

Public Document Pack

Licensing Sub-Committee

Tuesday, 10th October 2023

Supplementary Pack

UNIT 2B THE GATEWAY NORTH CROWN POINT ROAD

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Unit 2b, The Gateway, North Crown Point Road, Hunslet, Leeds

Operating Schedule

Agreed Conditions with Police

1. A suitable closed-circuit television (CCTV) system shall be in operation whilst members of the public are in attendance.
2. The CCTV system shall record images to cover all areas of the licensed site to which the public have access (save for toilets/showers/changing areas).
3. The CCTV system shall record images to cover external areas used by customers.
4. At least one member of staff shall be on duty at the premises who can operate the system and download recorded images.
5. These images will be downloaded and provided immediately, or where this is not possible as soon as practicable, on request to an officer of a Responsible Authority.
6. The CCTV system shall be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information.
7. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.
8. A 'Check 25' scheme shall be used to prevent the sale of alcohol to people under 18 years of age.
9. All staff deployed in the serving of alcohol and for managing admission to age restricted premises shall be trained on the correct procedures for age verification, the prevention of proxy sales, the prevention of sales to those who appear intoxicated and for dealing with false and any surrendered identification documents.
10. There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated.
11. The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry.
12. A register shall be maintained on the premises to record all incidents and accidents. Records should include matters such as anti-social behaviour, admission refusals, ejections, seizure of prohibited items, casualties/unwell customers, welfare and safeguarding matters, accidents, and safety incidents.
13. The records shall include the date, time, and location of the incident; nature of the incident; personal details and contact information for all people involved including any witnesses, SIA and Personal Licence numbers (if applicable), any crime number and details of police officers attending.
14. A note of the action taken, and where relevant a note of the actions to prevent any reoccurrence should also be included.

15. The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months after the last entry.
16. The premises licence holder shall provide accredited security staff on the occasions and to the numbers as identified through a risk assessment, where the premises licence holders deems the use of security staff applicable.
17. Patrons are not permitted to remove drinks in open bottles/glasses or other open vessel from the licensed premises.
18. Notices indicating the existence and effect of a Public Spaces Protection Order (PSPO) shall be prominently displayed at the exits to the licensed premises site, including any external drinking area, which can be clearly seen by people leaving.
19. With regards the plan submitted and forming a part of the premises licence (Job No.230701 Dwg.No. 26 001 Rev. B), the marked “outside area” will be for the consumption of alcohol only, and following the sale / supply of alcohol from within the other areas of the premises marked on the plan. (This does not prevent a waiter / waitress table service to the “outside area”).
20. The sale / supply of alcohol for consumption ‘off’ the premises, will not extend to any kind of on-line/telephone alcohol delivery service from these licensed premises.

Agreed Conditions With EH

21. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
22. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises at Gateway North Apartments, 2 Crown Point Road, LS9 8BZ.
23. There shall be no external loudspeakers
24. Bottles will not be placed in any external receptacle between 11 pm and 8 am the following day to minimise noise disturbance to neighbouring properties.
25. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
26. The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 10 pm except for smoking.
27. The PLH/DPS will adopt a “cooling down” period where music volume is reduced towards the closing time of the premises.
28. SIA registered door staff will be employed and used where queues are likely to form to manage the queues and ensure that 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.

29. A facility will be provided for customers to order hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

Additional Condition Offered

30. There will be no access or egress from the rear doors of the premises after 2200hrs, except for emergency use.

Conditions offered in Application in LCC Proforma Format

31. Polite notices shall be displayed at exits and external areas reminding customers to refrain from shouting and antisocial behaviour.

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From: [Patterson, Bob](#)
To: [Nick Lofts](#); [Massey, Bridget](#); [Entertainment Licensing](#)
Cc: [Christopher Rees-Gay](#)
Subject: RE: BLOCK B / UNIT 2B THE GATEWAY NORTH CROWN POINT ROAD - NEW PREMISES LICENCE - PREM/05170
Date: 01 September 2023 13:54:59
Attachments: [image001.png](#)

Hi Nick,

Thanks for the prompt reply.

Yes we can, please now refer to the below message to Bridget Massey / LCC ELS.

Dear Bridget / LCC ELS:

Please refer to the chain of emails between the applicant and West Yorkshire Police in this particular case.

The chain is an agreement on conditions which are either, alternative wording to what has already been offered, or additional to the same.

The agreed conditions as a whole, are set out directly below for your attention-

As alternative wording to the measures / steps you have offered at box M of your application form, West Yorkshire Police would ask you now to agree to the following, which will appear as condition of your licence on issue –

1. A suitable closed-circuit television (CCTV) system shall be in operation whilst members of the public are in attendance.
2. The CCTV system shall record images to cover all areas of the licensed site to which the public have access (save for toilets/showers/changing areas).
3. The CCTV system shall record images to cover external areas used by customers.
4. At least one member of staff shall be on duty at the premises who can operate the system and download recorded images.
5. These images will be downloaded and provided immediately, or where this is not possible as soon as practicable, on request to an officer of a Responsible Authority.
6. The CCTV system shall be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information.
7. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.
8. A 'Check 25' scheme shall be used to prevent the sale of alcohol to people under 18 years of age.
9. All staff deployed in the serving of alcohol and for managing admission to age restricted premises shall be trained on the correct procedures for age verification, the prevention of proxy sales, the prevention of sales to those who appear intoxicated and for dealing with false and any surrendered identification documents.
10. There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated.
11. The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry.

