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Leeds District Licensing Department

Licensing Department

Millgarth Police Station
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Leeds
LS2 7HX

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Email:

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Website:

7 July 2010

Mr Richard Black
Richardson and Co Solicitors
2nd Floor
Phoenix House
South parade
Leeds LS1 5QX



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

RE: EAST END PARK WORKING MENS CLUB, VINERY AVENUE, LEEDS LS9 9LX
NEW 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 the 10 June 2010.

West Yorkshire Police are of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives.

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

1. the prevention of crime & disorder
2. the prevention of public nuisance, and
3. the protection of children from harm.

However, West Yorkshire Police are also of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule as conditions, in **addition** to what you may have offered in your application.

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.

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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.

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 to those that you may have already offered), for the premises:-

**EAST END PARK WORKING MENS CLUB,
VINERY AVENUE,
LEEDS LS9 9LX**

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
- the prevention of public nuisance
- the protection of children from harm

Measures / Additional measures proposed:

The Premises Licence Holder, Designated Premises Supervisor and all members of staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.

No alcohol shall be sold or supplied, or entertainment offered, at any time or in any part of the club premises in accordance with this Premises Licence other than to:-

(a) a member of the club who may not:-

(a) be admitted to membership, or

(b) be admitted, as a candidate for membership, to any of the privileges of membership,

without an interval of at least two days between their nomination or application for membership and their admission;

(b) a bona fide guest of such a member;

(c) associate members and their guests;

(d) Other persons than at (a) (b) & (c) attending bona fide functions, which have been organised with and authorised by the management committee of the club in advance;

(e) Members of visiting teams for recreational / sporting events taking place on the club premises or within the grounds of the club, together with officials and supporters accompanying those visiting teams.

On every occasion that the club is being used in accordance with paragraph (d) above, West Yorkshire Police will be notified of any such event by the club giving 14 days advance written notice.

On each occasion, the advance written notification shall provide the following information,

- (i) The name and full contact details of the organiser of the function booked with the club, who may be requested to provide a guest list at the discretion of West Yorkshire Police,**

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- (ii) **Alternatively, the name and full contact details of the external promoter of the function booked with the club, who may be requested to provide a guest list at the discretion of West Yorkshire Police,**
- (iii) **The date and time that the function is due to start and finish,**
- (iv) **A short description of the nature of the function,**
- (v) **State the licensable activities that will be carried on at the premises during the function,**
- (vi) **Is the function for the whole or a part of the premises?**
- (vii) **How many people are expected to attend the function?**
- (viii) **Will door supervisors be employed specifically for the function?**
- (ix) **If so, what are the contact details for who employs the door supervisors?**
- (x) **If not, how will the management committee of the club and club staff monitor the numbers present at the function?**

At the discretion of West Yorkshire Police, the 14 days advance notification will be waived but only providing written notification is still provided to the police by the club prior to the event taking place;

There shall be rules of the club for the election of club members and other matters which are at the discretion of the clubs management committee.

A copy of such rules shall be deposited with the Licensing Authority and the Police on an annual basis and due at the start of every calendar year.

In addition, notice of any alteration in any of the club rules shall be given to the Licensing Authority and the Police within 14 days of the alterations being made.

A list of names and addresses of all members of the club shall be kept on the premises, to be produced at any time if requested, by an officer of the Licensing Authority or a Police Officer.

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.

Lynn Dobson
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:

**EAST END PARK WORKING MENS CLUB,
VINERY AVENUE,
LEEDS LS9 9LX**

I / We SAMUEL MURTAGH

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:

J. Murtagh

Dated:

19-7-010

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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:

**EAST END PARK WORKING MENS CLUB,
VINERY AVENUE,
LEEDS LS9 9LX**

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:

Mr. Richard Black
Richardson & Co Solicitors
2nd Floor
Phoenix House
3 South Parade
Leeds
LS1 5QX

Environmental Protection Team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN

Contact: Mr. Mudhar
Tel: 01132146245
Fax: 0113 2146250

Our reference: PREM/02903
7 July 2010

Dear Sir

Licensing Act 2003

Name of Premises: East End Park WMC

Address: Vinery Avenue, Leeds, LS9 9LX

Thank you for submitting your application for the above premises.

