the applicants such as 'Brew York' (York), 'North Brew' (, Leeds) and 'Magic Rock' (Huddersfield) are just a few examples of how such businesses have been established to meet public interest and engagement in local brewing and the craft production of beer.

2.5 The expected 'cliental' for the applicant's business (The Beer Station) is commensurate with the nature of those patrons who would have an interest in craft brewing, locally produced ales, specialist beers from around the world and occasional live music performed by local artists. By age, levels of maturity and responsibility, such patrons are unlikely to have a detrimental impact upon the locality in accessing, enjoying and departing the premises.

2.6 The applicants are confident that the establishment and licensing of the business will bring new visitors to Wetherby and that it will be of economic benefit to The Beer Station, other businesses and the Town as a whole. The applicants have experience of operating a similar micro-brewery, brewery tap, bottle shop and 'event' venue in Garforth, Leeds and they have also conducted widespread research to fully understand the nature of business and community life in Wetherby, and how their proposed business venture would be received and be compatible with its locality.

2.7 Importantly, the space and resources of The Beer Station will be made available for community meetings, events and other activities that act to embed the business as an important part of community life.

2.8 The development of The Beer Station thus far has created one full-time position, that of paid Designated Premises Supervisor (DPS) and manager (combined role).

2.9 The applicants envisage that a further 4 to 6 part-time posts will be created to assist in retailing activities associated with the bar and engagement has already been made with the National Apprenticeship Scheme (NAS) to establish a new apprentice opportunity (trainee brewer), this for a person of 16 years of age upwards from the new year of 2018.

2.10 The establishment of the business therefore provides a new commercial offering to the people of Wetherby (and further afield), it is innovative in its design and application, it will generate visitors and income for the Town, provide a resource for local communities and be a source of job creation and overall economic benefit.

2.11 The trading pattern of the business will be to offer a wide-ranging specialist 'bottle shop' that promotes beers from local, regional and international brewers. This element of the business will be open 7 days a week from 10am. It is only intended, at this early stage of the business life-cycle, to open the bar of the premises on Thursday evening and Friday, Saturday and Sunday afternoons and evenings (as per the operating schedule). Entertainment, live music & events (within the premises) will be occasional in frequency, 3 or 4 times per month.

2.12 The applicants are not seeking to establish a licensing precedent within this area of York Road as their premises (Beer Station) are located close to The Engine Shed, an 'an event and party venue' that is open for licensable activities until 23.00hrs on week nights and 01.00hrs Friday, Saturday and Sunday evenings/mornings. The location of The Engine Shed is marked within the map at Appendix 1 to this document and the licensable activities of The Engine Shed are reproduced within the tables below:

Figure 1 – The Engine Shed, York Road, Wetherby (Licensable Activities)

Activity	Location	Indoors/Outdoors	Alcohol Consumed	Capacity	Time Period	From	To
Sale by Retail of Alcohol		Indoors	Both		Monday to Wednesday	11:00 AM	11:00 PM
Sale by Retail of Alcohol		Indoors	Both		Friday & Saturday	11:00 AM	01:00 AM
Sale by Retail of Alcohol		Indoors	Both		Sunday	12:00 PM	01:00 AM
Performance of Live Music		Indoors			Friday & Saturday	08:00 PM	01:00 AM
Performance of Live Music		Indoors			Sunday to Thursday	07:30 PM	11:00 PM
Performance of Recorded Music		Indoors			Every Day	12:00 AM	11:59 PM
Performance of Dance		Indoors			Friday & Saturday	08:00 PM	01:00 AM
Performance of Dance		Indoors			Sunday to Thursday	07:30 PM	11:00 PM
Entertainment of a similar description		Indoors			Friday & Saturday	08:00 PM	01:00 AM
Entertainment of a similar description		Indoors			Sunday to Thursday	07:30 PM	11:00 PM
Late Night Refreshment					Thursday	11:00 PM	12:00 AM
Late Night Refreshment					Friday to Sunday	11:00 PM	01:00 AM
Sale by Retail of Alcohol		Indoors	Both		Thursday	11:00 AM	12:00 AM

Licensing » Opening Hours

Help with this page

PREM01420/007 | Premises Licence - Full Variation | Superseded by a newer licence version | York Road Wetherby Leeds LS22 5SU

Back to search results

Track Print

Details	Comments (7)	Related Items (8)	Map
Summary	Important Dates	Opening Hours	Activities Conditions Contacts (2)
Time Period	From	To	
Thursday	11:00 AM	12:30 AM	
Friday To Sunday	11:00 AM	01:30 AM	
Monday to Wednesday	11:00 AM	11:00 PM	

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3 Representations (Objections) to Premises Licence Application

3.1 Representations (objections) have been lodged by a number of residents who live in the proximity of, or near to York Road, Wetherby. There have been no representations concerning the licence application by any businesses on the York Road Industrial estate itself.