In addition, West Yorkshire Police would ask you to agree to the following measures / conditions, again taken from the same document as above and based primarily on the prevention of crime

and disorder objective.

The measures / conditions to be worded as follows-

1. A register shall be maintained on the premises to record all incidents and accidents. Records should include matters such as anti-social behaviour, admission refusals, ejections, seizure of prohibited items, casualties/unwell customers, welfare and safeguarding matters, accidents, and safety incidents.
2. The records shall include the date, time, and location of the incident; nature of the incident; personal details and contact information for all people involved including any witnesses, SIA and Personal Licence numbers (if applicable), any crime number and details of police officers attending.
3. A note of the action taken, and where relevant a note of the actions to prevent any reoccurrence should also be included.
4. The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months after the last entry.
5. The premises licence holder shall provide accredited security staff on the occasions and to the numbers as identified through a risk assessment, where the premises licence holders deems the use of security staff applicable.
6. Patrons are not permitted to remove drinks in open bottles/glasses or other open vessel from the licensed premises.
7. Notices indicating the existence and effect of a Public Spaces Protection Order (PSPO) shall be prominently displayed at the exits to the licensed premises site, including any external drinking area, which can be clearly seen by people leaving.
8. With regards the plan submitted and forming a part of the premises licence (Job No.230701 Dwg.No. 26 001 Rev. B), the marked "outside area" will be for the consumption of alcohol only, and following the sale / supply of alcohol from within the other areas of the premises marked on the plan. (This does not prevent a waiter / waitress table service to the "outside area").
9. The sale / supply of alcohol for consumption 'off' the premises, will not extend to any kind of on-line/telephone alcohol delivery service from these licensed premises.

Now on the basis, all the agreed conditions above, will form a part of the operating schedule of this premises licence on issue, West Yorkshire Police have no representations to make with regards to this application.

Thank you in advance for your co-operation.

Best regards

Mr Bob Patterson
Leeds District Licensing Officer
Leeds District Licensing Department
Leeds District HQ
Elland Road
LS11 8BU
Internal: None presently
External: None presently
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From: Nick Lofts [REDACTED]
Sent: 01 September 2023 13:34
To: Patterson, Bob [REDACTED]
Cc: Christopher Rees-Gay [REDACTED]
Subject: Re: BLOCK B / UNIT 2B THE GATEWAY NORTH CROWN POINT ROAD - NEW PREMISES LICENCE - PREM/05170

Hi Bob

This all makes sense, we can agree to these conditions

Thanks
Nick

Sent from my iPhone

On 1 Sep 2023, at 12:35, Patterson, Bob <[REDACTED]> wrote:

Hi Nick,
Thanks for the reply.

I noticed when on the council's system recently, Chris Rees Gay from Woods Whur has become involved in your application, hence at Chris's request, he is copied in here.

I note you are agreeable to the alternative conditions (1-11) and the additional conditions (1 – 7) requested and as set out below.

I have also added to your replies to the questions below in **blue**, , which has resulted in the request for to agree to a further 2 conditions – 8 & 9 which I set out here separately, to try and avoid confusion, but which will ultimately be added on to the list below after number 7 if you agree – if you see what I mean?

8. With regards the plan submitted and forming a part of the premises licence (Job No.230701 Dwg.No. 26 001 Rev. B), the marked "outside area" will be for the consumption of alcohol only, and following the sale / supply of alcohol from within

the other areas marked on the plan. (This does not prevent a waiter / waitress table service to the "outside area").

9. The sale / supply of alcohol for consumption 'off' the premises, will not extend to any kind of on-line/telephone alcohol delivery service from these licensed premises.

I understand the 28-day cut off is today, so if you can agree to these two other conditions today, then I can conclude matters with Leeds City Council today.

If not, then I will have to lodge a 'holding representation' by end of business today, until such times as we can agree, so I can then withdraw any representations.

I look forward to your reply hopefully today.

Best regards

Mr Bob Patterson
Leeds District Licensing Officer
Leeds District Licensing Department
Leeds District HQ
Elland Road
LS11 8BU
Internal: None presently
External: None presently
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From: Nick Lofts <[REDACTED]>
Sent: 31 August 2023 15:14
To: Patterson, Bob <[REDACTED]>
Subject: Re: BLOCK B / UNIT 2B THE GATEWAY NORTH CROWN POINT ROAD - NEW PREMISES LICENCE - PREM/05170

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Bob

I have answered your questions below, hope this is all ok.

Thanks

Nick

Sent from my iPhone

On 30 Aug 2023, at 12:58, Patterson, Bob

<[REDACTED]> wrote:

Good afternoon Mr Lofts (Nicholas),
I email you with regards to the subject bar premises / application you recently served on Leeds City Council, and which I am dealing with on behalf of West Yorkshire Police.