Leeds City Council's health and environmental action service (HEAS) is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

However you could meet this objective by incorporating certain identified measures within your operating schedule. Therefore, please find enclosed a document which at part 1 contains the suggested measures which we consider are proportionate and appropriate to the nature of your application.

If you are in agreement with the suggested measures then please complete and sign part 2 of the enclosed form and return the complete document to me as soon as possible. Once we receive this it will be taken that you wish the licensing authority to amend your operating schedule to incorporate the proposed measures. If you have any questions please do not hesitate to contact me.

If you disagree with the suggested measures, then please complete part 3 and return the complete document to me as soon as possible.

If the opening hours as proposed under this application are different to those on the current planning approval, then you should also make an application for variation of hours to planning services. If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours faithfully



G S Mudhar
Senior Environmental Health Officer.

Encs

PART 1

To be completed by the responsible authority

Leeds City Council's Health and Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003

**Name of Premises: East End Park WMC
Address: Vinery Avenue, Leeds, LS9 9LX**

The application premises are situated in a densely populated area of East End Park Leeds 9 and surrounded by residential properties to all sides apart from undertakers' premises which are situated immediately opposite the site and shares a medium sized car park with the club.

The premises comprises 2 storey building; the members bars, a lounge and the sports room are situated on the ground floor and a large function room is situated on the upper floor level of the premises. The premises are bounded by 3 residential streets namely; Vinery View, Raincliffe Mount and Welbeck Road. The premises are adjoined to 3 residential properties (terrace houses) on Vinery View including a dwelling which is occupied by an employee / Steward of the club premises.

The premises are air conditioned and doubly glazed throughout and the windows in the function room also benefits from a secondary units (sealed plastic panels). There is also a sound limiting device which is maintained and tested annually by an Electrician appointed by the Club. A function room is regularly used by the community for parties / special occasions which involve regulated entertainment (recorded music). I understand that the events involving live bands take place in the function room up to four times per year.

There have been no recent complaints of noise from the premises apart from some minor incidents / complaints (in 2006) from a nearby resident about an amplified music breaking out from the premises.

However, given that the Club premises are situated in predominately residential area, there is the potential for noise nuisance from the premises i.e amplified music escaping from the premises, comings and goings of patrons, raised voices by the patrons whilst smoking and drinking in the external area designated for smoking. The Club's car park overlooks the residential properties, therefore the Department has some concerns about possible noise disturbances from the vehicles; revving engines, car stereos, banging and slamming doors.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's health and environmental action service considers that the following measures are proportionate and necessary in order to promote the Prevention of public nuisance licensing objective:

Noise and Vibration

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.

2. Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises after 11 pm and at all times if entertainment takes place on more than 30 occasions per year. ✓
3. There shall be no external loudspeakers ✓
4. Bottles will not be placed in any external receptacle after 11 pm to minimise noise disturbance to neighbouring properties. ✓
5. Noise from plant or machinery shall be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level. ✓
6. The PLH/DPS will ensure patrons use external areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas for the consumption of food or alcohol after 10 pm. ✓
7. The activities of persons using the external areas shall be monitored and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary. ✓
8. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises. ✓

Litter

9. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter. ✓

Transport / Pedestrian Movement

10. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour. ✓
11. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary. ✓
12. A facility will be provided for customers to order hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises. ✓

Signed:

J. Mustagh

Dated:

19-7-010

PART 2

To be completed by the applicant or applicant's representative

Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: East End Park WMC
Address: Vinery Avenue, Leeds, LS9 9LX

I/We SAMES MURTAGH.....

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

In signing this document I / we agree with the measures proposed by Leeds City Council's health and environmental action 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: 19-7-010.

Please return this document to:

Gurdip Mudhar (Senior Environmental Health Officer).
Environmental Protection Team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN

PART 3

To be completed by the applicant or applicant's representative

Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: East End Park WMC
Address: Vinery Avenue, Leeds, LS9 9LX

I / We

confirm that I am / we are the applicant / the applicant's 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 Leeds City Council's health and environmental action service.

In this instance we understand that Leeds City Council's health and environmental action 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:

Gurdip Mudhar (Senior Environmental Health Officer).
Environmental Protection Team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN