

# Premises Licence

Premises Licence Number:

**APPENDIX A**  
22ND NOVEMBER 2005

## Public Register Copy

Initial licence issued from:

Current licence effective from:

**5th December 2011**

**Premises Address:** D' Fusion Leisure Ltd, 26 - 30 New Briggate, Leeds, LS1 6NU,

**Licensable activities authorised by this licence:** Sale by retail of alcohol; Provision of late night refreshment; Exhibition of a film; Performance of live music; Performance of recorded music; Performance of dance; Entertainment similar to live music, recorded music or dance; Provision of facilities for making music; Provision of facilities for dancing; Provision of facilities for anything similar to making music or dancing;

### Times for licensable activities

#### Sale by retail of alcohol

Friday & Saturday 11:00 - 05:00  
Sunday to Thursday 11:00 - 03:00

#### Provision of late night refreshment

Every Day 23:00 - 05:00

#### Exhibition of a film

Friday & Saturday 11:00 - 06:00  
Sunday to Thursday 11:00 - 04:00

#### Performance of live music

Friday & Saturday 11:00 - 06:00  
Sunday to Thursday 11:00 - 04:00

#### Performance of recorded music

Friday & Saturday 11:00 - 06:00  
Sunday to Thursday 11:00 - 04:00

#### Performance of dance

Friday & Saturday 11:00 - 06:00  
Sunday to Thursday 11:00 - 04:00

#### Entertainment similar to live music, recorded music or dance

Friday & Saturday 11:00 - 04:00  
Sunday to Thursday 11:00 - 03:00

### Times for licensable activities

#### Provision of facilities for making music

Friday & Saturday 11:00 - 04:00  
Sunday to Thursday 11:00 - 03:00

#### Provision of facilities for dancing

Friday & Saturday 11:00 - 06:00  
Sunday to Thursday 11:00 - 04:00

#### Provision of facilities for anything similar to making music or dancing

Friday & Saturday 11:00 - 04:00  
Sunday to Thursday 11:00 - 03:00

### Opening hours of premises

Friday & Saturday 11:00 - 06:00  
Sunday to Thursday 11:00 - 04:00

**Alcohol sales are permitted for consumption on the premises**

Licence Issued under the authority of Leeds City Council



Miss Janice Archibald  
Licensing Officer  
Entertainment Licensing  
Licensing and Registration

Licence produced on 30/12/2011

**Premises Licence Holder(s):** Longsky Leisure Limited, 28 New Briggate,  
Leeds, LS1 6NU

**Registered number of holder(s):** 7727304

**Designated Premises supervisor:** Mr Wood Chui Cheung

**Access to the premises by children is restricted.  
Detailed in full on Part A of this licence.**

## Annex 1 – Mandatory conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
  - a. unauthorised access or occupation (e.g. through door supervision), or
  - b. outbreaks of disorder, or
  - c. damage
2. No supply of alcohol may be made under this licence
  - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made
  - a. By the British Board of Film Classification (BBFC,) Where the film has been classified by the Board, or
  - b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or,
  - c. where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. games or activities which require or encourage, or are designed to require or encourage, individuals to -
  - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
- b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- d. provision of free or discounted alcohol in relation to the viewing on the premises of a

sporting event, where that provision is dependent on -

- i. the outcome of a race, competition or other event or process, or
  - ii. the likelihood of anything occurring or not occurring;
- e. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

9. The responsible person shall ensure that -

a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- i. beer or cider. 1/2 pint;
- ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
- iii. still wine in a glass: 125 ml; and

b. customers are made aware of the availability of these measures

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **Additional details in respect of Licensable Activities authorised by this licence**

#### **10. Provision of late night refreshment**

Location where activity will take place:

This activity will take place indoors.

#### **11. Exhibition of a film**

Location where activity will take place:

This activity will take place indoors.

#### **12. Performance of live music**

Location where activity will take place:

This activity will take place indoors.

**13. Performance of recorded music**

Location where activity will take place:

This activity will take place indoors.

**14. Performance of dance**

Location where activity will take place:

This activity will take place indoors.

**15. Entertainment similar to live music, recorded music or dance**

Location where activity will take place:

This activity will take place indoors.

**16. Provision of facilities for making music**

Location where activity will take place:

This activity will take place indoors.

