

Premises Licence

Premises Licence Number:

PREM/01574/004

Public Register Copy

Initial licence issued from:

24th November 2005

Current licence effective from:

21st February 2012

Appendix A

Premises Address: Smokestack, First, Second And Third Floors, 159A, Lower Briggate, Leeds, LS1 6LY,

Licensable activities authorised by this licence: Sale by retail of alcohol; Provision of late night refreshment; 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

Monday to Thursday 10:00 - 02:00
Friday & Saturday 10:00 - 04:00
Sunday 12:00 - 02:00

Provision of late night refreshment

Friday & Saturday 23:00 - 04:00
Sunday to Thursday 23:00 - 02:00

Performance of live music

Monday to Saturday 10:00 - 01:30
Sunday 12:00 - 01:30

Performance of recorded music

Monday to Thursday 10:00 - 02:00
Friday & Saturday 10:00 - 04:00
Sunday 12:00 - 02:00

Performance of dance

Monday to Thursday 10:00 - 02:00
Friday & Saturday 10:00 - 04:00
Sunday 12:00 - 02:00

Entertainment similar to live music, recorded music or dance

Monday to Thursday 10:00 - 02:00
Friday & Saturday 10:00 - 04:00
Sunday 12:00 - 02:00

Times for licensable activities

Provision of facilities for making music

Monday to Thursday 10:00 - 02:00
Friday & Saturday 10:00 - 04:00
Sunday 12:00 - 02:00

Provision of facilities for dancing

Monday to Thursday 10:00 - 02:00
Friday & Saturday 10:00 - 04:00
Sunday 12:00 - 02:00

Provision of facilities for anything similar to making music or dancing


Monday to Thursday 10:00 - 02:00
Friday & Saturday 10:00 - 04:00
Sunday 12:00 - 02:00


Opening hours of premises

Monday to Thursday 10:00 - 02:30
Friday & Saturday 10:00 - 04:30
Sunday 12:00 - 02:30

Alcohol sales are permitted for consumption both on and off the premises

Licence Issued under the authority of Leeds City Council



Mrs Emma White 
Licensing Officer
Entertainment Licensing
Licensing and Registration

Premises Licence Holder(s): Mr Simon Ord, 14 Christchurch Parade, Armley,
Leeds, LS12 3NQ

Designated Premises supervisor: Mr Simon Ord

Appendix

**Access to the premises by children is prohibited.
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 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.

Appendix

5. 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. 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.

8. 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

Embedded restrictions attached to the licence by virtue of grandfather rights.

9. Alcohol shall not be sold or supplied except during the hours stated on this licence and:
 - a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 - b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
10. The above restrictions do not prohibit:
 - a. the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first thirty minutes after above hours;
 - b. the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals.
 - c. consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
 - d. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;

- e. the sale of alcohol to a trader or club for the purposes of the trade or club;
- f. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
- g. the taking of alcohol from the premises by a person residing there; or
- h. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- i. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

11. **LATE NIGHT REFRESHMENT HOUSES ACT 1969**

This Licence becomes void when there is a change of ownership of the premises.

12. This licence cannot be transferred to the new owner, or be used for any other premises.
13. Leeds City Council must be notified of any change: including, the change of the home address of the licence holder, failure to do so is an offence attracting a fine not exceeding level 1 on the standard scale - section 6(3).
14. A notice of the tariff charges made in the Refreshment House for the supply of food, drink, admission charge, (if appropriate) any reasonable charge made for the use of the cloakroom or toilet facilities, must be kept displayed in such a position and in such a manner that it can be conveniently read by persons frequenting the Refreshment House and if so required can be easily read by any person before entering. Failure to maintain a TARIFF is liable to a fine upon conviction not exceeding Level 4 on the standard scale - Section 8(5).
15. It is an offence for a person to keep a Late Night Refreshment House without having a licence under the said Act - Section 2(3).
16. In the event of a contravention of a condition imposed by Leeds City Council under Section 7, the licensee and the refreshment house shall be guilty of an offence - Section 7(2).
17. If the licensee of a Late Night Refreshment House knowingly permits unlawful gaming therein, or, knowingly permits prostitutes, thieves, and drunken or disorderly persons to assemble at, or continue in, or upon, his premises, he shall be guilty of an offence - Section 9(1).
18. A Constable may at any time when he thinks fit, enter a Late Night Refreshment house licensed under this act and go upon any premises belonging thereto and the licensee or any other person being his employee, or acting by his direction, shall be guilty of an offence, if he fails, or refuses, to admit a Constable demanding admittance under this section - Section 10(1).
19. A Late Night Refreshment House shall not be open or kept open for public refreshment, resort, or entertainment other than at the times specified on their licence.