3.2 The applicant's premises are located on the York Road Industrial Estate and a map showing the location of the proposed 'Beer Station' and its proximity to the residential areas of York Road is attached at Appendix 1 to this briefing note. The map indicates:

1. The location of the business premises, the building and private courtyard (marked in red);
2. The walking route from the entrance to the premises to the first residential dwellings on York Road (the red dotted line). This distance has been accurately measured to be 98 metres (322 feet) to the nearest residential dwelling on York Road;
3. The position of neighbouring licensed premises (building and car park), 'The Engine Shed' (in blue);
4. The location of the large, raised soil bank and mature trees that shield (visual & noise) York Road Ind. Estate from York Road (in brown); and
5. The position of the nearest residential dwellings on York Road (in green).

3.3 In respect of the four licensing objectives (Licensing Act, 2003) there are no representations (objections) from statutory agencies or any other parties in respect of promoting the licensing objectives of:

1. The prevention of crime and disorder;
2. Public safety; and
3. The protection of children from harm.

3.4 In respect of promoting the fourth licensing objective, 'the prevention of public nuisance', representations have been received from one statutory agency (Leeds City Council – Development) and residents in the vicinity of the York Road area of Wetherby. This briefing note therefore focuses upon those representations and the specific amendments to the licensing application and allied measures that the applicant will undertake and implement to prevent any form of public nuisance.

4 Proposed Measures To Prevent Public Nuisance

4.1 The applicants recognise the importance of properly reviewing representations received by local residents (and other parties) to the application and to design and implement business practices, operating schedules and premises licence conditions that fully address such concerns.

4.2 'Public nuisance' in respect of concerns over the granting of a premises licence, as reflected within the representations to the licence for The Beer Station, principally centre upon:

1. 'General noise nuisance';
2. Noise (principally music - amplified and 'live performance') originating from the outside area of The Beer Station;
3. Customers drinking in the outside areas of the premises;
4. Noise originating outwards from the inside of The Beer Station Premises (customers & music);
5. The proximity of the premises to nearby residential areas;
6. Concerns regarding the generation of additional traffic;
7. Parking concerns;
8. Customers departing from The Beer Station (by vehicle, on foot or other means including taxi);
9. The scope and length of licensing hours;
10. Suitability of overall use;
11. Possible 'rowdiness' on the part of departing customers; and
12. Food smells generated by visiting food vendors.

4.3 A spreadsheet that analyses the letters of representation received from objectors is attached at Appendix 2 to this document. The analysis draws out the principal concerns from each letter of representation, identifying the author(s) only by their initials. The spreadsheet then 'groups' the concerns within the 12 categories above.

4.4 It can be seen from the analysis that the bulk of representations centre upon the issues of:

1. Noise (principally music - amplified and 'live performance') originating from the outside area of The Beer Station;
2. General noise nuisance; and
3. Concerns regarding the generation of additional traffic.

4.5 These three areas reflect the majority of concerns on the part of those making representations and the applicants will rightly focus their response to these concerns.

4.6 However, the applicants will also address the remaining areas of objection through their original application, the conditions contained therein and through the provisions of the additional information contained within this briefing note.

5 Applicant's Response to Licensing Objections (Preventing Noise Nuisance)

5.1 The applicants have considered all of the letters of representation, very carefully, and as a consequence they propose, on their behalf, that their operating schedule as set out within the original premises licence application is amended to reflect the following changes:

- There is a **withdrawal in the premises licence application for live music, recorded music and any other form of entertainment to the external areas of the business**;
- A **withdrawal within the application for certain other licensable activities** (see revised operating schedule);
- A **reduction in the overall duration of licensable activities** (see revised operating schedule);
- The applicants fully respond and **accept the licence conditions proposed by Leeds City Council – Environmental Protection** aimed at reducing any form of noise nuisance; and
- Finally, that the applicants **respond positively to, and incorporate any additional conditions** that the Licensing Sub-Committee feel are necessary as a consequence of the licensing meeting (31/10/17) taking into account the shared responsibility (applicant & determining authority) to advance the objectives of the Council's Statement of Licensing Policy (2014-2018).

