

Kuits Solicitors
3 St Mary's Parsonage
Manchester
M3 2RD

Health and Safety Service
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS

Contact: Mr Simon Byrne
Tel: 0113 395 0686
Fax: 0113 247 6282
simon.byrne@leeds.gov.uk
Our reference: PREM/03610/001
22 April 2015

Dear Sir or Madam

Licensing Act 2003

Premises: Turtle Bay, Unit A14, Albion Street, The Light, Leeds, LS1 8TL

Thank you for submitting your application for the above premises.

Health and safety services are of the opinion that your application contains insufficient information about how you intend to meet the licensing objective/s.

We therefore confirm that we are submitting a formal representation against your application on the grounds of public safety.

However, Health and Safety Services are of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule.

Please find enclosed a document which at Part 1 contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in **agreement** with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible, but no later than .

Upon receipt of your consent at Part 2, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

Alternatively should you **disagree** with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible, but no later than the stated date.



PART 1 - to be completed by the Responsible Authority

Health and Safety Service Proposed controlled measures under the Licensing Act 2003

Name & Address of Premises: Turtle Bay,

Having considered the application under the Licensing Act 2003 for the above premises, the Health and Safety Service considers that the following measures are proportionate and necessary in order to promote the public safety licensing objective:

Measures proposed:

No	Potential Control Measures
	Public Safety 3 :- Management Arrangements
1.	Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
2.	A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
3.	Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
	Public Safety 4 :- Fire/Electrical Safety
4.	Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
5.	<p>One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:</p> <p>a) Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA.</p> <p>or</p> <p>b) Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</p> <p>The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>
	Public Safety 6 :- General Housekeeping
6.	A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner
	Public Safety 8 :- First Aid
7.	A suitably trained first aider or appointed person will be provided at all times when the premises are open.
	Public Safety 9 :- Special Effects
8.	Where strobes, lasers, smoke machines or any other special effects equipment may be

	used, a written health and safety policy covering all aspects of their use will be provided, and staff will be appropriately trained.
9.	No strobes, lasers, smoke machines or any other special effects, will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

The Health and Safety Service is satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf the applicant agrees to incorporate the proposed measures as conditions within the operating schedule for the said premises.

Upon the satisfactory completion of the declaration the health and safety service will provide notice to the licensing authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

Signed:

Dated:

PART 2 – Agreement with Proposed Measures

to be completed by the applicant or applicant's representative

Consent for proposed controlled measures under the Licensing Act 2003

Name & Address of Premises: Turtle Bay,

I / We

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

In signing this document I / we agree with the measures proposed by the Health and Safety 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:

Please return this document to:

**Mr Simon Byrne
Health and Safety Service
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS
Fax: 0113 247 6282**

PART 3 – Disagreement with Proposed Measures

to be completed by the applicant or applicant's representative

Proposed controlled measures under the Licensing Act 2003

Name & Address of Premises: Turtle Bay,

I / We

confirm that I am / we are the applicant / the applicants 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 the health and safety service.

In this instance we understand that the Health and Safety 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:

**Mr Simon Byrne
Health and Safety Service
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS
Fax: 0113 247 6282**

PART 2 – Agreement with Proposed Measures

to be completed by the applicant or applicant's representative

Consent for proposed controlled measures under the Licensing Act 2003

Name & Address of Premises: Turtle Bay, Unit A14, Albion Street, The Light, Leeds, LS1 8TL

~~We~~ KUIT STEINART LEVY LLP

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

In signing this document ~~I~~ we agree with the measures proposed by the Health and Safety 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: 20 MAY 2015

Please return this document to:

**Mr Simon Byrne
Health and Safety Service
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS
Fax: 0113 247 6282**

* Subject to the qualification outlined in our email of 14 May 2015 to Mr Simon Byrne.

Nelson, Matthew

From: Byrne, Simon
Sent: 20 May 2015 12:25
To: Entertainment Licensing; Nelson, Matthew
Subject: FW: Turtle Bay, The Light, Leeds
Attachments: Part 2 Agreement.pdf

Hi I'm in receipt of a signed Part 2 agreement for PREM/03610/001 I will now withdraw my qualified objection.

Best regards

Simon

Health & Safety Inspector
Environmental Health Officer MCIEH Grad IOSH
Health and Safety Service
Leeds City Council
Milshaw Park Way
Leeds
LS11 0LS

0113 3950686

From: Rebecca Ingram [<mailto:RebeccaIngram@kuits.com>]
Sent: 20 May 2015 11:20
To: Byrne, Simon
Cc: Anthony Lyons
Subject: RE: Turtle Bay, The Light, Leeds

Hi Simon,

Thanks for your confirmation. Please see attached as requested.

Kind regards,

Becki

Rebecca Ingram
| licensing

kuit | steinart | levy LLP
Tel: +44 (0)161 832 3434 | Dept: +44 (0)161 838 7888 | Fax: +44 (0)161 838 8109

From: Byrne, Simon [<mailto:Simon.Byrne@leeds.gov.uk>]
Sent: 20 May 2015 07:13

To: Rebecca Ingram
Subject: RE: Turtle Bay, The Light, Leeds

Hi Becki

I'm happy with that. If you could kindly sign and return the Part 2 document I'll withdraw our objection.

Regards

Simon

From: Rebecca Ingram [<mailto:RebeccaIngram@kuits.com>]
Sent: 19 May 2015 18:39
To: Byrne, Simon
Cc: Anthony Lyons
Subject: Turtle Bay, The Light, Leeds

Dear Simon,

Thank you for your letter dated 22 April 2015 regarding the above matter.

I would like to confirm that we are happy to agree to the conditions proposed, with the exception of the following. Proposed Condition 1 is substantially covered by Condition B4 of our operating schedule. To address your additional concern we would propose simply adding to that condition 'The Incident Log will be made available at the request of an authorised officer'.

I trust that this addresses your concerns, and would be grateful if you could confirm in due course.

Kind regards,

Becki

Rebecca Ingram

licensing

Tel: +44 (0)161 832 3434
Dept: +44 (0)161 838 7888
Fax: +44 (0)161 838 8109

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