



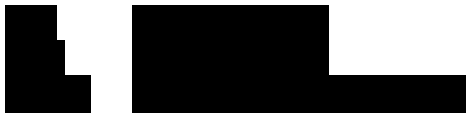
Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/JW/LIC/PREM/04943/002

Your Ref:

Contact: Miss Jane Wood



Date: 07 June 2024

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Dear Sir/Madam

REVIEW APPLICATION UNDER THE LICENSING ACT 2003: NEW MIDDLETON, 4 THORPE STREET, MIDDLETON, LEEDS, LS10 4HD

LEEDS CITY COUNCIL LICENSING AUTHORITY – LETTER OF REPRESENTATION IN SUPPORT OF REVIEW APPLICATION SUBMITTED BY WEST YORKSIRE POLICE.

This representation relates to the subject premises above which currently benefits from a premises licence. Whilst operating, it is alleged the premises repeatedly undermines the four licensing objectives. The licensing objectives being:

- The prevention of Crime and Disorder
- Public Safety
- The prevention of Public Nuisance
- The protection of Children from Harm

The Licensing Authority ('the authority') requests that this representation is accepted in support of the summary review application which has been submitted by West Yorkshire Police due to serious incidents of crime and disorder at the premises and the continued breach of the premises licence under the Licensing Act 2003.

The premises first came to the attention of the Authority in 2014 via Leeds City Council Environmental Protection Team when complaints were received from residents regarding noise nuisance and the premises serving alcohol beyond the permitted hours of the licence. At the time, Mrs Julie Jackson was the premises licence holder and designated premises supervisor.

In 2017, concerningly, a mass brawl occurred at the premises resulting in Police attendance. Mrs Julie Jackson was invited to attend a meeting with West Yorkshire Police Licensing Officers and Leeds City Council Licensing Enforcement Officers at Elland Road Police Station, in order to discuss Crime and Disorder at the premises and the continued anti-social behaviour and noise nuisance surrounding the premises.



Following on from this meeting, involvement with the premises became a regular occurrence as the premises continued to breach licensing conditions attached to the operating schedule.

In 2018, a Section 19 Closure Notice (Criminal Justice & Police Act 2001) was issued by Leeds City Council Licensing Authority to the premises for a continued breach of licensing conditions. Officers from Leeds City Council Entertainment Licensing Enforcement Team accompanied by West Yorkshire Police and Leeds City Council Environmental Protection Team regularly attended the premises in response to further complaints and further breaches of licensing conditions which occurred persistently between 2017 and 2020. Unfortunately, even though numerous meetings took place with the premises and relevant agencies, full compliance of the premises licence conditions was never achieved.

In 2019 a further complaint was received through Leeds Anti-social Behaviour Team alleging the premises had been operating once again past their permitted hours until 06:30 the following day. Further reports of similar disorder continued throughout 2019 and into 2020.

On the 12th February 2020 an application was submitted by the Licensing Authority to apply for the review of the premises licence for the New Middleton due to continued ongoing disorder and breach of licensing conditions. At the time, the premises licence holder (Julie Jackson) continued to undermine the licensing objectives by persistently failing to comply with the conditions of the licence and by causing noise nuisance and anti-social behaviour, all of which impacted on the licensing objectives. At the hearing, the licensing subcommittee made the decision to revoke the premises licence.

On 20th May 2022 an application was received for the grant of a premises licence. The new applicant for the premises licence was Tanya Clowes. Ms Clowes had previously been involved with Julie Jackson at the premises and had worked at the premises in 2017. The application received representations from West Yorkshire Police and the Licensing Authority due to the historical problems at the premises and the connection between the new applicant Tanya Clowes and the previous premises licence holder Julie Jackson. It was thought that Mr David Jackson, the building owner, would continue to have an interest in the premises and continue to be involved in the operation at the premises should it be granted. A hearing was scheduled before the licensing subcommittee.

At the Licensing subcommittee hearing on 14th July 2022, the application for the grant of a premises licence was decided. The Licensing Sub-Committee unanimously resolved to grant the application, subject to the conditions agreed with West Yorkshire Police. The Committee accepted Ms Clowes assurances that the only connection with Mr Jackson and the Jackson family would be landlord and tenant and decided it would be unfair to have allowed the past issues to taint Ms Clowes' application for a new licence.

However, it was acknowledged by the subcommittee, the seriousness of the issues at the premises which led to the premises licence being revoked.

On 23rd May 2024, an application was received by the licensing authority from West Yorkshire Police following an incident at the premises. The incident was considered to be of such a serious nature and involved large scale disorder at the premises that West Yorkshire Police considered the only option appropriate was a summary review of the premises licence. The application contained information that suggested that the Jackson family, and in particular [REDACTED] continued to be involved in the day to day running of the premises.