Standard Terms and Conditions in respect of converted Public Entertainment Licence

GENERAL

20. Throughout all parts of these conditions the phrase 'Licensing Authority' means the Leeds City Council.

21. a. Unless the hours for which the Licence is valid are expressly stated on the Licence there shall be no performance of any nature before 8.00 am or after 11.00pm on any day of the week including Saturdays, or after 10.30pm Sundays, without the prior consent of the Licensing Authority.
- b. There shall be no dancing or performance including dancing on any day appointed by Public Authority as a day of public mourning.
22. The Chief Constable of the West Yorkshire Police, any Police Officer, the Chief Fire Officer, any authorised officer in uniform of the West Yorkshire Fire Authority, any authorised Environmental Health Officer and their equipment and any other person authorised by the Licensing Authority shall have free access to all parts of the licensed premises at all reasonable times for the purpose of supervising the observance and enforcement of these conditions.
23. There shall be affixed and kept in a conspicuous place on the door or entrance of the premises an inscription in large capital letters the words as follows:

"LICENSED PURSUANT TO ACT OF PARLIAMENT FOR MUSIC AND DANCING"

(NB: Omit 'Dancing' if Licence issued for public music only)

MANAGEMENT OF PREMISES

24. The Licensee shall be responsible for carrying out the provisions of these Conditions of the Licence. The Licensee shall take due precautions for the safety of the public, employees and performers, shall retain control over all areas of the licensed premises and shall ensure that nothing shall take place on the premises which:
 - a. is likely to cause disorder or breach of the peace;
 - b. is likely to be grossly offensive to any person on the premises;
 - c. involves drugs misuse; or
 - d. involves any other unlawful activity.
25. The Licensee, or some other responsible person not less than eighteen years of age *and nominated in writing for the purpose, shall be in charge of, and remain upon the licensed premises whenever they are used for licensed purposes. They shall not be engaged in any duties which prevent them from exercising general supervision and control.
26. Any written nomination of management shall be served on the Licensing Authority and a copy of the same shall also be retained on the premises and kept available for immediate inspection by any Official of the Licensing, Police or Fire Authority.
27. 'The Licensee shall provide notice of his or her intention to provide any form of entertainment which includes lap dancing, pole dancing, table dancing, striptease or any form of nudity or semi nudity on the part of the performers or the staff employed on the premises. Any entertainment of this nature will be subject to additional standard special conditions of the licence'.
28. The person in charge shall be conversant with all licence conditions.
29. Any venue which accommodates external promoters shall maintain a register or a diary system to record all such events. Each entry should contain the specific date of the event, nature/title of the event and the name, address and contact telephone number of the promoter specific to that event. The register must be available for immediate inspection on request by any Official of the Licensing Authority or it's authorised agents.

Public Safety

OCCUPANCY

30. The maximum number of persons allowed in the stated areas whilst the Licence is in force is:
- First Floor 200 persons
- Second Floor 150 persons
31. The Licensee shall not permit persons in excess of the number specified on the licence to enter or occupy any portion of the licensed premises.
32. The Licensee shall ensure that staff are familiar with the maximum capacity of the premises.
33. The Licensee shall display notice containing details as to the maximum capacity figure in a prominent position upon entry to the premises. Where the capacity is divided into separate floors/areas within the premises notice of the appropriate capacity for each floor/area shall also be prominently displayed upon entry to the relevant floor/area.
34. The licensee shall at any time whilst the premises are in use be aware of the precise number of patrons on the premises. Where the licence covers different floors/areas, the licensee shall be aware of the number of patrons in each area at any given time and ensure that the numbers do not exceed those as stipulated on the licence. This information shall immediately be supplied on request to any Official of the Licensing, Police or Fire Authority.
35. Appropriately trained staff shall be provided to oversee general safety within the premises, and these shall be provided to a minimum number of one member of staff per 250 occupancy or part thereof, in accordance with the occupancy figure as stated on the Public Entertainment Licence.

Furthermore, in addition to the above the licensee shall ensure that an appropriately trained member of staff is designated to each emergency exit door to assist in the event of an emergency evacuation.

36. All members of staff shall be instructed in the safety precautions to be observed in the premises as far as those precautions relate to their duties and to the action to be taken by them in the event of fire or emergency.

EXITS

37. All exits, passages, landings and stairways shall be kept free from obstruction at all times when the premises are used for licensed purposes.
38. A clear unobstructed route leading from each fire exit to a place of safety outside the premises shall be provided and maintained available for use at all times.
39. Every door in the building for use by members of the public going from the auditorium to the outside of the building shall open outwards, unless the Licensing Authority shall have been satisfied that this is impracticable to the circumstances of the particular case, and shall be capable of being opened easily and immediately from the inside, without the use of a key, when required.
40. Where, with the prior consent of the Licensing Authority, doors or gates across exits open inwards, they shall be fastened fully opened so as not to form an obstruction.
41. If security is required for outward opening fire exit doors, then they should be secured with panic bolt or panic latch type fastenings only to the satisfaction of the Licensing and Fire Authority. A conspicuous '**PUSH BAR TO OPEN**' sign should be provided immediately above the push bars.
42. Any removable fastenings permitted by the Licensing or Fire Authority for securing exit doors when the public are not on the premises shall be removed before the public are admitted to the premises and shall not be replaced until the public have vacated the building.

43. Illuminated fire exit sign boxes lit by both primary and emergency lighting should be provided above all exits. Illuminated boxes incorporating graphic fire exit symbols, e.g. man moving through open door, should have white symbols on a green background. The size of the exit boxes should be appropriate for the maximum viewing distances involved.
44. Doors and openings other than exits to or from parts of the licensed premises to which the public are admitted shall be provided with notices indicating their uses or shall be marked "**Private**", and wherever practicable shall be kept secured. Where exit doors are fitted with automatic bolts they shall be clearly indicated with the words "**PUSH BAR TO OPEN**".
45. Where curtains are provided across an exit doorway they shall be divided at the centre and shall not trail the floor.
46. Except with the consent of the Licensing Authority, bars, wire guards or the like shall not be fitted to windows, nor shall the windows be otherwise obstructed in a manner likely to render them unavailable for the purposes of rescue in case of emergency.
47. The closing of collapsible gates or shutters across exit openings shall be prohibited whilst the public are in the premises.

FIRE PRECAUTIONS

48. The licensed premises shall be provided with fire appliances suitable to the fire risk in the premises and to the satisfaction of the Fire Authority.
49. Fire appliances shall be affixed to wall brackets to the satisfaction of the Fire Authority, and available for instant use at all times.
50. Fire extinguishers should be regularly examined, tested and maintained in accordance with the current British Standard to the satisfaction of the Fire Authority.
51. The licensee and employees should be made fully conversant with the location of fire appliances, method of operation and safe use, and with the action to be taken in case of fire.
52. A manually operated electrical fire alarm system shall be provided to the satisfaction of the Fire Authority. The alarm should be clearly audible in all parts of the building.
53. The Fire alarm system should be tested on a weekly basis in accordance with the current British Standard and to the satisfaction of the Fire Authority. The result of all tests with the exception of the daily inspection, should be recorded in a suitable log book provided for the purpose. The log book should be available for immediate inspection upon request of any official of the Licensing or Fire Authority.
54. The licensee and all employees should be made familiar with the method of giving warning of fire and with the escape route available from each part of the premises to which they resort or in which they may work.
55. All fire doors shall be maintained self-closing and shall not be secured in an open position.
56. A system for automatically cutting off the sound system which is linked to the sounding of the fire alarm shall be provided.
57. All scenery, drapes, curtains and decorations within the licensed premises shall be made of such material or shall be treated and maintained so as to be flame retardant in accordance with the current British Standard and to the satisfaction of the Fire Authority.
58. Plastic decorations are not acceptable.
59. Filling materials used in furnishings should be restricted to combustion modified foam or other materials having at least the same standard of fire performance. Upholstered furniture and floor coverings should comply with the current British Standard to the satisfaction of the Fire

Authority.

60. Flues from kitchens and serveries and over grills and all ventilating shafts shall be maintained in a clean condition.
61. Smoking shall be strictly prohibited within the stage risk area and in dressing rooms. Notices bearing the words "NO SMOKING" in red letters on a white background shall be conspicuously displayed in these areas.
62. Where any open fireplaces, high temperature heating appliances or naked flames are used they shall be adequately protected by a suitable guard.
63. In the event of the heating being by a central heating system the heating apparatus shall be placed in a separate room from the auditorium. The door between this room and the auditorium should be self-closing and fire-resistant to a one hour standard.
64. Explosives, inflammable liquids or high inflammable articles shall not be brought into or used within any portion of the licensed premises.

SPECIAL EFFECTS:

Pyrotechnics:

65. No exhibition, demonstration or display of pyrotechnics or displays involving the use of fire shall be given in the licensed premises without the prior consent of the Licensing and Fire Authority. At least fourteen days written notice of application must be supplied in such circumstances.

Laser Equipment:

66. No exhibition, demonstration or display of laser equipment shall be given by any person in the licensed premises and no laser equipment shall be used by such person in the said premises unless the Director of the Leeds Environment Department has been given not less than 14 days previous written notice.

Strobe Lighting:

67. At entrances to venues where strobe lighting is in use warnings should be posted that stroboscopic lighting is in use and the possibility that susceptible people may be affected.
68. Flicker rates from stroboscopic lighting should be set at 4 or less flickers per second. This frequency shall apply to the combined flicker rates on any group of lights which can be directly gazed at.

LIGHTING

69. In all parts of the building to which the public are admitted and in all passages, corridors, ramps and stairways to which the public have access and which lead from the auditorium to the outside of the building, there shall provided adequate illumination by general lighting to the satisfaction of the Licensing Authority.
70. In addition to the general lighting, adequate illumination to enable the public to see their way out of the building, without the assistance of the general lighting, shall be provided in the auditorium and all other parts of the building to which the public are admitted and in all passages, corridors, ramps and stairways, which lead from the auditorium to the outside of the building. This lighting shall be referred to as the safety lighting.
71. The safety lighting shall be provided from a source other than that of the general lighting.
72. All notices and exit indications shall be illuminated by both general and safety lighting.
73. The safety lighting shall be kept on at all times when the public are on the premises except in

those parts of the building which are lit equally well by daylight.

74. Any battery supplying safety lighting shall be fully charged before the public are admitted to the premises and shall be of such capacity and so maintained as to be capable of supplying at normal voltage, the full load of the safety lighting during the whole time that the public are on the premises.
75. If there is a failure of the general lighting and the lighting is not restored within one hour, the public in the licensed premises shall be instructed to leave the building.
76. If there is a failure of the safety lighting, all parts of the building required to be illuminated by the safety lighting shall be immediately illuminated by the general lighting and the public in the licensed premises shall be instructed to leave the building forthwith.
77. Electrical apparatus and equipment within the building shall not be used for such purpose, or in such a manner, or when it is such a condition, as to cause danger of electric shock, fire or explosion.
78. Where gas is used for the lighting all gas burners within reach of the public shall be protected by glass or wire gloves and all gas taps shall be guarded in such a manner as to prevent unauthorised interference.

ELECTRICAL INSTALLATION

79. Electrical installation (including the fire alarm and emergency lighting systems) shall be in the charge of a competent electrician whose name is published on the Roll of National Inspection Council for Electrical Installation Contracting, or a member of Electrical Contractors' Association.
80. One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:
 - a. Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA.
 - Or
 - b. Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.

ELECTRICAL SAFETY CERTIFICATE

81. The Licensee shall ensure that the electrical installation to the whole of the premises carries a recent safety certificate issued by a competent electrician whose name is published on the Roll of National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors' Association.

The inspection shall include **ALL** electrical appliances and fire alarm and emergency lighting systems.

The licensee shall ensure that the electrical installation is checked on an **annual** basis and on renewal of the Public Entertainment Licence shall furnish the Licensing Authority with a copy of an Electrical Safety Certificate valid for the period of the licence.

SANITATION/CLEANSING

82. Suitable and sufficient sanitary accommodation must be provided and maintained to the satisfaction of the Chief Environmental Health Officer.

83. The premises shall at all times be maintained in a clean, sanitary and safe condition and shall be open during the continuance of this licence to an inspection by the Licensing Authority or their authorised agents.

