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LICENSING SUB-COMMITTEE

TUESDAY, 22 MAY 2018

SUPPLEMENTARY INFORMATION

Agenda Item 6 – Application for the grant of a Premises Licence, Freedom Mills, Unit 47, Washington Street, Kirkstall, Leeds – Supplementary Information

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Agenda Item 6

14th May 2018 – Additional Information

On 7th March 2018 Michael Waters sent an email to WYF&RS advising of the Licensing Authorities Concerns. This resulted in WYF&RS attending at Freedom Mills and issuing a Prohibition Notice.

On 27th February 2018 LCC Planning had sent a letter to Freedom Mills advising that use of the premises proposed in the application does not have planning permission.

On 13th March 2018 Samantha Longfellow sent an email to Freedom Mills advising that they should not undertake any works until they have applied for the appropriate planning and building regulations. Contained within the email are bullet points of some of the works required.

On 27th March 2018 The Application for Freedom Mills was originally adjourned to allow for works to be undertaken due to the Prohibition Notice issued by WYF&RS.

On 22nd April 2018 the Licensing Authority received an email from Freedom Mills advising that works would be finished that day and that the Prohibition Notice will be lifted.

On 23rd April 2018 WYF&RS emailed the Licensing Authority asking for comments from, Licensing Enforcement, Highways and West Yorkshire Police. Both Traffic Engineering and Transport Development Services came back to WYF&RS advising that the footway is too narrow to support an outward opening door and that a temporary ramp could not be suitably controlled. Entertainment Licensing also sent an email to WYF&RS stating that Freedom Mills were advised at the time of their visit that a fire exit would need to be recessed so that it would not block the highway.

On 23rd April 2018 WYF&RS emailed the Licensing Authority to advise that they would not be lifting the Prohibition Notice until a safe and secure means of escape route can be provided.

On 24th April 2018 the Application for Freedom Mills was adjourned to allow further works to be undertaken.

On 1st May 2018 Freedom Mills sent an email to LCC Planning asking for the current use of the premises and what use was required. This was followed by an email from LCC Planning asking Freedom Mills to provide full details of how they wish to operate.

Freedom Mills responded with details of the types of activities they currently undertake and want to undertake. LCC Planning responded advising that their initial thoughts are that Freedom Mills will require Planning Permission.

On 8th May 2018 LCC Planning emailed Freedom Mills and advised them to look at the planning application for Canal Mill, Brandon St along with their planning agent.

On Monday 14th May 2018 the Licensing Authority emailed LCC Planning and asked if Freedom Mills had submitted any planning application. They responded advising that they haven't received any application from Freedom Mills.

ENTERTAINMENT LICENSING

14 MAY 2018

RECEIVED

PREM/04143/001
CP

Waters, Michael

14 MAY 2018

PREM/04143/001

CD

RECEIVED

From: Waters, Michael
Sent: 07 March 2018 16:31
To: 'Nigel Charlston'
Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Thanks Nigel,

We have given advice to the applicant but we can't see how he is going to achieve what is needed within the time frame of the application. We are awaiting advice from Planning to confirm he has the relevant permissions.

Regards
Mick

Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 3785342
Fax: 0113 3367124
email: michael.waters@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).




From: Nigel Charlston [mailto:Nigel.Charlston@westyorkshire.gov.uk]
Sent: 07 March 2018 13:58
To: Waters, Michael <Michael.Waters@leeds.gov.uk>; catherine.arkle@westyorkshire.pnn.police.uk; Fire Protection Help <FireProtection.FireProtection@westyorkshire.gov.uk>
Cc: Brennand, Carmel <Carmel.Brennand@leeds.gov.uk>; Holder, Stephen <Stephen.Holder@leeds.gov.uk>; Kennedy, Seamus <Seamus.Kennedy@leeds.gov.uk>; Longfellow, Samantha <Samantha.Longfellow@leeds.gov.uk>; Raper, Nicola <Nicola.Raper@leeds.gov.uk>; Rix, Paul <Paul.Rix@leeds.gov.uk>
Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Michael

I too have concerns about potential capacity and means of escape. We will visit tomorrow. Going off the plan provided it should have an occupancy no greater than 60 persons.

