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**Report of the Assistant Chief Executive (Corporate Governance)**

***Report to the Licensing Sub Committee***

**Date: Monday 2<sup>nd</sup> August 2010**

**Subject: Application to Vary a Premise Licence relating to The Windmill Club 35 Ramshead Approach Seacroft, Leeds LS14 1HH – to specify a Designated Premises Supervisor**

**Proposed Designated Premises Supervisor: Keith Smith**

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**Electoral Wards Affected:**

N/A

Ward Members consulted  
(Referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**Executive Summary**

This report informs members of an application to vary a Premise Licence to specify a Designated Premises Supervisor under the Licensing Act 2003 ("the Act") in respect of Keith Smith

**1.0 Purpose of this Report**

To advise Members of an application made under section 37 (5) and 37 (6) of the Licensing Act 2003 ("the Act") for the variation of a Premise Licence in order to specify a designated Premises Supervisor in respect of Keith Smith

The Licensing Sub-Committee is required to consider this application due to the receipt of representations.

**2.0 The Application**

2.1 The Applicant is Christina Hickson – The Premises Licence Holder

2.2 A copy of the application is attached.

Members are invited to consider Appendix "A" of this report.

### **3.0 History**

3.1 Keith Smith is the holder of a personal licence Number PA 1116 issued by Wakefield Council

### **4.0 Relevant Representation**

4.1 Under the Act representations can be received from West Yorkshire Police. The representation must be relevant attached at Appendix "B" is a copy of the representation

### **5.0 Matters Relevant to the Application**

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objective

- the prevention of crime and disorder

### **6.0 Options Available to Members**

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:


- Grant as requested.
- Reject the application

6.2 Members of the Licensing sub committee are asked to note that they may not reject this application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objective.

### **Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy

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**Licensing Department**  
Millgarth Police Station  
Millgarth Street  
Leeds  
LS2 7HX

**Leeds District Licensing**

Tel: 0113-2414023  
Fax: 0113-2413123  
Email: lynn.dobson@westyorkshire.pnn.police.uk

8 July 2010

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

**OBJECTION NOTICE :**  
**VARY PREMISES LICENCE - DESIGNATED PREMISES SUPERVISOR:**  
**SECTION 37(5) & 37(6) LICENSING ACT 2003**

**PREMISES SUPERVISOR: KEITH SMITH**  
**PREMISES: WINDMILL CLUB, 35 RAMSHEAD APPROACH, SEACROFT, LEEDS LS14 1HH**

West Yorkshire Police serve notice to this application, which we received at Millgarth Police Station on 1 July 2010.

If granted, West Yorkshire Police are satisfied that the exceptional circumstances of the case would undermine the crime prevention objective.

The Windmill Club is situated in the busy area of Seacroft in Leeds. The area, as a whole, suffers from its share of priority crime, violent crime and anti-social behaviour and a proportion of this can be directly linked to the premises.

The premises have previously been linked to underage sales, anti-social behaviour and minor crime. It was common knowledge amongst many local people and local youths that if you wanted to obtain an alcoholic drink whilst underage, the Windmill Club was the place to go. These premises, historically, have attracted younger and therefore more vulnerable customers.

Following intervention from West Yorkshire Police and Leeds City Council Licensing Enforcement calls in relation to the premises appeared to have reduced. Work continued during this time and Officers liaised with the premises licence holder and designated premises supervisor, however after the death of Patrick Fitzgerald the premises closed. Since reopening officers from Leeds City Council and WYP have spoken to the new operators and all applications made to this department have been permitted to proceed without objection or representation.

However, upon receipt of this application WYP have concerns in relation to the suitability of Keith Smith to perform the role of designated premises supervisor. An interrogation of WYP computer systems

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## **NOT PROTECTIVELY MARKED**

shows that there are numerous pieces of intelligence in relation to Mr Smith. The exact content of the intelligence cannot be disclosed in full because of its sensitive nature. But it can be disclosed that the intelligence has come from numerous different sources including crime stoppers and community intelligence going back over more than two years. The intelligence refers to the supply of controlled drugs, receiving and handling stolen goods and fraud and counterfeiting.

It is not felt that Mr Smith should perform the role of DPS at The Windmill Club based on the current intelligence picture. These premises have worked hard to address the issues thought attributable to the premises. If Mr Smith is permitted to perform this role this could potentially undermine all the good work that has been done to date and undermine the licensing objectives.

**Lynn Dobson**  
**PC 5783**  
**North East Leeds Licensing**

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Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**Application to vary a premises license to specify an individual as designated premises supervisor under the Licensing Act 2003.**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We CHRISTINA HICKSON

*(Insert name of applicant)*

being the premises license holder, apply to vary a premises license to specify the individual named in this application as the premises supervisor under Section 37 of the Licensing Act 2003

