



Elections, Licensing & Registration

Civic Hall
Leeds LS1 1UR

Our Ref: A80/SJL/LIC/PREM/02507/010

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Date: 20th May 2015

The Licensing Authority

Entertainment Licensing

Leeds City Council

Civic Hall

Calverley Street

Leeds

LS1 1UR

Dear Sirs

**SUBJECT: TRINITY, WESLEY SQUARE, PUDSEY LS28 7AB.
LICENSING ACT 2003 – FORMAL REPRESENTATION FOR PREMISES LICENCE REVIEW.**

This is formal notice of representation made by Leeds City Council Licensing Authority (Entertainment Licensing) in its capacity as a Responsible Authority under the Licensing Act 2003 ('the Act').

Licence background information.

The representation supplements the application made by the West Yorkshire Police for a review of the premises licence granted to Trinity Pub Company Limited ('the Premises Licence Holder' - PLH) for premises trading as Trinity, Wesley Square, Pudsey LS28 7AB. Premises Licence Number: PREM/02507/009.

Licensable activities currently authorised by the premises licence are –

- Sale by retail of alcohol
- Indoor sporting events
- Boxing or Wrestling
- Regulated Entertainment

Opening hours of the premises –

- Sunday to Wednesday 10.30am until 2.00am
- Thursday to Saturday 10.30am until 4.00am
- Alcohol is sold for consumption on and off the premises.

The current Premises Licence Holder (PLH) is Trinity Pub Company Ltd. The director of Trinity Pub Company Ltd is Mr Mark Neave. The current PLH has been in situ since 6th February 2014. The Designated Premises Supervisor (DPS) named on the Premises Licence is Mr Michael Thornton. Mr Thornton has been the DPS for the licensed premises since 19th March



2015, however Mr Thornton has been involved in the running of the premises for a number of months prior to being named as the DPS.

A Designated Premises Supervisor is an individual named on the premises licence who holds a valid personal licence and authorises the sale by retail of alcohol at a licensed premises. The DPS has responsibility, given by the premises licence holder, for the day-to-day running of the premises. A personal licence holder must have successfully completed a nationally recognised training course with regard to understanding/compliance of the Licensing Act 2003.

The Act provides a clear focus on the promotion of four statutory objectives underpinning the Act which must be addressed when licensing functions are being undertaken. Each objective is of equal importance.

The licensing objectives are –

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

This representation is made on the grounds that the Premises Licence Holder and Designated Premises Supervisor have and continue to undermine the licensing objectives in the concern of

- *The prevention of crime and disorder*

The prevention of crime and disorder includes the responsible retailing of alcohol and the exercise of control measures on customer behaviour.

- *Public safety*

The Premises Licence Holder has a responsibility to ensure the safety of those using the premises.

- *The prevention of public nuisance*

The Premises Licence Holder has a responsibility for control measures regard customers behaviour.

- *The protection of children from harm*

The protection of children from harm includes protection from physical and psychological harm.

Prior to February 2014 West Yorkshire Police and Leeds City Council Entertainment Licensing Enforcement attended numerous meetings with former DPS Mr Derek Greenaway (04.04.2012 to 05.02.2014) to ensure the licensing objectives were being met and to discuss any issues which may have arisen.

Entertainment Licensing Enforcement was advised by West Yorkshire Police in July 2014 that the named DPS Mr Stephen Thomas was ill and could not continue with his duties, that a Mr Paul Allen was now managing the venue. The Entertainment Licensing section did not receive the DPS variation until 26th September 2014.

West Yorkshire Police advised Entertainment Licensing Enforcement of an increase in serious incidents at the venue and advised that they were concerned over the levels of intoxication of customers when leaving the venue. As a result West Yorkshire Police called for an Action Plan meeting to be held on 14th October 2014.

The PLH Mr Mark Neave & DPS Mr Paul Allen attended the Action Plan meeting along with the manager Mr Michael Thornton. Also in attendance were Cat Sanderson of West Yorkshire Police and Samantha Longfellow of Leeds City Council, Entertainment Licensing. West Yorkshire Police advised of their concerns regarding the amount of door supervisors working.