Regards
Nigel

Nigel Thompson Charlston QFSM, MCGI, GFireE.
Head of Fire Engineering, Planning & Licensing

 Tel 0113 3874397
 Mob [REDACTED]
 email nigel.charlston@westyorkshire.gov.uk



West Yorkshire
Fire & Rescue Service

Oakroyd Hall
Birkenshaw
West Yorkshire
BD11 2DY

From: Waters, Michael [<mailto:Michael.Waters@leeds.gov.uk>]

Sent: 07 March 2018 12:09

To: catherine.arkle@westyorkshire.pnn.police.uk; Fire Protection Help; Nigel Charlston

Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul

Subject: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Importance: High

Dear All,

Following a visit to the site yesterday 6th March 2018, I have serious concerns about this buildings suitability for a premises licence which is currently subject to an application (PREM/04143/001)

Potential Capacity Floor Area is approx. 300 sq m after removal of area taken up by Bar,Stage,Toilets & Storage this equates to a potential capacity of 600 at 0.5 persons per sq.m.

Travel Distance it is approx. 27 metres to both Exits

Location & size of Exits: The largest Exit is a set of double doors 1.6 m with external shutter this door is approached internally by a series of irregular steps.

Entrance / Exit door 1 x 1050 mm inward opening door approached on the inside by a steep ramp.

The Unit has no functioning Fire Alarm/ sound system cut off, minimal Emergency Lighting and exposed timber ceiling and a section of ceiling between Bar and largest Exit covered with material no certificate produced.

Due to the above concerns we have put a Full Objection to this application on the grounds of failing to Satisfy the Public Safety Objective and a Hearing will be held by the Licensing Committee to decide on the application. We are aware of the email dated 2nd April 2018 from West Yorkshire Fire & Rescue advising they would not be making a Representation

During the visit yesterday we did take some photographs but due to the poor lighting they were of poor quality there are however some very good images on the Freedom Mills website. Some of the images show the crowd density in front of the stage during performance which raises questions if 0.5 persons per square is appropriate.

We are also concerned that this venue is continuing to hold Temporary Event Notices (TEN) for up to 499 persons the next planned Event is this Friday 9th March

Contact details for Freedom Mills

Email address: freedom_mills@hotmail.com

Mobile for Joshua Threlfall (Director):07730033435

Regards

Michael Waters

Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 3785342
Fax: 0113 3367124
email: michael.waters@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

From: "Waters, Michael" [<mailto:Michael.Waters@leeds.gov.uk>]
Sent: 07 March 2018 10:34
To: Waters, Michael <Michael.Waters@leeds.gov.uk>
Subject: Attached Image

Shared Lives is recruiting paid carers to support adults with a range of care needs.
[Find out more](#) at our drop-in information session in Leeds city centre on the 29 March, 11am-2pm.

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Longfellow, Samantha

From: Longfellow, Samantha
Sent: 13 March 2018 15:34
To: 'freedom mills'
Cc: Waters, Michael
Subject: RE: Temporary Event Notice (April) & Premises Licence Application
Attachments: Freedommills Letter from Planning.doc

Hi Josh

I have received correspondence from both Planning and Building Control.

Planning have sent a letter to Freedom Mills advising that it doesn't have planning and as a result it doesn't have the appropriate building regulations.

This may impact on any works you are looking to undertake as you will need both planning and building regulations prior to installing the fire exits etc.

I have attached a copy of the letter sent by planning for your information.

Please see below bullet points received from building control;

Chris Sanderson in Planning Enforcement has written to Freedom Mills stating that Planning Permission is required.

There will also need to be an application for change of use under the Building Regulations, which will need to include:

- adequate, means of escape provision in case of fire,
- spread of flame rating to walls and ceilings,
- emergency lighting
- access and egress for disable persons,
- adequate toilet facilities,
- ventilation etc.
- there may be other requirements depending upon what is proposed.

The above correspondence from both Planning and Building Control which will form part of my additional information for the sub-committee.

Please do not hesitate to contact me should you require any further information.

Regards

Samantha Longfellow
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: **0113 37 85335**
Fax: 0113 3367124
email: samantha.longfellow@leeds.gcsx.gov.uk
www.leeds.gov.uk

From: freedom mills [mailto:freedom_mills@hotmail.com]
Sent: 13 March 2018 14:57
To: Longfellow, Samantha <Samantha.Longfellow@leeds.gov.uk>
Subject: Re: Temporary Event Notice (April) & Premises Licence Application

Hello Samantha

No we have not received anything from LCC building control or LCC planning

I'm fairly sure they were satisfied on the day unless you know something to the contrary . Please confirm

Kind Regards

Joshua

Sent from my iPhone

On 13 Mar 2018, at 2:24 pm, Longfellow, Samantha <Samantha.Longfellow@leeds.gov.uk> wrote:

Hi Josh

Just a quick question.

Have you received any correspondence from LCC building control?