5.2 The applicants therefore wish to formally withdraw their application to undertake the following licensable activities as previously set out within their operating schedule:

1. Performance of live music – outdoors;
2. Performance of recorded music – outdoors; and
3. Performance of entertainment – outdoors;

5.3 Collectively, a withdrawal in the application for these forms of licensable activities to be included within the operating schedule addresses the principal issues of 'general noise nuisance' and 'noise (principally music - amplified and 'live performance') from the outside area.

5.4 This means, in effect, that the external area of the premises, which comprise a small seating and outside smoking area for fewer than 10 people, will have no audible noise impact with recorded and live music (occasional) being fully contained to the internal areas of the premises.

5.5 Importantly, as the nearest residential property (see Appendix 1) is 100 metres away from The Beer Station there will not be any noise nuisance from customers and music generated from within the premises to local residents. This as the premises are contained within, and surrounded by the neighbouring industrial area, they are well insulated (noise protection) and also because there is a 'formed barrier' comprising a large soil bank and mature tree settlement that 'shield' dwelling houses on York Road from the applicant's premises (see Appendix 1).

5.6 In addition, the applicants also wish to **withdraw their application** for the following licensable activities to be included within their operating schedule:

1. Sale by retail of alcohol – external areas; and
2. Late night refreshment (in any form).

5.7 Furthermore, as an amendment to their operating schedule, the applicants wish to **reduce the hours of licensable activities** at the premises throughout the week and weekend as follows;

1. Sale by retail of alcohol - internal areas, Friday and Saturday 10.00am to 11.00pm;
2. Indoor sporting events – Sunday to Thursday 10.00am to 10.30pm and Friday and Saturdays 10.00am to 11.00pm;
3. Performance of live music – internal areas, Sunday to Thursday 10.00am to 10.30pm and Friday and Saturday 10.00am to 11.00pm;
4. Performance of recorded music – internal areas, Sunday to Thursday 10.00am to 10.30pm and Friday and Saturday 10.00am to 11.00pm; and
5. Entertainment of a similar description – internal areas, Sunday to Thursday 10.00am to 10.30pm and Friday and Saturday 10.00am to 11.00pm.

5.8 Overall, the applicants are demonstrating that they are responding to the concerns of those making representations by withdrawing from, or curtailing licensable activities that could be a source of noise nuisance to others.

5.9 Consequent to the proposals by the applicants to withdraw or vary the nature of licensable activities at the proposed 'Beer Station' a revised operating schedule of proposed licensable activities is reproduced within the table below;

Figure 2 – Revised Operating Schedule (Licensable Activities - The Beer Station)

Activity	Indoors/Outdoors	Alcohol Consumed	Time Period	From	To
Sale by retail of alcohol	Indoors	Indoors/outdoors	Sunday to Thursday	10.00 am	10.30 pm
Sale by retail of alcohol	Indoors	Indoors/outdoors	Friday to Saturday	10.00 am	11.00 pm
Indoor sporting events	Indoors	N/A	Sunday to Thursday	10.00 am	10.30 pm
Indoor sporting events	Indoors	N/A	Friday to Saturday	10.00 am	11.00 pm
Performance of live music	Indoors	N/A	Sunday to Thursday	10.00 am	10.30 pm
Performance of live music	Indoors	N/A	Friday to Saturday	10.00 am	11.00 pm
Performance of recorded music	Indoors	N/A	Sunday to Thursday	10.00 am	10.30 pm
Performance of recorded music	Indoors	N/A	Friday to Saturday	10.00 am	11.00 pm
Entertainment of a similar description	Indoors	N/A	Sunday to Thursday	10.00 am	10.30 pm
Entertainment of a similar description	Indoors	N/A	Friday to Saturday	10.00 am	11.00 pm

5.10 Consequent to the proposed changes to the operating schedule, the overall opening hours of The Beer Station would be revised as follows:

Figure 3 – Revised Operating Schedule (Opening Hours - The Beer Station)

Time Period	From	To
Sunday to Thursday	10.00am	11.00pm
Friday to Saturday	10.00am	11.30pm

5.11 In addition, the applicants have fully accepted (without objection) premises licence conditions that have been proposed by Leeds City Council – Environmental Protection Team as part of the licensing application consultation process. These conditions will be incorporated into any licence granted to the applicant and stipulate that;

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 after 11pm;
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 and external areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 11pm; and
7. The activities of persons using the external areas such as for smoking 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.