Premises licence number

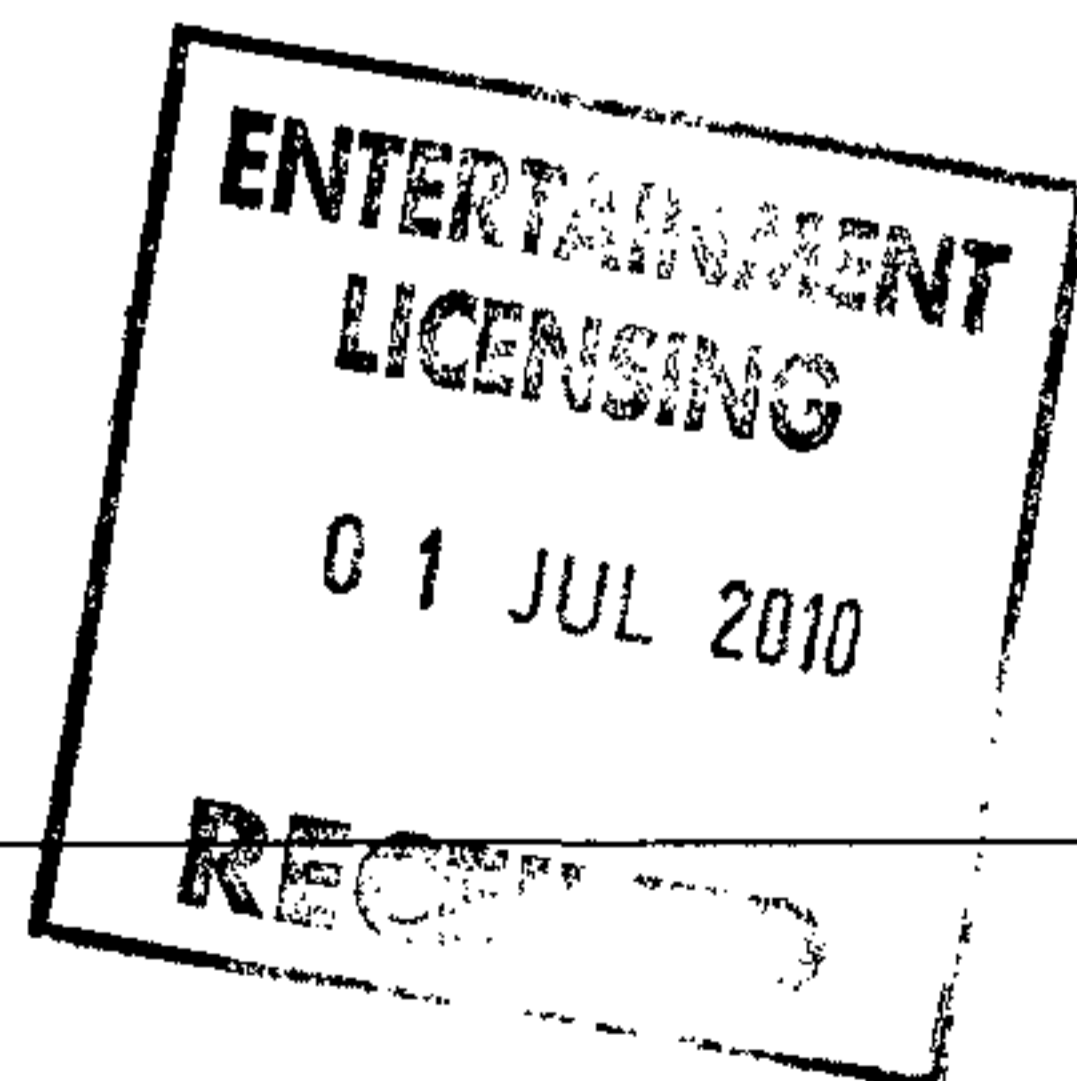
DEM/02568

**Part 1 - Premises details**

Name of Premises <u>WINDMILL CLUB</u>	
Postal address of premises or, if none, Ordnance Survey map reference or description <u>35 RAMSHOED APPROACH SEACROFT</u>	
Post Town <u>LEEDS</u>	Postcode <u>LS14 111H</u>
Telephone number (if any) <u>07961 206431</u>	
E-mail address (optional)	

Description of premises (please read guidance note 1)

WORKING MEN'S CLUB



Part 2

Full name of proposed designated premises supervisor  
KEITH SMITH

Personal license number of proposed designated premises supervisor and issuing authority of that license (if any)  
PA 1116 ✓ Deighton 23.01.2016

Full name of existing designated premises supervisor (if any)  
ALICIA JANE THISTLEWOOD

Please tick ✓ Yes

I would like this application to have immediate effect under Section 38 of the Licensing Act 2003

I have enclosed the premises license or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it  
SOLICITORS OF ASSOCIATION OF PREMISES LICENCE.

Please tick ✓ Yes

I have made or enclosed payment of the fee

I will give a copy of this application to the chief officer of police

I have enclosed the consent form completed by the proposed premises supervisor

I have enclosed the premises licence, or the relevant part of it or explanation

I will give a copy of this form to the existing premises supervisor, if any

I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [ £5000 ], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**PART 3 - SIGNATURES** (please read guidance note 2)

**Signature of applicant or applicant's solicitor or other duly authorised agent.** (please read guidance note 3) **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date 01/05/2010

Capacity MANAGER

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (Please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature \_\_\_\_\_

Date \_\_\_\_\_

Capacity \_\_\_\_\_

<b>Contact Name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post Town</b>	<b>Postcode</b>
<b>Telephone number (if any)</b>	
<b>E-mail address (optional)</b>	

**Guidance notes**

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

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

**Consent of individual to being specified as premises supervisor**

1. KETTHI SMITH ] of  
full name of prospective premises supervisor

12 GROVE LEA WALK PONTEFRAC T WFS 2RG  
home address of prospective premises supervisor

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[D.P.S CHANGE] by [CHRISTINA THICKSON]  
type of application name of applicant

relating to a premises licence [WINDMILL CLUB LS14 1HH]  
number of existing licence, if any

[PREM 102568] and any  
name and address of premises to which the application relates  
premises licence to be granted or varied in respect of this application made by

[CHRISTINA THICKSON] concerning the supply of alcohol at  
name of applicant


[WINDMILL CLUB SEACROFT LS14 1HH] I also  
name and address of premises to which application relates

confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number [PA 1116]  
insert personal licence number, if any

Personal licence issuing authority

[WAKEFIELD]  
insert name and address and telephone number of personal licence issuing authority, if any

 signed

K. Smith name (please print)

01-07-2010 dated