On the 5th June 2024, officers from West Yorkshire Police licensing along with Leeds City Council licensing attended the premises in order to meet with the current premises licence holder and designated premises supervisor Tanya Clowes. Also present was [REDACTED] who introduced herself as Tanya Clowes business partner. At the meeting, the incident, which had instigated the submission of the summary review application, was

discussed, along with the terms of the premises licence and its operating schedule. It was also an opportunity for officers to view CCTV footage of the incident in order to gain clarity of the events of the night. Unfortunately, it was found that the premises is operating in breach of multiple conditions attached to the premises licence and its operating schedule.

On viewing CCTV footage, it was firstly confirmed that the CCTV did not have the correct time, this aggravated the investigation into the events which took place on the 18th May into the 19th May 2024. Furthermore, the external area at the front of the premises where the incident took place was not covered by CCTV, contrary to the condition regarding CCTV which was placed on the licence at the subcommittee hearing as agreed with West Yorkshire Police. As officers continued to view the CCTV footage it was blatantly obvious that the premises had continued to operate with complete disregard to any of the terms and conditions of the licence. Children were seen on the premises past 20:00 hours, also contrary to the condition attached to the licence by the subcommittee, which states children should be off the premises by 20:00 hours. There was no indication that children present were being supervised by an appropriate adult and in fact 1 child was seen cycling around the games room whilst customers watched the boxing fight shown on the tv screen at approximately 22:57 hours.

The licence states that 'no boxing event of any type will be allowed on the premises', (again placed on the licence at the subcommittee hearing) this would suggest that the showing of any such boxing event/fight at the premises whether a televised event or in person is contradictory to the terms of the licence and in fact no event/showing of boxing of any type, should be held at the premises.

The CCTV continued to provide evidence of further breaches at the premises. The terminal hour for the sale of alcohol is 23:00, at approximately 23:15 customers can clearly be seen approaching the bar area, gesturing their arms to staff then retreating a short while later, the bar area is still lit and with staff present, it would indicate that the sale of alcohol is taking place beyond 23:00 hours.

In fact, all persons must be off the premises by 23:30 hours in accordance with the opening hours of the premises, and as stated on the premises licence. Customers were seen on the premises up until 12:45 am and continued to remain whilst the serious incident was taking place outside the venue.

When officers questioned staff during the licensing meeting at the premises, regarding the conditions of the premises licence, in particular those relating to security at the premises and door staff, it was confirmed that no daily record register or signing in records are kept for door staff (again a breach of attached conditions) and that Tanya Clowes and [REDACTED] (confirmed previously to be bar staff) are in fact now SIA door staff trained. When the incident report register was requested, a diary was produced for 2023. A diary for 2024 was not produced and there was no written record of the incident on 19th May 2024. It is a requirement of the premises licence that an incident report register is maintained and kept on the premises.

This brought serious concerns to the role of staff at the premises and how Ms Tanya Clowes could sufficiently carry out her duties as the premises licence holder, designated premises supervisor and now door staff at the premises giving her full attention to individual yet extensive issues that were now her responsibility in an appropriate and timely manner. It is felt that Ms Clowes' and [REDACTED]' completion of the SIA course was a box ticking exercise to satisfy the condition attached to the licence, but neither would be taking on the role of security at the premise with any real intention or indeed fulfilling the duty required of a door supervisor.

Furthermore, when the incident took place, Tanya Clowes and [REDACTED] had already left the premises, the premises continued to operate with no security, again a direct breach of the door staff condition attached to the licence. No security at the premises left its operation, customers, and staff in a vulnerable position at the time of the incident and without professional

support from a member of the security industry who are trained to negate confrontational and sensitive situations.

Unfortunately, the above is not exhaustive of the number of breaches found at the time of officers visit to the premises. It is noted that a complete disregard is taken by staff and indeed Tanya Clowes as the premises licence holder to ensure any kind of compliance under the Licensing Act 2003 and serves as a timely reminder, given the duplication of events at the premises that it will continue to be a problematic venue which unfortunately attracts a significant volume of crime and disorder.

It is felt that Tanya Clowes has taken on too much responsibility and this has a direct effect on managing the premises and certain areas of the day to day running of the premises have been severely compromised. Staff in their own admission have become complacent and have let standards in operation decline resulting in a poorly run establishment that continues to be in breach of the licensing objectives with no real management in place.

In view of the issues referred to, I fully support West Yorkshire Police in their review of the premises licence. Whilst there are several options available to the licensing subcommittee in determining this review, it is asked that the licensing subcommittee consider full revocation of the licence.

Yours faithfully

A solid black rectangular box used to redact the signature of Miss Jane Wood.

Miss Jane Wood
Senior Liaison & Enforcement Officer
Entertainment Licensing