5.12 In summary, through their proposals the applicants are directly addressing concerns relating to possible noise nuisance (principally music - amplified and 'live performance') originating from the outside area of The Beer Station and 'general noise nuisance' through the withdrawal of licensable activities within their operating schedule and opening hours that may generate 'noise', this together with the variation and curtailment of other activities that may act in a similar way.

5.13 The applicants have also agreed to incorporate licence conditions proposed by local authority 'subject matter experts' (Environmental Protection) to prevent noise nuisance.

5.14 In respect of the third principle area of representation, that of concerns regarding the generation of additional traffic, the applicants believe that the following points will provide suitable assurance that such concerns will not be realised and can in fact be disregarded:

5.15 Addressing Concerns – Increased Traffic

- Our business model is based upon the majority of our customers arriving and departing 'on foot', principally as many of our customers will be consuming alcohol;
- We are a 'dog friendly' venue (internal & external areas) and as such we expect to attract a strong following from the walking community both locally and further afield;
- We anticipate that a number of our customers will arrive and depart from our premises by means of the various bus services that are available on the B1224 York Road (adjacent to the York Road Industrial Estate). Bus services provide good access links to Wetherby town centre, Harrogate, York and villages in the neighbouring areas;
- We anticipate that a number of our customers will arrive and depart from our premises by means of the taxi services that are widely available in Wetherby and we are able to accommodate a 'drop-off' and collection point from within our private enclosed courtyard;
- We have parking for a number of vehicles within our private enclosed courtyard;
- We have provision for cycle racks within our private enclosed courtyard and we expect to be a focal gathering point for local cycle clubs;
- The B1224 York Road, Wetherby is an arterial route that commensurately carries volumes of all forms of traffic between Wetherby, York and the surrounding areas. The road does however significantly quieten in the evening, night time and at weekends. Apart from neighbouring licensed premises, The Engine Shed, no other businesses on the York Road Industrial Estate will be open or trading after 6pm weekdays and after 6pm on Saturdays. This means that there will be little traffic exiting from the industrial estate onto York Road during the principle trading periods of the Beer Engine and it cannot be realistically said that there will be significantly more volumes of traffic that will constitute either a noise nuisance or a hazard;
- We have intentionally varied our opening and closing times to avoid any 'clash' with vehicles and patrons exiting from The Engine Shed (opening & closing), thereby reducing any possibility of traffic congestion;
- The road layout for exiting the York Road Ind. Estate onto York Road is well established, has clear 'sight lines' and is not recognised as a hazard or collision 'hot spot'; and
- Members of the Committee will note that there are no adverse consultation comments upon the premises licence application from the Highways Department, the subject matter experts.

6 Addressing Broader Licensing Representations

6.1 In respect of Wetherby BrewCo's original application, the applicants have proposed that at least one of the four directors of the Company (in attendance at the hearing) will be personally present, on duty at all times, during hours of trading (both on and off sales) during the first twelve months of operations (whereupon the condition will be reviewed by the directors). This measure would be in addition to the statutory role and responsibilities of the DPS (as set out within the Licensing Act, 2003).

6.2 All four directors of the Company are Personal Licence (PL) holders, having recently completed accredited training and background checks to achieve the PL award. Both individually and collectively, they have significant experience in working within the licensing environment, addressing noise nuisance and anti-social behaviour problems (previous police careers) and other aspects of licensing policy, law and operational management.

6.3 Should there be any operational issues with matters in relation to promoting the four licensing objectives a trained, accredited and experienced company director will be immediately available (onsite) and contactable at the premises, in person or by telephone to resolve concerns.

6.4 In addition to the premises telephone number being publicly available the applicants are happy to make their personal mobile telephone numbers available, particularly to local residents who may wish to have an immediate 'point of contact' should there be any concerns during periods of operation (or thereafter).