SEATING

84. Any seating in the licensed premises shall be so arranged as to allow free access to all exits there from.
85. For a closely seated audience chairs shall be either securely fixed to the floor or alternatively shall be battened securely together in units of not less than four seats. Adequate gangways, not less than 42" (1100mm) wide, unless otherwise approved by the Licensing Authority, shall be provided. The gangways shall lead directly to each exit door and shall be kept free from obstruction. No seat shall be more than twelve feet (4.0m) from any gangway.
86. Seating in invalid chairs other than engine driven chairs will be permitted subject to any condition imposed by the Licensing and Fire Authority.

ACCESS, EGRESS AND FACILITIES FOR THE DISABLED

87. Means of access, egress and emergency egress shall be provided and maintained in accordance with any recommendations of the Licensing and Fire Authority.

ALTERATIONS

88. Alterations or additions, whether permanent or temporary, to the structure, the lighting, electrical heating, ventilating, mechanical, or installations, or to the seating, gangways or other arrangements in building in which the licensed premises are situated shall not be made except with the consent of the Licensing Authority and in accordance with any conditions of such consent.

FIRST AID FACILITIES

89. The Licensee shall maintain a first aid box on the premises in accordance with the Health and Safety (First Aid) Regulations 1981 and make sure that:

- it is accessible at all times
- items are replaced as they are used

Any person who appears unwell, including those affected by drugs or alcohol, must be seen by a trained first aider, who shall:

- give first aid
- if necessary, seek medical assistance.

INCIDENT REPORT REGISTER

90. The licensee shall maintain an Incident Report Register within which staff must record any incident which has occurred on the premises.

The Incident Report Register must be retained on the premises for a period of one year, taken from the date of the last entry, and include the following:

- a. consecutively numbered pages;
- b. the date and time of incident;
- c. the nature of incident;
- d. the full name/s of staff involved including the registration number of any door staff, and to whom the incident was reported, including the names and numbers of any police

officers who attended the scene of the incident and details of any witness/es;

- e. Any notes relative to the incident.

Incident Report Registers shall be produced for immediate inspection on request by any Official of the Licensing or Police Authority.

VENTILATION

- 91. The premises must be effectively ventilated when the public are present. Any mechanical ventilation system must be properly maintained.

DRINKING WATER

- 92. Drinking water provision must be clearly available, free of charge, at all times whilst the Entertainment Licence is operative.

This facility must be kept in a clean condition.

HYPNOTISM

- 93. No exhibition, demonstration or performance of hypnotism shall be given on any person in the premises except with the express consent of the Licensing Authority and subject to such conditions as the Licensing Authority may attach to such consent.

Any notification of intention to stage a hypnotist should be made in writing providing at least fourteen days notice.

Prevention of Public Nuisance

NOISE NUISANCE

- 94. The Licensee shall ensure that no nuisance is caused by noise or vibration emanating from the licensed premises resulting from the use of this Licence. The Licensee shall provide urgent attention to any reports of noise nuisance, and act upon direction of the Licensing Authority.

FLYPOSTING

- 95. Licensees are reminded that unauthorised fly posting is an offence under the Town & Country Planning Act 1990, as amended, Section 224.

Protection of Children from harm

- 96. In the case of an audience consisting of persons under 16 years of age, the minimum number of staff shall increase to a ratio of one per 100 occupancy.
- 97. At any licensed function no child shall be permitted to occupy any seat in the front row of the balcony, gallery or tier unless accompanied by, or in the charge of a person who appears to have attained the age of 16 years.

Prevention of Crime and Disorder

REGISTERED DOOR STAFF

- 98. The Licensee shall ensure that any persons employed on the premises to work in the capacity as a door supervisor, hold current registration with the SIA and comply with all relevant rules and regulations laid down by that body.

Door Staff Daily Record Register

- 99. The Licensee shall maintain a Daily Record Register which is to be completed on a daily basis by

the door staff when they commence and finish duty.

100. The Daily Record Register must be retained on the premises for a period of one year, taken from the date of the last entry, and include the following:
- a. consecutively number pages;
 - b. the registration number and full name of each registered person on duty;
 - c. the date and time that he/she commenced that period of duty with a signed acknowledgement by that person;
 - d. the time at which he/she finished duty with a signed acknowledgement by that person.

Daily Record Registers shall be produced for immediate inspection on request by any official of the SIA, Police or Licensing Authority.

SEARCH POLICIES

101. Licence holders must have a written search policy for those entering the premises.
102. All members of staff must be acquainted with this policy.
103. Sufficient number of staff of both sexes shall be on duty to undertake any searches of the public.
104. Clear and visible notices should be displayed to those entering the premises detailing the establishments search policy. These signs should state that the police will be informed if anyone is found in possession of controlled substances or weapons.
105. Secure receptacles, to the standard as required by the West Yorkshire Police, must be provided in a restricted part of the building for staff to deposit drugs and weapons.
106. Any seizure of controlled substances and weapons must be recorded in the Incident Report Register and reported to the police at the earliest possible time.

GLASS RECEPTACLES

107. The licensee shall ensure that drinks glasses and any other glass receptacles are prevented from being taken off the premises accepting off-sales and their legitimate sale.

CLOSE CIRCUIT TELEVISION (CCTV)

108. A suitable CCTV system operated in accordance with guidelines from the West Yorkshire Police shall be provided.
109. Any exemption to this condition must be agreed by the West Yorkshire Police and Licensing Authority.

Annex 2 – Conditions consistent with the Operating Schedule

Additional details in respect of Licensable Activities authorised by this licence

110. Provision of late night refreshment

Location where activity will take place:

This activity will take place indoors.

Activity Details:

We propose to serve drinks throughout the licensable hours.

111. Performance of live music

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Live amplified music will predominantly be on Friday/Saturday, but may occur at events on the other days

112. Performance of recorded music

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Recorded music will be played during opening hours.

113. Performance of dance

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Staff may dance as part of the entertainment. Dance companies may be paid to perform but no striptease.

114. Entertainment similar to live music, recorded music or dance

Type of entertainment taking place:

Live music, recorded music, & performance of dance.

Location where activity will take place:

This activity will take place indoors.

115. Provision of facilities for making music

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Playing of amplified music by DJ'S may be oriental and mixed now on the night of entertainment.

116. Provision of facilities for dancing

Facilities provided:

There is a designated dancefloor on the 2nd floor.

Location where activity will take place:

Appendix

This activity will take place indoors.

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

Type of entertainment taking place:

Making music & dancing

Location where activity will take place:

This activity will take place indoors.

118. Concerns in respect of children

Children are not permitted on the premises

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

119. The applicant will adopt the Check 21 proof of age scheme, or other approved proof of age scheme, in accordance with guidance issued by West Yorkshire Police.
120. The applicant will participate in a local pubwatch scheme or licensing association (where one exists) that is recognised by West Yorkshire Police.
121. The applicant will implement a dispersal policy agreed with West Yorkshire Police.
122. Where Public Entertainment Licence conditions previously granted in accordance with The Local Government (Miscellaneous Provisions) Act are converted, those conditions shall apply to any variation granted in accordance with The Licensing Act 2003.
123. The applicant will maintain the existing CCTV system to an acceptable standard. Footage will be retained for a period of at least 31 days.
124. A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out.
125. The siting and standard of the CCTV system will be agreed with WYP prior to installation and will comply with that agreement at all times.
126. Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police.
127. Security footage will be made secure and retained for a period of time to the satisfaction of WYP.
128. A Supervisors Register will be maintained at the licensed premises, showing the names, address and up-to-date contact details for the DPS and all personal licence holders.
129. 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.
130. The minimum number of door supervisors for the premises is 2.

Appendix

131. The Licensee will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.
132. The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person, the date and time he/she commenced duty (verified by the individual's signature).
133. The Daily Record Register will be retained for a period of twelve months from the date of the last entry.
134. Security Staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.
135. The Licensee will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, and ejections from the premises.
136. The Incident Report Register will contain consecutively numbered pages, the date, time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, names and address of any witnesses and confirmation of whether there is CCTV footage of the incident.
137. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.
138. A policy for searching patrons at the entrance to premises will be adopted.
139. The Licensee will inform West Yorkshire Police of any search resulting in a seizure of drugs and offensive weapons.
140. A suitable receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police.
141. The premises will be linked to West Yorkshire Police (and other venues in the NITENET scheme) by means of RADIO.
142. Notices will be displayed at the entrances of the premises which state:
 - a search will be conducted as a condition of entry to premises
 - Incidents of crime and disorder will be reported to the police
 - Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent
 - Entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances
143. Such communication link will be kept in working order at all times.
144. 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.
145. Any police instructions or directions given via the link will be complied with whenever given.
146. All incidents of crime and disorder will be reported via the link to an agreed police contact point.

147. Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and accessible to the customers.
148. The Licensee will prominently display notices which inform customers that open bottles may not be taken off the premises.
149. The Licensee will ensure that customers who commit acts of anti social behaviour are removed from the premises. Such customers will be excluded from the premises if further incidents occur.
150. The Licensee will comply with the agreed protocols of the local pubwatch scheme(s) or trade body where unilateral banning orders are implemented.
151. The Licensee will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The Licensee or DPS will ensure that staff receive training on the policy.
152. At least thirty minutes will be allowed between the final sales of alcohol and closing the premises. The DPS will permit customers to finish their drinks and leave the premises in an orderly manner.

Public safety

153. Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.
154. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
155. Regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact, must be undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
156. Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
157. Electrical installations will be inspected on a periodic basis (at least every three years or at a frequency specified in writing) 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. These will be made available at the request of an authorised officer.
158. Regular safety checks of guarding to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.
159. Safety glass that is impact resistant will be used wherever possible in all areas where the public may come into contact with it. Where it is not used in public areas, glazing should be shielded to protect it from impact.
160. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
161. A suitably trained First Aider or appointed person will be provided at all times when the premises are open.

- 162. Adequate and appropriate First Aid equipment and materials will be available on the premises.
- 163. A procedure for dealing with unwell members of the public will be in place, including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.
- 164. 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.
- 165. No strobes, lasers, smoke machines or any other special effects, 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.
- 166. A written risk assessment will be kept which covers all activities which affect the health and safety of members of the public. This will include the noise levels to which the public are to be exposed and information will be provided for the public via signage at the entrance. The assesment will be produced for inspection at the request of an authorised officer.
- 167. The capacity of the premises is 350 and at all times the number of persons on the premises will not exceed that figure.
- 168. The Licensee will adopt at the premises written policies and procedures on:
 - Entry and egress to the premises (including monitoring of any capacity limit)
 - Evacuation of the premises
- 169. The Licensee will ensure staff are trained on these measured, and all other matters relating to the safety of the public.
- 170. Appropriately trained staff will be provided to oversee general safety within the premises, and these will be provided to a minimum number of one member of staff per 250 occupancy or part thereof, in accordance with the occupancy figure.
- 171. Where the licensable activities are held on floors other than the ground floor level the ratio of supervisors will increase to 1 per 100 occupancy or part thereof on those levels.
- 172. The Licensee will have written procedure for crowd control and management. All staff will be instructed in the operation of the procedure. The policy will be available for inspection at the request of an authorised officer.
- 173. All exit doors will be accessible, open easily, and exit routes will maintained.
- 174. Safety checks, including doors, will be undertaken before opening to the public and a record kept of inspections. Also any inward opening Entrance/Exit door must be permanently held open on Cabin Hooks during Licensed hours. To alter this arrangement, written permission of the Fire Service is required.
- 175. Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.
- 176. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
- 177. All equipment with which the public may have contact, will be maintained, stored and operated in a safe manner. Appropriate maintenance and test records will be kept and be available for inspection by an authorised officer.