Have you received any correspondence from LCC Planning department?

Thanks

Samantha Longfellow

Senior Liaison & Enforcement Officer

Entertainment Licensing

Longfellow, Samantha

From: Nigel Charlston <Nigel.Charlston@westyorksfire.gov.uk>
Sent: 23 April 2018 09:24
To: Waters, Michael; catherine.arkle@westyorkshire.pnn.police.uk
Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul
Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Dear all

As you all are aware this Authority issued a Prohibition Notice for the above mentioned premises. One of the requirements in order to lift the Notice was to provide suitable means of escape (MOE) for the required occupancy figure and included the following statement:

“The Fire Authority considers it necessary for the proposals to comply with the Building Regulations 2000 or the latest version where this applies, and as a result the responsible person should contact the Local Authority (Building Control Department) or an Approved Inspector, who will in due course consult with the Fire Authority. **Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority**”.

I have been informed that the licensee has opened up a door opening which was formally a window. This doorway will form a new MOE for approx. 200+ persons. The doorway opens in the direction of escape over a public footpath. When in the open position the door will impede the movement of pedestrians using the footpath. The sill of the new doorway opening creates a trip hazard. To overcome this, the licensee has provided an internal timber ramp. Externally there is a drop-down to pavement level. The licensee says he will provide another ramp which he will position in place when the premises are being used for licensed purposes. The ramp being removed at all other times. To provide a complete escape route the intention is to cone-off the road directly in front of the new doorway and ramp.

I've been recently informed that these works don't need Building Regulations approval. I find this hard to believe as I would have thought that such works would be considered a 'material alteration'.

According to the Building Regulations, a 'material alteration' is an alteration where the work, or any part of it, would at any stage result:

1. In a building or controlled service or fitting not complying with a relevant requirement where previously it did; or
2. In a building or controlled service or fitting which before the work commenced did not comply with a relevant requirement, being more unsatisfactory in relation to such a requirement.

Where a 'relevant requirement' is any of the following applicable requirements of Schedule 1, e.g. paragraph B1 (means of warning and escape).

If these works are not controlled by the B regulations then I will likely have to lift the prohibition due to the comment made in the Notice, i.e.

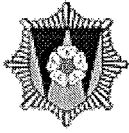
“Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority”.

Before considering any further actions I would appreciate any comments from Council Enforcement, Highways (Leeds CC) and WY Police.

Regards
Nigel

Nigel Thompson Charlston QFSM, MCGI, GFireE.
Head of Fire Engineering, Planning & Licensing

Tel 0113 3874397
Mob 07786083982
email nigel.charlston@westyorksfire.gov.uk



West Yorkshire
Fire & Rescue Service

Oakroyd Hall
Birkenshaw
West Yorkshire
BD11 2DY

From: Nigel Charlston
Sent: 08 March 2018 14:31
To: 'Waters, Michael'; catherine.arkle@westyorkshire.pnn.police.uk
Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul; Dave Walton; John Roberts; Ian Bitcon; Pickles, David (David.Pickles@leeds.gov.uk); Gee, David (David.Gee@leeds.gov.uk)
Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Dear all

This Authority issued a Prohibition/Restriction Notice on the above mentioned premises this afternoon. A copy of Notice is attached.

The responsible person is currently undertaking remediation works. Dependant on the amount of works carried out it might be necessary to amend, reissue, or withdraw the Notice.

The following paragraph has been included in the Notice:-

“The Fire Authority considers it necessary for the proposals to comply with the Building Regulations 2000 or the latest version where this applies, and as a result the responsible person should contact the Local Authority (Building Control Department) or an Approved Inspector, who will in due course consult with the Fire Authority. Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority”.

Including the above requirement makes it virtually impossible for this Authority to withdraw the notice without 'Building Control Body' approval.

Regards

Nigel

Nigel Thompson Charlston QFSM, MCGI, GFireE.
Head of Fire Engineering, Planning & Licensing

Tel 0113 3874397



Longfellow, Samantha

From: freedom mills <freedom_mills@hotmail.com>
Sent: 22 April 2018 09:32
To: Longfellow, Samantha

Hello,

Following James Galls visit we have 3 things to do for Monday which will be finished today. Then the prohibition notice will be lifted and public safety issue will have gone.

Building regs officer also was happy with the door and ramp planning was not needed as no structural change was made.

We have also completed everything that was in Michael Waters list now.

So we are now confident that we have done everything that's been asked.

Kind regards
Joshua.