6.5 Within this document the applicants have outlined their developed approach to preventing public nuisance (**PN**), this in addition to the measures that have previously been set out within their original premises licence application. These measures were developed with regard to the Council's 'risk assessment proforma' that provides helpful advice and guidance to applicants:

6.6 The Beer Station – Premises Licence Measures to Prevent Noise Nuisance (PN)

PN1. In the design, layout and fitting out of the premises for operations every opportunity will be taken to factor in the use of recognised design and material choices that act to reduce/eradicate the diffusion of noise to neighbouring communities. The premises are 'industrial' in design and construction and their location within an industrial setting means that by nature, noise does not reach or cause nuisance to neighbours, especially residential communities. Every opportunity will be taken in the installation of entrances and doors to reduce the diffusion of noise and levels will be actively monitored inside the premises, to the outside areas and the wider perimeter. A telephone number will be advertised on the website and social media pages of the business that provides for immediate contact with the supervisor on duty at the premises in order that any concerns regarding noise nuisance can be reported and immediately acted upon. Records of noise monitoring by staff members and the reporting of noise nuisance will be fully recorded, reviewed and acted upon. The business will actively seek out engagement and feedback from neighbourhood watch and other sources of 'community feedback' concerning its operations and allied impact upon the locality.

PN2. Clear signs asking customers to disperse and leave the area quickly and quietly will be displayed at exits and other key points. The dispersal and departure of customers at the end of service will be actively monitored by staff members.

PN3. Where necessary taxis will be ordered for customers with taxi drivers asked to collect from the premises car park and to not create a noise nuisance for local residents. Clients awaiting taxis will be asked to wait inside the premises or in the immediate area of the entrance. Similarly, those providing entertainment who may be loading equipment at the end of service will be asked to do so with consideration for neighbours and the final departure of staff members will be similarly controlled. Large bottle recycling receptacles located within the car park of the premises will not be loaded late at night.

PN4. Staff will undertake regular perimeter patrols of the premises to ensure that there is no litter or noise nuisance and lighting to the exterior of the premises will not be active after service has concluded and the premises are secured. This to reduce any possibility of light pollution/nuisance.

PN5. Close monitoring of noise and food smells from occasional events being held in the outdoor area of the premises will be controlled and monitored to ensure that there is no nuisance to local communities.

PN6. The final period of trading (the last half hour) will see a change in background music and lighting to promote a 'chill out' and to act to ensure calm prior to departure from the premises. There will be no late or re-admission to the premises once the sale of alcohol has ceased at the end of service.

7 Premises Licence Application – Closing Points

7.1 The Licensing Sub-Committee are invited to review the content of this additional briefing note in conjunction with the original application documentation and to consider that the premises licence application can be granted subject to the withdrawal and variation of licensable activities as set out within the operating schedule, this together and with any additional conditions that the Committee feel are necessary to promote the four licensing objectives and the Council's Statement of Licensing Policy (2014-2018).

7.2 The applicants feel that they have properly recognised and fully addressed representations that the Committee have received in respect of the premises licence application and that their withdrawal and variation of licensable activities combined with stated conditions and other aspects of the licensing application creates a situation where a premises licence can be granted to the applicants.

7.3 In granting a licence the Committee is able to rely upon the natural and inherent safeguards of the Licensing Act (2003) in respect of the opportunity for any future concerns or complaints to be recorded concerning the applicant's performance in promoting the four licensing objectives, and this is a facility that is open to local residents and other parties. The premises licence can of course be the subject of future review, including withdrawal or variation should the applicants fail to act responsibly as premises licence holders.

7.4 The applicants therefore invite the committee to grant the premises licence (with variation and conditions as necessary) and in doing so making this welcome amenity and economic benefit available to the people of Wetherby, and further afield.



Directors, Wetherby BrewCo Limited

23rd October 2017

Report Appendices:

Appendix 1 – Map of York Road Industrial Estate & Adjoining Areas

Appendix 2 – Spreadsheet Analysis of Licence Representations

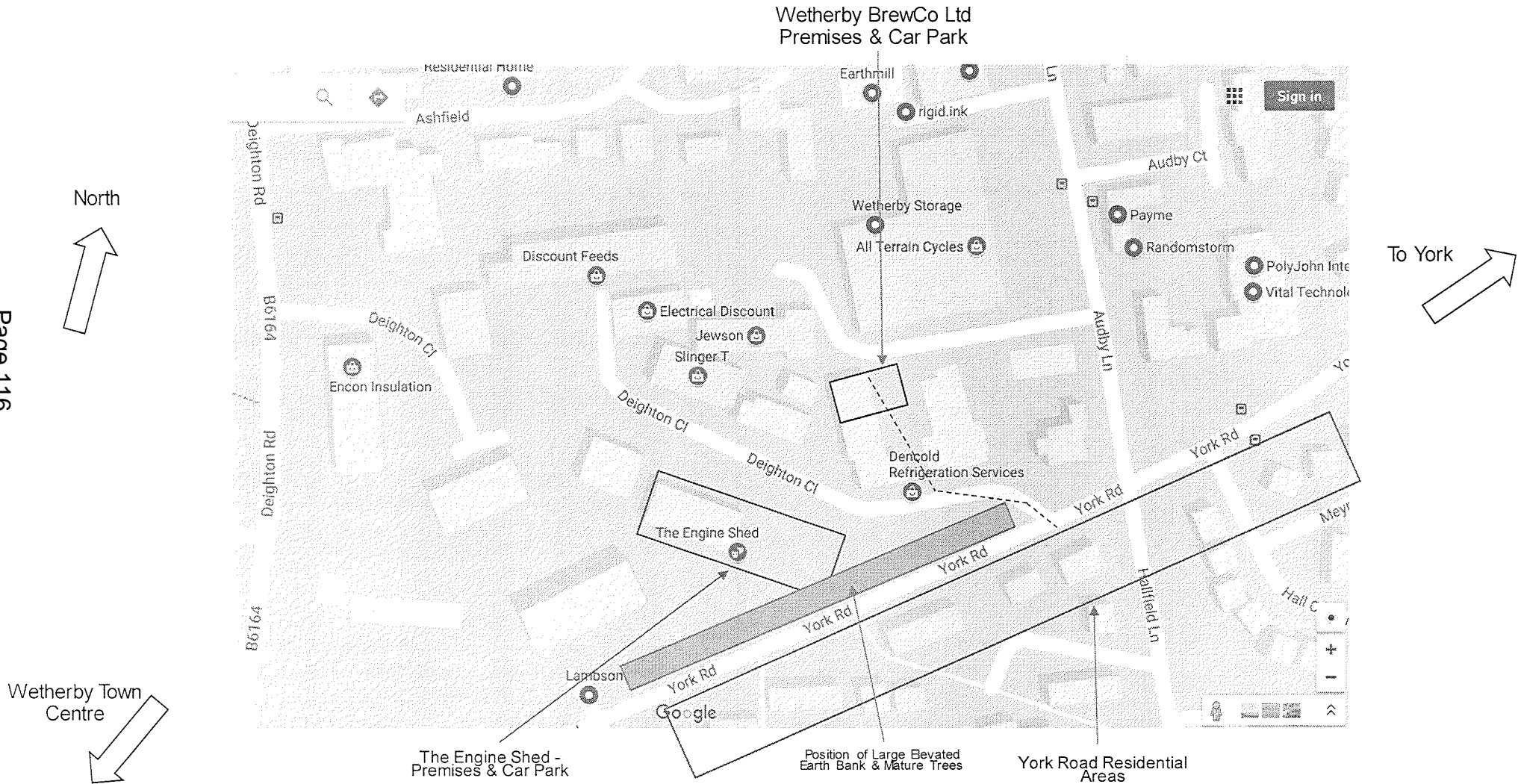
Appendix 3 – Correspondence to Local Residents (27/10/17)

Appendix 2 - Summary and Analysis of Wetherby BrewCo Ltd - Premises Licence Objections Summary

No.	Objector	General Noise Nuisance	Music (outdoor areas)	Drinking Outside	Noise/Music (indoor areas)	Near to Residential	Additional Traffic	Parking	People Leaving	Licensing Hours	Overall Use	'Rowdiness'	'Food Smells'
1													
2		X	X				X			X	X		
3		X					X						
4			X							X			
5		X										X	
6			X	X								X	
7		X											
8		X											
9		X											
10			X				X		X				
11		X					X						
12		X	X	X			X						
13		X											
14			X	X									
15		X					X						
16		X	X	X	X	X	X		X	X		X	X
17			X				X		X	X			X
18			X				X	X				X	
19			X										
20			X	X			X	X					
21		X	X						X				
22			X	X									
23			X		X								
24		X											
25			X						X				
26			X										
27			X										
	Totals	13	17	6	2	1	10	2	5	4	1	4	2

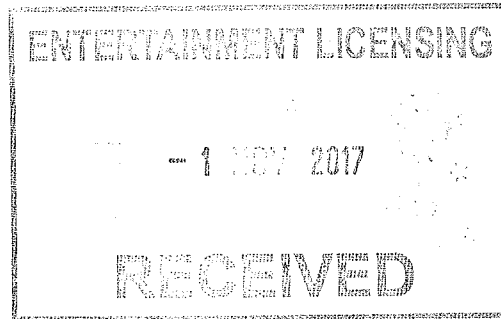
SM* appears twice.

