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Leeds District Licensing Department  
First Floor  
Elland Road DHQ  
Elland Road  
Leeds  
LS11 8BU

Tel: [REDACTED]

Email: [REDACTED]

Your ref:

Our ref:

16 November 2017

Paddy Whur  
Woods Whur  
Devonshire House  
38, York Place  
Leeds  
LS1 2ED

**cc. Entertainment Licensing Section. Leeds City Council, Civic Hall, Leeds. LS1 1UR**

**RE: THE VIADUCT, 11, BRIGGATE, LEEDS, LS1 6EP  
APPLICATION TO VARY A PREMISES LICENCE – LICENSING ACT 2003:  
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for the above premises, received at the address above on 19<sup>th</sup> October 2017.

We note that the application falls within one of the red areas of the City Centre Cumulative Impact Policy. The policy applies to alcohol led premises such as bars, pubs, and nightclubs, and for premises seeking late night refreshment such as takeaways and late opening restaurants.

Your application describes varying the existing licence to extend the area for licensable activities to the first floor as shown on the plan submitted with the application, but not increasing the stated capacity – indeed the capacity as stated in the embedded restrictions is specifically left on the licence. We would ask that all the capacity related conditions be offered under ‘the prevention of crime and disorder’ as opposed to ‘embedded restrictions’, given that ‘capacity’ in this area of the city is key when considering the crime and disorder generated by congestion and drunkenness on the street.

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You also intend to remove outdated and redundant conditions and to add a condition relating to the control of customers within the premises. I suggest more conditions to be removed and added, with the suggested modern replacements and new conditions in Part 1 of this letter.

We are therefore of the opinion that this variation, with no change in capacity, and added conditions tailored around the control and supervision of customer numbers, is not likely to impact adversely on the area, and do not make this objection under the Cumulative Impact Policy.

However, West Yorkshire Police are of the opinion that your application contains insufficient information about how you intend to promote the licensing objectives in general.

We therefore confirm that we are submitting a formal representation against your application on the grounds of:-

1. the prevention of crime & disorder
2. public safety

We are of the opinion that the licensing objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule as conditions.

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. 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 as conditions.

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.

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## **PART 1 - to be completed by the Responsible Authority:**

**West Yorkshire Police** propose the following control measures / conditions under the Licensing Act 2003 (in **addition/in lieu** to those that you may have already offered), for the premises:-

**THE VIADUCT  
11, BRIGGATE  
LEEDS  
LS1 6EP**

Having considered the application under the Licensing Act 2003 for the above premises, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives:-

- the prevention of crime & disorder
- public safety

### **Additional measures proposed:**

- 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

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the premises (all CCTV conditions in lieu of 101, 102 and 111)

- 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).
- The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
- 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.
- The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details.
- 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 CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
- 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.
- 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.
- The minimum number of door supervisors for the premises is \_\_\_\_\_

(Please specify days and hours door supervisors operate on the premises)

- An SIA registered member of door staff shall be present on the first floor and monitoring customers and their behaviour at all times it is open to the public (unless this is the intended meaning of the offered conditions on page 2 of the application at points d) and e).
- 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 (radio conditions in lieu of 103 and 109)
- Such communication link will be kept in working order at all times when licensable activities are taking place.
- 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.

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, 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, West Yorkshire Police 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.

PC 5548 Cath Arkle  
Leeds District Licensing Officer

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## PART 2 – to be completed by the applicant or applicant’s representative:

Consent for all proposed control measures / conditions under the Licensing Act 2003.

Name & Address of Premises:

**THE VIADUCT  
11, BRIGGATE  
LEEDS  
LS1 6EP**

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 West Yorkshire Police,
- I / we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises as conditions, and furthermore,
- I / we confirm the premises will then operate in accordance with those conditions agreed to.

**Signed:**

**Dated:**

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**PART 3 – to be completed by the applicant or applicant’s representative:**

Proposed control measures / conditions under the Licensing Act 2003

Name & Address of Premises:

**THE VIADUCT  
11, BRIGGATE  
LEEDS  
LS1 6EP**

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 West Yorkshire Police.

In this instance we understand that West Yorkshire Police will maintain their representation to my /our application, which will now proceed to a hearing before the Licensing Sub-Committee, at which I / we will be required to attend.

**Signed:**

**Dated:**