



19 April 2017

Our Ref: NMM.MJM.T00353-0001

[REDACTED]

Matthew Nelson
Licensing Officer
Entertainment Licensing
Leeds City Council

Dear Mr Nelson

OBJECTION TO NEW PREMISES LICENCE - CLOTH HALL COURT, LEEDS
BECKETT UNIVERSITY, QUEBEC STREET, LEEDS LS1 2HA

We act on behalf of [REDACTED] the freehold owner of [REDACTED],
[REDACTED] a newly converted, 'state of the art', office block [REDACTED]
[REDACTED]

Our client wishes to make a representation to the premises licence application made by Leeds Beckett University for the Premises on the following grounds:

As the applicant is no doubt aware, the Premises is located within a cumulative impact zone. There is 'a rebuttable presumption' that if the application is, 'likely to add to the existing cumulative impact' it will 'normally be refused if relevant representations are received'. It goes on to say that, 'it is for the applicant to demonstrate that their application would not add to the cumulative impact of such licensed premises in the area'. With this in mind 'applicants must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced'. Furthermore, as the Premises is located within the 'amber area' of the City Centre cumulative impact zone, there is a concern 'based upon an analysis of night time economy related issues that are relevant to the licensing objectives, and the council will expect applicants to offer additional measures tailored to problems in that area'.

From the information provided on Leeds City Council on-line licensing register, the only measures that have been proffered are:

- a Challenge-21 policy; and
- the use of CCTV.

30 Portland Place
London W1B 1LZ

+44 (0) 20 7580 5721
DX 83301 West End 2

info@joelsonlaw.com
joelsonlaw.com

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Joelson

This is wholly inadequate given the size and location of the Premises.

In particular, our client is concerned that any grant will have the following impact on the licensing objectives, namely:

Public Nuisance

The Premises has a large footprint and has applied, not only for the sale by retail of alcohol, but also recorded and live music. Given this, there is nothing at present preventing the Premises from operating as a large and 'lively' bar with loud music and dancing in an area which is already saturated. Coupled with the young audience that university buildings attract, there is a real risk of disturbance being caused in the local area from:

- a) Noise escape from activities taking place inside the Premises. No details have been provided in respect of any noise surveys nor conditions proffered relating to the installation of noise limiters, acoustic protection etc.
- b) Disturbance in the form of chatting, laughing and shouting from patrons accessing and leaving the Premises, the slamming of car doors and the dropping of litter.

Crime & Disorder

The threat of increased crime and disorder is closely linked to that of public nuisance. There is a fear that the grant of another premises licence could lead to fights, drug use, public urination and petty acts of vandalism fuelled by alcohol consumption. It is somewhat surprising that there has been no mention of employing door supervisors.

Protection of Children from Harm

Despite the application being for a university building, the only suggested control to ensure that underage sales are avoided is to have a Challenge-21 policy. No mention has been made of the extensive staff training required to ensure that such a venue does not become a target for underage drinkers.

Public Safety

From considering the application it is not clear how patrons will be managed to ensure that public safety is not compromised. What will the capacity limit be? How will it be enforced?

At present, the application as submitted raises more questions than it answers. As matters stand, the Licensing Sub-Committee is urged to reject this application for a new premises licence in its entirety. However, the applicant is invited to provide further information and proffer further conditions in an attempt to appease our client's concerns.

Yours faithfully

Joelson

Joelson

JOELSON JD LLP

Enc.

30 Portland Place
London W1B 1LZ

+44 (0) 20 7580 5721
DX 83301 West End 2

info@joelsonlaw.com
joelsonlaw.com

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Nelson, Matthew

From: [REDACTED]
Sent: 11 May 2017 09:35
To: [REDACTED]
Subject: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi [REDACTED]

Although we felt that a 'face to face' meeting was better for a discussion, a Skype/Conference call is fine. This would be an opportunity to explain to your client in more detail about our Conference Business and the Office area on the third floor which is occupied by a University Partnership, as well as discussing the points you have raised on behalf of your client.

The Licensing Authority and West Yorkshire Police have not made a representation which shows that both authorities are satisfied with the measures we have put in place for the operation and to uphold licencing conditions, and as you are aware we have incorporated the conditions which was discussed with LCC Environmental Health.

This would also be an opportunity to have a further discussion about any concerns you have around security, building operation and general day to day use.

With regards to the date/time of the call we still have some time booked tomorrow – are you available at 1.00pm (Friday 12th May), if not could you please give me some dates/times for me to check availability.

Many thanks

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 10 May 2017 16:46
To: [REDACTED]
Subject: RE: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi [REDACTED]

Any thoughts on my email? We could potentially do a conference call next week if that assists...