Sent from my iPhone

On 22 Apr 2018, at 4:40 am, Microsoft Outlook <postmaster@outlook.com> wrote:

Delivery has failed to these recipients or groups:

fire.safety@westyorkshire.gov.uk (fire.safety@westyorkshire.gov.uk)

Your message couldn't be delivered. Despite repeated attempts to deliver your message, querying the Domain Name System (DNS) for the recipient's domain location information failed.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: [VE1EUR01HT083.mail.protection.outlook.com](https://ve1eur01ht083.mail.protection.outlook.com)
Receiving server: [VE1EUR01HT083.eop-EUR01.prod.protection.outlook.com](https://ve1eur01ht083.eop-EUR01.prod.protection.outlook.com)

fire.safety@westyorkshire.gov.uk

4/22/2018 3:40:35 AM - Server at [VE1EUR01HT083.eop-EUR01.prod.protection.outlook.com](https://ve1eur01ht083.eop-EUR01.prod.protection.outlook.com) returned '550 5.4.312 Message expired, DNS query failed(InfoNoRecords)'

4/22/2018 3:30:35 AM - Server at westyorkshire.gov.uk (25.152.2.27) returned '450 4.4.312 DNS

query failed [Message=InfoNoRecords] [LastAttemptedServerName=westyorkshire.gov.uk]
[VE1EUR01FT010.eop-EUR01.prod.protection.outlook.com](InfoNoRecords)'

Original message headers:

Received: from DB5EUR01HT083.eop-EUR01.prod.protection.outlook.com
(2a01:111:e400:7e1a::400) by
VE1EUR01HT083.eop-EUR01.prod.protection.outlook.com
(2a01:111:e400:7e19::318)
with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.675.14; Fri,
20
Apr 2018 03:31:31 +0000
Received: from HE1EUR01HT084.eop-EUR01.prod.protection.outlook.com
(2a01:111:e400:7e18::295) by
DB5EUR01HT083.eop-EUR01.prod.protection.outlook.com
(2a01:111:e400:7e1a::400)
with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.675.14; Thu,
19
Apr 2018 02:55:32 +0000
Received: from VE1EUR01HT087.eop-EUR01.prod.protection.outlook.com
(2a01:111:e400:7e19::298) by
HE1EUR01HT084.eop-EUR01.prod.protection.outlook.com
(2a01:111:e400:7e18::295)
with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.675.14; Wed,
18
Apr 2018 00:50:24 +0000
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=hotmail.com;
s=selector1; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
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(10.152.3.42) with Microsoft SMTP Server (version=TLS1_2,
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17
Apr 2018 08:23:29 +0000
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VE1EUR01FT013.mail.protection.outlook.com (10.152.2.215) with Microsoft
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Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
15.20.675.14 via Frontend Transport; Tue, 17 Apr 2018 08:23:29 +0000
Received: from AM0PR0402MB3443.eurprd04.prod.outlook.com
([fe80::2dd7:a338:e78f:470c]) by
AM0PR0402MB3443.eurprd04.prod.outlook.com
([fe80::2dd7:a338:e78f:470c%13]) with mapi id 15.20.0675.015; Tue, 17 Apr
2018 08:23:29 +0000
From: freedom mills <freedom_mills@hotmail.com>
To: "fire.safety@westyorkshire.gov.uk" <fire.safety@westyorkshire.gov.uk>,
"fire.safety@westyorkfire.gov.uk" <fire.safety@westyorkfire.gov.uk>,
"fire.safety@westyorkshire.gov.uk" <fire.safety@westyorkshire.gov.uk>
Subject: FAO James Gall
Thread-Topic: FAO James Gall
Thread-Index: AQHTliVdXgosnnFsukuvfcmEnx44VQ===
Date: Tue, 17 Apr 2018 08:23:29 +0000
Message-ID:
<AM0PR0402MB344349F62D725BD56662303495B70@AM0PR0402MB3443.eurprd04.prod.outlook.com>
Accept-Language: en-GB, en-US

Waters, Michael

From: Waters, Michael
Sent: 07 March 2018 16:01
To: 'freedom_mills@hotmail.com'
Subject: Freedom Mills Visit 6th March 2018
Attachments: Freedom Mills Safety Issues to Resolve.docx

Joshua,

Please see attached if you wish to discuss please give me a ring I would be willing to attend a further meeting but await confirmation from Building Control / Planning. As discussed yesterday we will have to oppose the application until the issues are resolved.

