

**CASE NO: 131200242683**

**IN THE LEEDS MAGISTRATES COURT**

**BETWEEN**

**TERENCE BENSON**

**Appellant**

**and**

**LEEDS CITY COUNCIL**

**Respondent**

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**CONSENT ORDER**

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**UPON the parties agreeing that revocation of the licence is no longer necessary to promote the licensing objectives.**

**It is agreed that:-**

- 1 The decision of the licensing authority (Leeds City Council) dated 1 March 2012 to revoke the Premises Licence under Section 52(4)(e) is rescinded.**
- 2 The Court should remit the matter back to the licensing authority to dispose of in accordance with the following direction pursuant to Section 181 (2) (c).**

**That the licensing authority should substitute for that decision a decision to modify the Conditions of the Licence under Section 52(4)(a)**

**That the licensing authority should consider whether it is necessary to impose a condition requiring the use of SIA registered door supervision and if so the number of staff and the days of the week and times when that would be required.**

**The Conditions on the existing licence should also be modified as follows:-**

- 2.1. Delete existing Condition 12 on the Premises Licence.**
- 2.2. Insert the following Conditions on the Licence as Conditions imposed following a Hearing before the Licensing Committee.**

## **Crime and Disorder**

- **A suitable close circuit television (CCTV) system must be operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises.**
- **The CCTV system must cover all areas of the premises occupied by the public under the terms of the licence excluding WCs.**
- **The CCTV system must cover the main entrance(s) and exit(s) and designated emergency egress routes from the premises.**
- **The CCTV system must cover all external areas of the premises occupied by the public.**
- **The CCTV system must be of satisfactory resolution quality which will enable the identification of persons and activities and other fine details such as vehicle registration number plates.**
- **The CCTV system must contain the correct date and time stamp information.**
- **The CCTV system must have sufficient storage retention capacity for a minimum of 31 days continuous footage which must be of good quality.**
- **The CCTV system must be adequately maintained and be capable of transporting recorded material on to a removable media.**
- **A designated member or members of staff at the premises must be authorised to access the CCTV footage and be conversant with operating the system. At the request of an authorised officer of the Licensing Authority or a responsible Authority under the Licensing Act 2003, any CCTV footage requested must be downloaded immediately or secure to prevent overwriting. The CCTV footage must be supplied, on request, to an authorised officer of the Licensing Authority or a responsible Authority.**
- **A supervisors register must be maintained at the licensed premises showing the name, address and up to date contact details for the DPS and all personal licence holders.**
- **The supervisors register must state the name of the person who is overall charge of the premises at each time that the licensable activities are carried out and this information must be retained for a period of 12 months and produced for inspection on request to an authorised officer.**
- **On every Friday and Saturday evening between the hours of 5 pm and closing the supervisor must be present in the public area of the premises and must oversee the operation of the premises. That supervisor must not carry out additional duties such as serving behind the bar during that time.**
- **The premises licence holder/DPS/staff must ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.**

Public Nuisance

- Drinks, open bottles and glasses must not be taken from the premises at any time. Empty bottles and glasses must be collected regularly and promptly. Glass and other sharp objects must be stored and disposed of safely using suitable receptacles. Receptacles must be secured and not accessible to the customers.
- The PLH/DPS must prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

Signed on behalf of the  
Respondent licensing authority

.....*Neil Marshall*.....

Solicitor to the Council

Dated .....17 July 2012.....

Signed on behalf of the  
Appellant

.....*Ant Bishop*.....

Dated .....17 July 2012.....