Kind regards,

[REDACTED]

Partner – Licensing, Gambling & Regulatory
Direct: +44 (0) 20 7580 5721



www.joelsonlaw.com

30 Portland Place, London W1B 1LZ

T: +44 (0) 20 7580 5721

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From: [REDACTED]
Sent: 09 May 2017 16:52
To: [REDACTED]
Cc: [REDACTED]

Subject: Re: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi [REDACTED]

Before my client contact and I commit to a trip to Leeds for a meeting are you able to outline the proposed amendments to the application you do not agree to?

Many thanks.

On 9 May 2017, at 15:49, Simpson, Christine [REDACTED] wrote:

Hi [REDACTED]

Further to your email, and following our meeting this afternoon, could we please have a 'face to face' meeting with you and your client as previously discussed.

You initially mentioned Friday 12th May at 12.30 for a meeting; [REDACTED] (Head of Business Development), [REDACTED] (Head of Security) and myself are available to meet at this time if this is still a convenient time for yourself and your client.

I have provisionally booked room 102 in Queens Square House, Wood House Lane, Leeds LS2 8BU and if you require a visitor car parking space in the Rose Bowl, please let me know and I will book you one.

I look forward to hearing from you.

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 05 May 2017 14:36

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi

Sorry about the slow response - I have now taken further instructions.

Having considered the documentation provided in further detail, my client is not opposed to the style of operation described but has concerns that there are insufficient 'checks and balances' to ensure that the offer does not evolve into hosting events which fail to uphold the licensing objectives. With this in mind, my client would be prepared to withdraw its objection provided that the hours/activities sought and the conditions proffered are amended as follows:

Hours/Activities:

My client does not consider that it is appropriate or necessary to have a midnight terminal hour for the sale of alcohol. It is particularly concerned that by merely providing notice (which does not require agreement) the premises could sell alcohol until 2.00 a.m. Given this, there is nothing stopping the premises from serving alcohol until such time every day of the year. In the spirit of compromise, my client would be prepared to accept a terminal hour of 11.00 p.m. with an extension until 2.00 a.m. on Fridays and Saturdays provided that West Yorkshire Police or Leeds City Council could refuse such a request if it is considered that the licensing objectives might not be upheld. The premises would still have its full Temporary Event Notice allocation.

Furthermore, my client asks that you amend the application to remove live and recorded music. Background music is not a licensable activity and hence can be played in any event. Furthermore, the Live Music Act 2012 changed the law so that you will be able to play regulated live and recorded music in any event up until 11.00 p.m. for an audience of up to 500. In other words, we do not consider that you need to formally apply for live and recorded music. By removing such a request it would reassure my client that the premises will not hold noisy club or dance nights.

Conditions:

It is appreciated that you have already proffered a number of conditions. However, it is considered that by proffering certain key additional conditions, any premises licence can be 'future proffered' to ensure that the use of building does not adversely change. Given this, would you be prepared to proffer the following?

- Licensable activities shall only be provided at pre-booked ticketed events.
- Where licensable activities are to take place after 10.00 p.m. a minimum of 2 door supervisors shall be on duty from 9.00 p.m. until 30 minutes after close.
- All licensable activities shall be carried out by employees of the premises licence holder. The premises shall not be hired to third parties to carry out licensable activities.

If the above is acceptable there will be no need for a meeting.

I look forward to hearing from you.

Kind regards,

■

Direct: +44 (0) 20 7580 5721

T: +44 (0) 20 7580 5721

From: [REDACTED]
Sent: 05 May 2017 09:00
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi [REDACTED]

Are any of the alternative dates appropriate for you.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 03 May 2017 16:47
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi [REDACTED]

Further to our telephone conversation with regards to alternative dates, please see below where [REDACTED] (Head of Campus and Residential Services), [REDACTED] (Head of Security) and myself can attend.

Tuesday 9th May – between 2.30-5.00pm

Wednesday 10th May – between 9.00-11.30am and 3.00-5.00pm

Thursday 11th May 4.00-5.00pm

On Friday 12th 2017 May [REDACTED] is on holiday and [REDACTED] returns back from her holidays early Friday morning, and therefore we are concerned that one of the Personal Licence holders will not be at the meeting on the Friday.

I would be grateful if you could let me know if any of these alternative dates are convenient to you, and let us know which you would prefer and who will be attending the meeting and then I will let you know the location/room etc.

As discussed I have attached a copy of the drawings for your information.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 03 May 2017 14:57
To: [REDACTED]
Subject: RE: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi

From the email exchange with the Council am I right in saying that a meeting on 12 May is good with you?

Kind regards,

—
Direct: +44 (0) 20 7580 5721
[REDACTED]

—
T: +44 (0) 20 7580 5721
—
—

From: [REDACTED]
Sent: 03 May 2017 10:13
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Hi

Thank you for the email. I think that a 'face to face' meeting would be worthwhile if you are agreeable. Would you be free next Friday lunchtime at all (12th May)? Also, I should be most grateful for a list of all the conditions that you are happy to be placed on a premises licence if one is granted.