Regards

Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 3785342
Fax: 0113 3367124
email: michael.waters@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

Freedom Mills Safety Issues

Floor Area Unit is 27m from Stage Front to Rear Wall

X 14m wide $27 \times 14 = 378$ sq.m

Areas not counted:

Bar 14 sq.m Toilets 15 sq.m & Rear Cloak Room 20 sq.m, Entrance Booth & extended Toilets 27 sq.m. = 76 sq.m

$378 - 76 = 302$ sq.m floor area @ 0.5 pp sq.m = 600 approx.capacity

Exits (Existing) Roller Shutter 3.2 m wide and internal 1.6 m double doors (Discount)

This route needs improvement access to the double doors should be via a ramp & landing these should comply with Building Regs

Existing Entrance is a 1.1m inward opening door (Inward opening doors unsuitable for an Exit route in Licensed Premises - 60 persons max)

Current Exits inadequate nearest Exit from Stage is approx. 27m.

Additional Exits required in Washington Street side of building

Ideally the building should be adapted to have 2 x Exits with outward opening doors at least 1.5m wide on Washington St. elevation

(1 of the doors could be existing entrance if adapted to proposed size 1.5m with outward opening doors flooring in this area needs to be addressed)

The current windows on Washington Street are approx. 1.8m wide

All Exit doors other than the entrance door should be fitted with full width panic bars not push pads.

Checks should be made re height difference between pavement area on Washington Street and floor level near Stage area proposed exit must comply with Building Regs.

Other issues rear exit discharges into a locked rear yard arrangements for ensuring no vehicles park in front of Roller Shutter door and provision of keys for car park Exit gates Stewarding & lighting Primary & Emergency from that route.

Emergency Lighting Internal & External details required

Fire Alarm & Evacuation procedure, stewarding & capacity control

Details of certification relating to fabric on ceiling & seating inside venue.

The additional Exits and adaptations of existing doors would need Building Regs & possible Planning approval.

Mob [REDACTED]
email nigel.charlston@westyorkshire.gov.uk



West Yorkshire
Fire & Rescue Service

Oakroyd Hall
Birkenshaw
West Yorkshire
BD11 2DY

From: Waters, Michael [<mailto:Michael.Waters@leeds.gov.uk>]
Sent: 07 March 2018 12:09
To: catherine.arkle@westyorkshire.pnn.police.uk; Fire Protection Help; Nigel Charlston
Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul
Subject: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3
Importance: High

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Entrance / Exit door 1 x 1050 mm inward opening door approached on the inside by a steep ramp.

The Unit has no functioning Fire Alarm/ sound system cut off, minimal Emergency Lighting and exposed timber ceiling and a section of ceiling between Bar and largest Exit covered with material no certificate produced.

Due to the above concerns we have put a Full Objection to this application on the grounds of failing to Satisfy the Public Safety Objective and a Hearing will be held by the Licensing Committee to decide on the application. We are aware of the email dated 2nd April 2018 from West Yorkshire Fire & Rescue advising they would not be making a Representation

During the visit yesterday we did take some photographs but due to the poor lighting they were of poor quality there are however some very good images on the Freedom Mills website. Some of the images show the crowd density in front of the stage during performance which raises questions if 0.5 persons per square is appropriate.

We are also concerned that this venue is continuing to hold Temporary Event Notices (TEN) for up to 499 persons the next planned Event is this Friday 9th March

Contact details for Freedom Mills

Email address: [REDACTED]
Mobile for Joshua Threlfall (Director) [REDACTED]

Regards

Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 3785342
Fax: 0113 3367124
email: michael.waters@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

From: "Waters, Michael" [<mailto:Michael.Waters@leeds.gov.uk>]
Sent: 07 March 2018 10:34
To: Waters, Michael <Michael.Waters@leeds.gov.uk>
Subject: Attached Image

Shared Lives is recruiting paid carers to support adults with a range of care needs.
[Find out more](#) at our drop-in information session in Leeds city centre on the 29 March, 11am-2pm.

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virus detection software.

Longfellow, Samantha

From: Macleod, Gillian
Sent: 23 April 2018 10:53
To: Merckel, Andrew; Longfellow, Samantha
Cc: De-Lucchi, Michael; Oldfield, Roger; Pickles, David; Gee, David; Mkandla, Alvin
Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

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Regards
Gillian MacLeod
Transport Development Services Manager
Leeds City Council
0113 3788091

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Sent: 23 April 2018 10:38
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Cc: De-Lucchi, Michael <Michael.DeLucchi@leeds.gov.uk>; Oldfield, Roger <Roger.J.Oldfield@leeds.gov.uk>; Pickles, David <David.Pickles@leeds.gov.uk>; Gee, David <David.Gee@leeds.gov.uk>; Mkandla, Alvin <Ayibongwe.Mkandla@leeds.gov.uk>
Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3
Importance: High

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Andy Merckel
Senior Engineer
Traffic Engineering

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Could you assist with the possible issue surrounding ramps/cones on the highway? This application goes to hearing tomorrow and as a result I would appreciate any comments.