As alternative wording to the measures / steps you have offered at box M of your application form, West Yorkshire Police would ask you now to agree to the following, which will appear as condition of your licence on issue –

1. A suitable closed-circuit television (CCTV) system shall be in operation whilst members of the public are in attendance.
2. The CCTV system shall record images to cover all areas of the licensed site to which the public have access (save for toilets/showers/changing areas).
3. The CCTV system shall record images to cover external areas used by customers.
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10. There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated.
11. The register shall be available for immediate inspection by any

authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry.

There is nothing particularly wrong with the wording you have used in your application, but the above wording is taken from an official document of Leeds City Council, used in conjunction with all responsible authorities in Leeds (including West Yorkshire Police) and across all the four licensing objectives, which aims to provide a consistency with the wording of conditions, which are relevant in each case.

In addition, West Yorkshire Police would ask you to agree to the following measures / conditions, again taken from the same document as above and based primarily on the prevention of crime and disorder objective.

The measures / conditions to be worded as follows-

1. A register shall be maintained on the premises to record all incidents and accidents. Records should include matters such as anti-social behaviour, admission refusals, ejections, seizure of prohibited items, casualties/unwell customers, welfare and safeguarding matters, accidents, and safety incidents.
2. The records shall include the date, time, and location of the incident; nature of the incident; personal details and contact information for all people involved including any witnesses, SIA and Personal Licence numbers (if applicable), any crime number and details of police officers attending.
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5. The premises licence holder shall provide accredited security staff on the occasions and to the numbers as identified through a risk assessment, where the premises licence holders deems the use of security staff applicable.
6. Patrons are not permitted to remove drinks in open bottles/glasses or other open vessel from the licensed premises.
7. Notices indicating the existence and effect of a Public Spaces Protection Order (PSPO) shall be prominently displayed at the exits to the licensed premises site, including any external drinking area, which can be clearly seen by people leaving.

I agree to all the above

8.

Finally, just a few further points of clarification with regards to your application please-

1. You refer to a "local food trader" in your application, but I note you have not applied for late night refreshment as a licensable activity.

This being 'licensable' only after 11pm of course, I assume therefore you will not be providing any hot food after 11pm? On that basis then, during the hours up to 11pm, what food will be provided and what ratio roughly will this be to alcohol sales?

I know you haven't mentioned the words 'food led' or 'restaurant' or anything like that in your application particularly, however, I do see a significant number of tables and chairs on the plan you have provided, which will become an integral part of your premises licence on issue, as it is shown.

We do not intend on serving food past 11pm

We are looking at having the following

In the morning Fika north providing coffee and pastries

Initially on weekend we are looking at a brunch offering.

All week from the afternoon till between 9-11 (not yet finalised) we are having pizza loco from meanwood who sell pizza, hot sandwiches and small plates.

In regards to food/drink split we would be expecting something similar to The Brunswick which is around 25% food, but obviously this is just an estimation so far.

Fine – so we are happy not to request a 'food led / restaurant' condition at this stage, but as indicated above, the plan as you have provided showing a significant number of tables and chairs, will become an integral part of the premises licence on issue.

2. Sticking with the plan you have provided, I notice an 'outside area' marked on the plan, and this is within the red line (which I assume is to denote the boundary for licensable activities including the 'sale / supply of alcohol?')

Therefore, what is intended in this 'outside area'? - just consumption of alcohol, or actual sales / supply of alcohol as well?

We would expect this area to be for consumption of alcohol, we have no plans for an ordering app but we do often do table service in our other 2 venues.

Fine, but then there is no reason at all for this to be part of the licensed area (within the red line).

I am sure Chris will agree, as Woods Whur will often distinguish between red line areas (sale / supply) & blue line area (consumption only).

Plus, copy pasted below, are paragraphs from the current S.182 statutory guidance, which clarifies the above point, as well as confirming there is no reason to licence an outside area purely for the sake of a waiter / waitress table service.

See condition 8 above.

S.182 guidance-

Beer gardens or other outdoor spaces

8.35 Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be

consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. **In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.**

8.36 In such cases it will not be necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).

8.37 If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed application form requires the applicant to provide a description of where the place is and its proximity to the premises.

3. Finally, with regards to the box you have ticked in relation to the consumption of alcohol being “both” on & off the premises, with regards to consumption ‘off’ the premises, do you intend to provide any kind of on-line / telephone alcohol delivery service, from the licensed premises?

We do not plan for an online delivery service, this is mainly for people to use us for taking away drinks or bottles of wine or beer.

[Fine – thank you – see condition 9 above.](#)

I look forward to receiving your reply in due course, and preferably before 1st September, which I understand is the final day for consultation.

Your answers to the above three questions, may result in the request for more measures / conditions to be added to the list above.

Best regards

**Mr Bob Patterson
Leeds District Licensing Officer
Leeds District Licensing Department
Leeds District HQ
Elland Road**

LS11 8BU

Internal: None presently

External: None presently

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