

Notice of Decision
Of the Licensing Sub Committee



Determination Date: 30th July 2012

Notice of Decision: 6th August 2012

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

Legal Officer: Gill Marshall

Committee Clerk: Helen Gray

Licensing Officer: Not Applicable

Review application made by: West Yorkshire Police

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

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

Attendees: Not Applicable

The Licensing Sub Committee considered:

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

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

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

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

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

Right of Appeal

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

Appeals should be addressed to the Magistrates Court at:

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

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

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

CASE NO: 131200242883

IN THE LEEDS MAGISTRATES COURT

BETWEEN

Appellant

and

LEEDS CITY COUNCIL

Respondent

CONSENT ORDER

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

It is agreed that:-

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

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

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

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

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

Crime and Disorder

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

Public Nuisance

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

Signed on behalf of the
Respondent licensing authority

Signed on behalf of the
Appellant /