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Sam

Samantha Longfellow
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 37 85335
Fax: 0113 3367124
email: samantha.longfellow@leeds.gcsx.gov.uk
www.leeds.gov.uk

From: Nigel Charlston [<mailto:Nigel.Charlston@westyorkshire.gov.uk>]

Sent: 23 April 2018 09:24

To: Waters, Michael <Michael.Waters@leeds.gov.uk>; catherine.arkle@westyorkshire.pnn.police.uk

Cc: Brennand, Carmel <Carmel.Brennand@leeds.gov.uk>; Holder, Stephen <Stephen.Holder@leeds.gov.uk>;

Kennedy, Seamus <Seamus.Kennedy@leeds.gov.uk>; Longfellow, Samantha <Samantha.Longfellow@leeds.gov.uk>;

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If these works are not controlled by the B regulations then I will likely have to lift the prohibition due to the comment made in the Notice, i.e.

"Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority".

Before considering any further actions I would appreciate any comments from Council Enforcement, Highways (Leeds CC) and WY Police.

Regards
Nigel

Nigel Thompson Charlston QFSM, MCGI, GFireE.
Head of Fire Engineering, Planning & Licensing

Tel 0113 3874397
Mob [REDACTED]
email nigel.charlston@westyorkshire.gov.uk



Oakroyd Hall
Birkenshaw
West Yorkshire
BD11 2DY

From: Nigel Charlston
Sent: 08 March 2018 14:31
To: 'Waters, Michael'; catherine.arkle@westyorkshire.pnn.police.uk
Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul; Dave Walton; John Roberts; Ian Bitcon; Pickles, David (David.Pickles@leeds.gov.uk); Gee, David (David.Gee@leeds.gov.uk)
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The responsible person is currently undertaking remediation works. Dependant on the amount of works carried out it might be necessary to amend, reissue, or withdraw the Notice.

The following paragraph has been included in the Notice:-

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Oakroyd Hall
Birkenshaw
West Yorkshire
BD11 2DY

From: Waters, Michael [<mailto:Michael.Waters@leeds.gov.uk>]
Sent: 07 March 2018 12:09
To: catherine.arkle@westyorkshire.pnn.police.uk; Fire Protection Help; Nigel Charlston
Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul
Subject: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3
Importance: High

Dear All,

Following a visit to the site yesterday 6th March 2018, I have serious concerns about this buildings suitability for a premises licence which is currently subject to an application (PREM/04143/001)

Potential Capacity Floor Area is approx. 300 sq m after removal of area taken up by Bar, Stage, Toilets & Storage this equates to a potential capacity of 600 at 0.5 persons per sq.m.

Travel Distance it is approx. 27 metres to both Exits

.Location & size of Exits: The largest Exit is a set of double doors 1.6 m with external shutter this door is approached internally by a series of irregular steps.

Entrance / Exit door 1 x 1050 mm inward opening door approached on the inside by a steep ramp.

The Unit has no functioning Fire Alarm/ sound system cut off, minimal Emergency Lighting and exposed timber ceiling and a section of ceiling between Bar and largest Exit covered with material no certificate produced.

Due to the above concerns we have put a Full Objection to this application on the grounds of failing to Satisfy the Public Safety Objective and a Hearing will be held by the Licensing Committee to decide on the application. We are aware of the email dated 2nd April 2018 from West Yorkshire Fire & Rescue advising they would not be making a Representation

During the visit yesterday we did take some photographs but due to the poor lighting they were of poor quality there are however some very good images on the Freedom Mills website. Some of the images show the crowd density in front of the stage during performance which raises questions if 0.5 persons per square is appropriate.

We are also concerned that this venue is continuing to hold Temporary Event Notices (TEN) for up to 499 persons the next planned Event is this Friday 9th March

Contact details for Freedom Mills

Email address: [REDACTED]
Mobile for Joshua Threlfall (Director): [REDACTED]

Regards

Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 3785342
Fax: 0113 3367124
email: michael.waters@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

From: "Waters, Michael" [<mailto:Michael.Waters@leeds.gov.uk>]
Sent: 07 March 2018 10:34
To: Waters, Michael <Michael.Waters@leeds.gov.uk>
Subject: Attached Image

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[Find out more](#) at our drop-in information session in Leeds city centre on the 29 March, 11am-2pm.