**17. Provision of facilities for dancing**

Location where activity will take place:

This activity will take place indoors.

**18. Provision of facilities for anything similar to making music or dancing**

Location where activity will take place:

This activity will take place indoors.

**19. All Licensable Activities**

Non Standard Timings

ALL LISTED REGULATED ENTERTAINMENT

Bank Holidays and the day before Bank Holidays 11:00 to 06:00

SALE OF ALCOHOL

bank Holidays and the day before Bank Holidays 11:00 to 05:00

**20. Concerns in respect of children**

None

**Conditions consistent with the operating schedule relating to the licensing objectives**

**The prevention of crime and disorder**

21. The premises shall maintain and operated a digital colour CCTV system in good operational condition at all times that the premises trades. This system shall be to the satisfaction of the West Yorkshire Police and shall record and securely store images for at least 28 days.

22. Images shall be made available to police or responsible authorities upon reasonable request.
23. Defects shall be reported to West Yorkshire Police within 24 hours of detection and shall be repaired as soon as possible.
24. Door supervisors will be employed at the premises on the following basis:
- a) on the ground floor buffet restaurant, door supervisors are not required at any time.
  - b) when the first floor operates as an al a carte restaurant/lounge or for a pre booked function, there must be a minimum of two doorstaff employed from 23:00 until closing on Friday and Saturday evenings and on any other day when this floor is open to the public beyond 01:00.
  - c) when the first floor operates as other than an al a carte restaurant/lounge or for a pre booked function, there must be a minimum of two doorstaff employed from 21:00 until closing.
  - d) when the second floor is open to the public and operates with any form of regulated entertainment, there must be a minimum of two doorstaff employed from 21:00 until closing.
  - e) where more than one floor is operating and requires doorstaff, the minimum number of doorstaff to be employed for the premises is town on the basis that access to the first floor and second floors is through the same entrance doors.
  - f) additional doorstaff shall be employed at the discretion of the premises licence holder/Designated Premises Supervisor.
  - g) where D-Fusion is trading as a restaurant (with karaoke facilities) and the regulated entertainment listed below is not taking place, then the requirement to have door staff shall not apply prior to 00:00 midnight, and from 00:00 midnight to closing, a total of two door staff will be required:-
    - 1. Facilities for dancing
    - 2. Live music
    - 3. DJ
  - h) where any of the regulated entertainment listed above is taking place, door staff at the usual ratios and times will be required.
25. A door staff register covering the preceding 12 month period shall be maintained at the premises, recording the following information:
- a) name, registration number and employer of each door staff member.
  - b) start and finish time, date and signature of each doorstaff member.
  - c) details of any incidences, including date, time and nature of incident and any follow up action or complaint, and name of doorstaff member who dealt with it.
26. The door staff register shall be made available to a responsible authority or licensing officer upon reasonable request.
27. The premises will be linked to West Yorkshire Police by means of radio link (Nitenet or equivalent) and this radio link shall be kept in good working order while the premises are open to the public after 00:00.
28. The premises shall operate the Challenge 21 proof of age scheme. All staff shall be trained in relation to this scheme and suitable signage will be displayed in the premises advising customers of the operation of this scheme.

29. Under 18's shall be permitted to remain on the premises as follows:
  - a) on the ground floor at all times that this floor is open to the public
  - b) on the first floor prior to 22:00 unless dining in the company of an adult or attending a bone fide pre booked function when the terminal hours shall be 00:00
  - c) on the second floor prior to 22:00
30. The premises shall implement a dispersal policy if required by the West Yorkshire Police, such a dispersal policy to address the following matters:
  - a) terminal time for the sale of alcohol and entry
  - b) taxi protocols and display of transport options to customers
  - c) style and volumes of music.
31. Where either the first or second floor of the premises is not operated ancillary to the restaurant operation, the premises shall have a drugs policy in place agreed by West Yorkshire Police which addresses the following matters:
  - a) search and seizure
  - b) safe and secure storage and disposal of any drugs seized
  - c) appropriate signage of drugs policies and procedures
32. Customers carrying open drinking vessels shall not be allowed to enter the premises. Staff will use their best endeavours to prevent customers removing open drinking vessels from the premises save for consumption in any designated outdoor drinking area.
33. The premises shall ensure that a designated member of staff is a member of pubwatch or equivalent scheme where it is operating in the area.
34. A manager/supervisor shall be employed on the second floor at all times that it is open to the public.
35. A manager/supervisor shall be employed on the first floor when it is open to the public as follows:
  - a) from 21:00 whenever regulated entertainment takes place on this floor
  - b) from 23:00 in all other cases
36. Staff levels on the first and second floor shall be 1 per 100 occupancy or part thereof.