Kind regards,

From: [REDACTED]
Sent: 02 May 2017 16:44

To: [REDACTED]

Cc: [REDACTED]

Subject: FW: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Dear Colleagues

I have received an out of office notice from Mark McDermott advising that he has now left Joelson JD LLP and has left your contact details. I am not sure who will be dealing with this objection so have copied you all in and look forward to hearing from you.

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 02 May 2017 16:35

To: [REDACTED]

Cc: [REDACTED]

Subject: Objection to New Premises Licence - Cloth Hall Court, Leeds - Leeds Beckett University Application for the Grant of a Premises Licence

Dear [REDACTED]

I have received the Cloth Hall Court Representation document from Matthew Nelson at Leeds City Council and have had a subsequent conversation with him. Further to Matthews email below I would like to confirm that the University would like to liaise with you and your client to discuss our application and the comments you have made in your letter ref NMM MJM T00353001.

We are aware that you and your client would have not seen the full application and supporting documents, and have attached copies of the following for your information.

- PREM 1 form
- Draft risk assessment and Standard Operating Procedures for the building (please note that these particular documents are still being finalised - in conjunction with our University Health and Safety Office and Conferencing Team, as the redevelopment is not yet complete.
- Security Standard Operating Procedures (SOP) – (to access this document please use hunslet).
- University Safeguarding policy in relation to staff and visitors to the premises – this will be adhered to and support from the University's Security team will be imperative to ensure the smooth running of any events in the building.
- Building capacity/ public safety – control of numbers
- Email from Leeds City Council Environmental Health – the University was asked to complete an extra 'Profoma Risk Assessment - Noise/public nuisance conditions'. This was subsequently submitted and the conditions will be attached to the licence – LCC Environmental Health are no longer objecting to this application, please see attached email outlining the Conditions.

Please note that our main target market will be business to business for the likes of training, conferences and exhibitions and will also be home to the University's Enterprise department and the Institute of Directors. These activities will be primarily during the day time; any late evening events or where events with alcohol is provided or there is a 'cash bar' there will be a security provision to support the event.

Security's primary role will be:

- to ensure a smooth running event with necessary checks where appropriate
- to ensure there is no underage drinking (linking to the Challenge 21 Policy)
- there will also be facilitated access 'in and out' of the building to ensure minimised noise or disruption
- there will be CCTV in place both internally and externally to monitor the premises
- all the Security staff are all SIA Door Supervisor trained and have experience of dealing with these types of events within the University, please note that this is still a University building and will be managed, and locked/alarmed at the end of each evening
- the building will be monitored 'out of hours' by the Security team and any 'out of hours' alarms will be responded to from our Security Control room
- Please note the University Drug Policy, along with Safeguarding for minors will be adhered to at all times
- All our Security staff are fully first aid qualified and have also had training on conflict management, counter terrorism and are responsible for all fire evacuations across the University buildings/campuses
- Also included in the SOP is reference to the University to Bomb Threat and the appropriate channels for dealing with business recovery

Please note that this is not a student building and would not have an audience in the same way as other University buildings, or bar areas. Where alcohol is served it is pre booked as part of the conference/meeting/event requirement for the registered delegates only.

It is important to note that we do not envisage Cloth Hall Court being a regular late evening event and the general hours of the building will be 8.00am – 6.00pm, however, within the finalised SOP for Cloth Hall Court there will be a clear provision for 'what is a standard working day' and the process for any 'out of hours events'.

If you would like any copies of the floor plans or any further information/clarification we would be happy to provide these, please do not hesitate to come back to me if you wish to discuss this further and we would be happy to meet.

Kind regards

[Redacted]



From: [Redacted]
Sent: 27 April 2017 09:02
To: [Redacted]
Subject: Application for the Grant of a Premises Licence

Hi [Redacted]

I hope you're well.

Further to our conversation yesterday I attach a copy of the representation your application for a new premises licence attracted.

You're more than welcome to liaise with the author to discuss the matter in the hope that mediation may lead to the representation being withdrawn. It should be noted however that there is no scope to agree additional measures with any party other than a responsible authority.

Should the representation remain outstanding the application will proceed to hearing. We have a preliminary date for the hearing which is Tuesday 23rd May 2017 but I will send out the formal notice of hearing documentation in due course.

I can also confirm that other than the attached representation, no others remain outstanding.

Should you have any further questions please feel free to get in touch on the number below.

Kind regards

Matthew Nelson
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 378 5029
Fax: 0113 224 3885
email: matthew.nelson@leeds.gov.uk
www.leeds.gov.uk

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