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Longfellow, Samantha

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Sent: 23 April 2018 11:08
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Subject: FW: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

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Please see comments from Gillian the Transport Development Services Manager regarding the issues with the fire exit opening out on to the highway.

Freedom Mills were advised at the time of our visit that they would need to recess any fire exit installed so that it would not block the highway.

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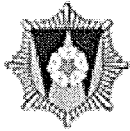
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Tel 0113 3874397

Mob [REDACTED]
email nigel.charlston@westyorkfire.gov.uk



West Yorkshire
Fire & Rescue Service

Oakroyd Hall
Birkenshaw
West Yorkshire
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Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul
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Contact details for Freedom Mills

Email address: [REDACTED]
Mobile for Joshua Threlfall (Director): [REDACTED]

Regards

Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 3785342
Fax: 0113 3367124
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virus detection software.

6

Longfellow, Samantha

From: Nigel Charlston <Nigel.Charlston@westyorksfire.gov.uk>
Sent: 23 April 2018 16:28
To: Longfellow, Samantha
Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Dear Samantha

I forward you this e-mail to confirm this Authority's opinion regarding Freedom Mills. The premises were visited by my officer James Gail on 20 April 2018 and certain items were discussed with the licensee. The major area of concern is the new escape door provided in the external wall. As a result of James's report and the information received today from Building Control and Leeds CC Transport Development Services Manager I am of the opinion that this new means of escape route, in its present form, is not suitable for the intended occupancy use and numbers. As a result I am minded not to withdraw the current Prohibition Notice until a safe and secure means of escape route can be provided.

Regards
Nigel

Nigel Thompson Charlston QFSM, MCGI, GIFireE.
Head of Fire Engineering, Planning & Licensing

Tel 0113 3874397
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From: Longfellow, Samantha

Sent: 23 April 2018 10:31

To: Oldfield, Roger <Roger.J.Oldfield@leeds.gov.uk>; Pickles, David <David.Pickles@leeds.gov.uk>; Gee, David <David.Gee@leeds.gov.uk>; Mkandla, Alvin <Ayibongwe.Mkandla@leeds.gov.uk>

Cc: Merckel, Andrew <Andy.Merckel@leeds.gov.uk>; De-Lucchi, Michael <Michael.DeLucchi@leeds.gov.uk>

Subject: FW: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Importance: High

Hi Roger/Alvin

Please see the email below from WYF&RS.

Could you provide comment before tomorrow as WYF&RS have made mention of 'Material Alteration'?

Andrew/Michael

Could you assist with the possible issue surrounding ramps/cones on the highway? This application goes to hearing tomorrow and as a result I would appreciate any comments.

Thanks

Sam

Samantha Longfellow
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: **0113 37 85335**
Fax: 0113 3367124
email: samantha.longfellow@leeds.gcsx.gov.uk
www.leeds.gov.uk

From: Nigel Charlston [<mailto:Nigel.Charlston@westyorkshirefire.gov.uk>]

Sent: 23 April 2018 09:24

To: Waters, Michael <Michael.Waters@leeds.gov.uk>; catherine.arkle@westyorkshire.pnn.police.uk

Cc: Brennand, Carmel <Carmel.Brennand@leeds.gov.uk>; Holder, Stephen <Stephen.Holder@leeds.gov.uk>;

Kennedy, Seamus <Seamus.Kennedy@leeds.gov.uk>; Longfellow, Samantha <Samantha.Longfellow@leeds.gov.uk>;

Raper, Nicola <Nicola.Raper@leeds.gov.uk>; Rix, Paul <Paul.Rix@leeds.gov.uk>

Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Dear all

As you all are aware this Authority issued a Prohibition Notice for the above mentioned premises. One of the requirements in order to lift the Notice was to provide suitable means of escape (MOE) for the required occupancy figure and included the following statement:

"The Fire Authority considers it necessary for the proposals to comply with the Building Regulations 2000 or the latest version where this applies, and as a result the responsible person should contact the Local Authority (Building Control Department) or an Approved Inspector, who will in due course consult with the

Fire Authority. **Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority”.**

I have been informed that the licensee has opened up a door opening which was formally a window. This doorway will form a new MOE for approx. 200+ persons. The doorway opens in the direction of escape over a public footpath. When in the open position the door will impede the movement of pedestrians using the footpath. The sill of the new doorway opening creates a trip hazard. To overcome this, the licensee has provided an internal timber ramp. Externally there is a drop-down to pavement level. The licensee says he will provide another ramp which he will position in place when the premises are being used for licensed purposes. The ramp being removed at all other times. To provide a complete escape route the intention is to cone-off the road directly in front of the new doorway and ramp.