Appendix

178. Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
179. Portable electrical appliances including those brought in temporarily onto the premises will be checked on a regular basis by a suitably trained and competent person to ensure they are in safe condition. Records will be kept of these checks. These will be made available at the request of an authorised officer.
180. Temporary electrical wiring and distributions will be inspected by a suitably qualified and competent person before they are put into use.
181. The Licensee will maintain an electrical manually operated fire alarm system that can be clearly heard in all parts of the premises to the satisfaction of WYFRS.
182. The Licensee will maintain a fire alarm system with automatic heat and smoke detectors. The systems requirements, testing and operations will be to the satisfaction of WYFRS.
183. The positioning of the electrical fire alarm systems, smoke and heat detectors will be agreed with WYFRS.
184. Fire alarm tests will be carried out daily and recorded in a suitable log book. The log book will be made available for inspection by an authorised officer.
185. All staff will be trained in operating the alarm system and be familiar with the fire and escape routes and action to be taken in the event of a fire.
186. The Licensee will install and maintain electrical emergency lighting. The source of supply for this lighting will be separate from that for general lighting. The emergency lighting will be positioned in areas agreed with the WYFRS. These areas will include passages, corridors, ramps and stair cases. The emergency lighting will allow individuals to see their way out of the premises without the aid of general lighting.
187. The emergency lighting will perform on a complete failure of the normal lighting in a manner agreed with WYFRS. The emergency lighting will meet the British Safety Standards stipulated by WYFRS. The Licensee will provide to the satisfaction of WYFRS exit sign (Running Man) boxes lit by both primary and emergency lighting. These exit sign (Running Man) boxes will be placed in positions agreed with WYFRS. The size, illumination and design of the sign(s) will be agreed with WYFRS.
188. Exit doors will be provided with external primary and emergency lighting points to the satisfaction of the WYFRS. The design of external fire escape route will be to the satisfaction of WYFRS.
189. The siting, number, fire rating and standard of fire extinguishers will be agreed with WYFRS prior to installation and will comply with that agreement at all times.
190. The emergency lighting system will be tested in a manner which satisfies WYFRS. The test results will be kept in a suitable log book and will be available for inspection by an authorised officer.
191. All curtains and drapes in the premises will be fire retardant and to the satisfaction of WYFRS. Certificates of compliance to the relevant British Standards will be available for inspection by an authorised officer.
192. Fabric, foliage and decorations will be constructed from materials to the satisfaction of the WYFRS. Certificates of compliance to the relevant British Standards will be available for inspection by an authorised officer.

Appendix

193. The filling materials used in the furnishings will be combustion modified foam or other material to the satisfaction of WYFRS. Evidence of compliance to the relevant British Standards will be available for inspection by an authorised officer.
194. Any wall coverings at the premises or on escape routes will be to the satisfaction of the WYFRS. Evidence of compliance to the relevant British Standards will be available for inspection by an authorised officer.
195. Floor coverings at the premises will comply with those safety standards as stipulated by WYFRS. Evidence of compliance to the relevant British Standards will be available for inspection by an authorised officer.
196. The Licensee will make provision for regular inspections of the premises structure. A written record of these inspections will be kept. The records will be made immediately available for inspection at the request of an authorised officer.
197. At the request of an authorised officer, the licensee will produce certification of any building works carried out at the premises. (This will be in the form of a building regulations completion certificate issued by the local authority or an approved inspector).
198. Regular safety checks of decorative and functional fixtures that could fall causing injury to the public or may cause a risk of fire, will be undertaken.
199. Regular checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.
200. All floor surfaces will be suitably slip resistant, kept in good condition and free of obstructions to prevent slips, trips and falls.
201. Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.
202. Regular safety checks of guardings to fires and open flames will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour.
203. Safety checks will be recorded and made available for inspection at the request of an authorised officer.
204. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
205. Suitably trained First Aid Staff will be provided at all times when the premises are open.
206. An appropriately qualified medical practitioner will be present throughout any sporting entertainment.
207. Adequate and appropriate First Aid equipment and materials will be available on the premises.
208. A written procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.

The prevention of public nuisance

209. No nuisance will be caused by noise or vibration emanating from the premises. Licensable activities will be conducted and the facilities for licensed 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 of the adjoining properties.

210. 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.
211. Bottles will not be placed in any external receptacle after 23:00 hours to minimise noise disturbance to adjoining properties.
212. 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.
213. The Licensee will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.
214. The licensee will ensure that the 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 an intensity, suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining premises.
215. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises 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.
216. Registered door staff will be employed and used where queues are likely to form to manage the queues and ensure:
217. Queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.
218. The premises supervisor and door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
219. A facility will be provided for customers to order taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent location.

The protection of children from harm

220. Children are not allowed on the premises.
221. People under 18 will not be admitted.
222. Signs will be provided informing customers that sales will not be made to under 18's and that age identification may be required.

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

The prevention of public nuisance

223. All music and amplified sound systems to be limited by tamper proof noise-limiting equipment installed in the premises. The device shall be set and fixed at levels agreed with Leeds City Council's Neighbourhoods and Housing Department and Licensing Section of Legal Services. The Noise Limiting device must be designed so that it fails to safety. No amplified sound shall be played on site other than through the equipment.
224. Noise from the application premises shall be inaudible at all nearby residential premises.

225. All doors and windows in the premises shall be kept closed at all times whilst the entertainment is in operation.

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.