#### **Public safety**

37. Regular safety checks shall be undertaken before and during opening hours to ensure that emergency access and egress routes are kept clear and the premises are accessible for emergency workers and vehicles.
38. All access doors shall be accessible and opened easily.
39. Written records of all accidents and safety incidents involving members of the public shall be kept and made available to an authorised officer upon reasonable request.
40. Regular safety checks by a suitably trained person shall be conducted at the premises and shall

include the following matters:

a) decorative fixtures and fittings

b) floor surfaces and equipment (including electrical equipment) accessible to the public

c) portable electrical appliances (if used)

d) fire alarm (including automatic heat and smoke detectors)

41. Written records of the safety checks shall be kept and made available to an authorised officer upon reasonable request.
42. Staff will clear bottles and glasses on a regular basis, paying attention to stairs and landing areas.
43. Electrical installations will be inspected on a periodic basis (at least every three years) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept.
44. Written records of the electrical inspection records shall be kept and made available to an authorised officer upon reasonable request.
45. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scalds or burns to them.
46. A suitably trained first aider or appointed person will be provided at all times when the premises are open.
47. Adequate and appropriate first aid equipment and materials will be available on the premises.
48. Where strobes, lasers, smoke machines or any other special effects equipment may be used, a written health and safety policy covering all aspects of their use will be provided, and staff will be appropriately trained.
49. No strobes, lasers, smoke machines or any other special effect will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.
50. The overall capacity of the premises shall be 440. The premises licence holder shall have policies in place to monitor entrance and egress to the premises to ensure that capacities are not exceeded. Clickers shall be used by doorstaff.
51. The premises will maintain a fire alarm system including smoke and heat detectors.
52. Regular fire alarm tests will be carried out. Records of fire alarm tests shall be kept and made available upon request by an authorised officer.
53. Staff shall be trained in the operation of the fire alarm system and means of evacuation.
54. The premises shall maintain the existing emergency lighting system in good operational order. Any alteration to the existing system shall be with the consent of the WYFRS.
55. Regular emergency lighting system tests will be carried out in a manner which satisfies the WYFRS.
56. Records of fire alarm tests shall be kept and made available upon request by an authorised officer.



57. Existing fire extinguishers and fire blankets in existing locations shall be maintained in good operational condition.
58. Staff shall be trained in the operation of the fire fighting equipment.
59. All curtains and drapes in the premises will be fire retardant to the satisfaction of the WYFRS.

#### **The prevention of public nuisance**

60. No nuisance will be caused by noise or vibration emanating from the premises. Licensable activities will be conducted and the facilities for licensable activities will be designed and operated so to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure.
61. Noise from the premises shall be inaudible at the nearest noise sensitive premises (i) after 23:00 hours and (ii) at any time when entertainment, as defined by paragraph 2 of Schedule 1 of the Licensing Act 2003, takes place on more than 30 occasions per year.
62. There will be no external speakers.
63. Bottles will not be placed in the external receptacle after 213:00 hours, to minimise noise disturbance to adjoining properties.
64. The rating level of noise from plant and machinery will be no higher than 5dB below the lowest background level at the most affected noise sensitive premises during the operation of the plant. Plant and machinery will be regularly serviced and maintained to continue to meet the rating level.
65. The licensee will ensure that lighting provided for the purpose of customer and staff safety, for the security of the premises and lighting associated with activities of entertainment and advertising, is such of an intensity, suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining premises.
66. The premises will be operated in a manner which will prevent unwanted odours causing a nuisance to persons in the immediate or nearby properties.

#### **Annex 3 – Conditions attached after a hearing by the licensing authority**

None

#### **Annex 4 - Plans**

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council Licensing Authority.

The plan for these premises is Drawing Number 05/22/02 C dated 06.06.07 Revision C, submitted with the variation application on the 29th August 2007.