The door supervisors not operating a random stop & search or coming inside the venue to check for potential break out disorder. Another issue is the levels of intoxication of customers when leaving the venue.. During the meeting West Yorkshire Police raised their concerns about a boxing event that was being advertised. The PLH advised that they did employ several door supervisors due to a previous incident that West Yorkshire Police were unaware of as they had not been called for assistance.

A couple of weeks after the meeting West Yorkshire Police advised Entertainment Licensing Enforcement of yet another assault at the venue. Another Action Plan meeting was arranged. This was to take place on 20th November 2014.

The DPS Mr Paul Allen and the manager Mr Michael Thornton were in attendance. The PLH Mr Mark Neave was unable to attend the meeting. West Yorkshire Police advised that they were concerned over how the venue was being run. The DPS Mr Paul Allen admitted that he had no control over the door supervisors and that he was in fact taking on some of their duties. West Yorkshire Police suggested that they look at other door staff companies as they were not helping to promote the licensing objectives. Entertainment Licensing reminded Mr Allen that he employs the door supervisors and as such they should take direction from him and not the other way round. West Yorkshire Police were very concerned over a comment made by the DPS Mr Paul Allen. Mr Allen believed that he was going above and beyond what is required on his Premises Licence. West Yorkshire Police made it very clear to Mr Allen that as a responsible operator he could not go above and beyond what is required to ensure customers and staff are safe in his venue.

In December 2014 West Yorkshire Police advised Entertainment Licensing Enforcement that a Bassline event had taken place at the venue and yet another assault had occurred. A bassline event usually has urban style music and includes music like funk and classic house and attracts a younger demographic. West Yorkshire Police had again made comments regarding the levels of intoxication of the customers in the venue. Entertainment Licensing had been reminding venues over the Christmas period that they commit an offence when serving to persons who are drunk

A further Action Plan meeting was arranged by West Yorkshire Police for the 9th January 2015. During the meeting West Yorkshire Police advised that steps needed to be put in place to prevent any reoccurrence of the issues. That they would apply for a review of the Premises Licence if there were any further incidents. West Yorkshire Police also advised that they wanted the DPS Mr Paul Allen removed due to their lack of confidence in his abilities.

On the 23rd February 2015 West Yorkshire Police advised Entertainment Licensing Enforcement of yet another assault at the venue. This had resulted in a broken jaw.

On the 16th March 2015 Entertainment Licensing Enforcement received complaints that an event was due to take place the following date at the venue, and that a leaflet had been posted to members of the public. The leaflet indicates that children under 7 are admitted free of charge and those above the age of 7 (7 to 12 year) have to pay £5. The complainant was also concerned about the fireworks that were advertised on the leaflet. As a result of the complaint Entertainment Licensing Enforcement contacted West Yorkshire Fire & Rescue and West Yorkshire Police with details of the concerns raised. Both agencies attended at the venue on the evening of the 17th March 2015. West Yorkshire Fire found that fire exits were blocked but no fireworks were inside the venue. Advice was given by West Yorkshire Fire & Rescue. West Yorkshire Police attended at 22:00hrs. When they arrived they found under 18's running around the venue. The venue has a condition attached to their Premises Licence that states no under 18's are allowed in the venue after 21:00hrs. This was a breach of condition. As a result West Yorkshire Police issued the venue with a Section 19 Closure Notice.

On the 18th March 2015 Entertainment Licensing section received an application to vary the Premises Licence DPS in to the name of Michael Thornton.

Although Michael Thornton had some involvement with the running of the premises between September 2014 and February 2015, since he has actually been named on the Premises Licence as the DPS we have not identified or been made aware of any further issues.

For the reasons set out in the representation the Licensing Authority believes the previous management of the premises was inadequate. That the previous management assumed no responsibility for the actions of his customers and there appeared to be a disregard for licensing conditions. I share the concerns expressed by West Yorkshire Police. I agree that the current DPS Mr Michael Thornton should be allowed to try and uphold the licensing objectives. Mr Thornton is an experienced licensee. I am of the opinion if extra measures, as proposed by the West Yorkshire Police in its review application are imposed by the Licensing Sub-Committee it will assist Mr Thornton in preventing a reoccurrence of the previous issues in upholding the licensing objectives.

Yours faithfully



Miss Samantha Longfellow
Senior Liaison & Enforcement Officer
Entertainment Licensing