Appendix 1 - Wetherby BrewCo Ltd – York Road Ind. Estate & Adjoining Areas



Wetherby Brew Co Ltd
York Road Industrial Estate
York Road
Wetherby
LS22 7SU

27th October 2017



Dear

Wetherby Brew Co Ltd (The Beer Station) - Premises Licence

We are writing to you in relation to your correspondence with Leeds City Council in which you highlighted your concerns regarding the granting of a Premises Licence at York Road Industrial Estate. A copy of your letter was made available to us by the Council (a routine part of the consultation process).

We would like to reassure you that we have studied your letter (and those from your fellow residents) very carefully, and we have summarised what we believe to be the key concerns from the majority of those concerned below:-

1. Noise, principally live and recorded music, originating as a consequence of entertainment within the outdoor areas of our premises.
2. General noise 'nuisance'.
3. Concerns regarding increased traffic in and around York Road and the entrance to the industrial estate.

As responsible business owners (and Personal Licence holders) we wanted to advise you that we take any potential concerns very seriously, and that it is our intention to work very closely with local residents to address them. Indeed the future success of our proposed business is dependent on support from the local community.

You may be pleased to hear that as a result of the consultation process, we have significantly amended our Premises Licence application as follows:-

1. A withdrawal of our application to host live or recorded music and entertainment (in any form) to the outside areas of our premises (former A1 Press, Deighton Close, Wetherby).
2. A withdrawal of our application to retail alcohol in outside areas and to hold a late night refreshment licence (the provision of food after 11.00pm).
3. A reduction in general licensing hours, with the sale of alcohol ceasing at 10.30pm on Sunday to Wednesday evenings and 11.00pm on Fridays & Saturdays.
4. The acceptance of a range of premises licence conditions that have been proposed by Leeds City Council Environment Protection Team (who are responsible for administering noise and nuisance) helping to reduce the likelihood of noise originating from both the outside and inside areas.

5. A restriction upon recorded music, live music and entertainment, ensuring that such activities are restricted to the internal areas of the business only.

We believe that the above actions will successfully address the primary concerns of 'noise' (primarily music from external areas) and general 'noise nuisance'. In respect of concerns over increased traffic, we have also provided additional information to the Licensing Committee as to how we will work to avoid any disturbance from 'traffic movements' in the area. This includes the promotion of public transport (including taxis) provisions for cyclists and pedestrians and a range of other initiatives.

At this point, it is perhaps worth highlighting that our business is not that of a traditional pub or bar. We are first and foremost a microbrewery, producing a range of craft and real ales from base ingredients. We also will have a specialist bottle shop that will stock beers from around the world (for consumption 'off' the premises) and the brewery Tap Room (from which we plan to retail our own beers). In addition, any entertainment is likely to be limited to special events (a few times a month, not seven days a week).

We would also like to share with you our proposed business hours which we hope will further help allay concerns about our operation.

	<i>Bottle Store (sales 'off' the premises)</i>		<i>Brewery Tap Room ('on' premise sales)</i>	
	<i>Open</i>	<i>Close</i>	<i>Open</i>	<i>Close</i>
Sun	11.00am	10.30pm	11.00am	10.30pm
Mon	10.00am	6.00pm	Closed	Closed
Tues	10.00am	6.00pm	Closed	Closed
Weds	10.00am	6.00pm	Closed	Closed
Thurs	10.00am	10.30pm	10.00am	10.30pm
Fri	10.00am	11.00pm	10.00am	11.00pm
Sat	10.00am	11.00pm	10.00am	11.00pm

In summary, we fully appreciate that you might not be as excited about our proposed business plans as we are, but we hope you will agree that we have attempted to listen to everyone's concerns, take these on board, and (most importantly) act upon them in a responsible and proactive manner.

Should you have any queries relating to the above (or should you seek any further information regarding our application) please do not hesitate to contact me.

Assuring you of our best intentions.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]