I've been recently informed that these works don't need Building Regulations approval. I find this hard to believe as I would have thought that such works would be considered a 'material alteration'.

According to the Building Regulations, a 'material alteration' is an alteration where the work, or any part of it, would at any stage result:

1. In a building or controlled service or fitting not complying with a relevant requirement where previously it did; or
2. In a building or controlled service or fitting which before the work commenced did not comply with a relevant requirement, being more unsatisfactory in relation to such a requirement.

Where a 'relevant requirement' is any of the following applicable requirements of Schedule 1, e.g. paragraph B1 (means of warning and escape).

If these works are not controlled by the B regulations then I will likely have to lift the prohibition due to the comment made in the Notice, i.e.

“Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority”.

Before considering any further actions I would appreciate any comments from Council Enforcement, Highways (Leeds CC) and WY Police.

Regards
Nigel

Nigel Thompson Charlston QFSM, MCGI, GIFireE.
Head of Fire Engineering, Planning & Licensing

Tel 0113 3874397
Mob [REDACTED]
email nigel.charlston@westyorksfire.gov.uk



Oakroyd Hall
Birkenshaw
West Yorkshire
BD11 2DY

From: Nigel Charlston

Sent: 08 March 2018 14:31

To: 'Waters, Michael'; catherine.arkle@westyorkshire.pnn.police.uk

Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul; Dave Walton; John Roberts; Ian Bitcon; Pickles, David (David.Pickles@leeds.gov.uk); Gee, David (David.Gee@leeds.gov.uk)

Subject: RE: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3

Dear all

This Authority issued a Prohibition/Restriction Notice on the above mentioned premises this afternoon. A copy of Notice is attached.

The responsible person is currently undertaking remediation works. Dependant on the amount of works carried out it might be necessary to amend, reissue, or withdraw the Notice.

The following paragraph has been included in the Notice:-


“The Fire Authority considers it necessary for the proposals to comply with the Building Regulations 2000 or the latest version where this applies, and as a result the responsible person should contact the Local Authority (Building Control Department) or an Approved Inspector, who will in due course consult with the Fire Authority. Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority”.

Including the above requirement makes it virtually impossible for this Authority to withdraw the notice without 'Building Control Body' approval.

Regards

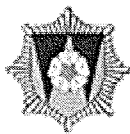
Nigel

Nigel Thompson Charlston QFSM, MCGI, GFireE.
Head of Fire Engineering, Planning & Licensing

 Tel 0113 3874397

 Mob [REDACTED]

 email nigel.charlston@westyorkshire.gov.uk



West Yorkshire
Fire & Rescue Service

Oakroyd Hall
Birkenshaw
West Yorkshire
BD11 2DY

From: Waters, Michael [<mailto:Michael.Waters@leeds.gov.uk>]

Sent: 07 March 2018 12:09

To: catherine.arkle@westyorkshire.pnn.police.uk; Fire Protection Help; Nigel Charlston

Cc: Brennand, Carmel; Holder, Stephen; Kennedy, Seamus; Longfellow, Samantha; Raper, Nicola; Rix, Paul

Subject: Safety Concerns - Freedom Mills Unit 47 Washington Street Kirkstall Leeds LS3
Importance: High

Dear All,

Following a visit to the site yesterday 6th March 2018, I have serious concerns about this buildings suitability for a premises licence which is currently subject to an application (PREM/04143/001)

Potential Capacity Floor Area is approx. 300 sq m after removal of area taken up by Bar, Stage, Toilets & Storage this equates to a potential capacity of 600 at 0.5 persons per sq.m.

Travel Distance it is approx. 27 metres to both Exits

Location & size of Exits: The largest Exit is a set of double doors 1.6 m with external shutter this door is approached internally by a series of irregular steps.

Entrance / Exit door 1 x 1050 mm inward opening door approached on the inside by a steep ramp.

The Unit has no functioning Fire Alarm/ sound system cut off, minimal Emergency Lighting and exposed timber ceiling and a section of ceiling between Bar and largest Exit covered with material no certificate produced.

Due to the above concerns we have put a Full Objection to this application on the grounds of failing to Satisfy the Public Safety Objective and a Hearing will be held by the Licensing Committee to decide on the application. We are aware of the email dated 2nd April 2018 from West Yorkshire Fire & Rescue advising they would not be making a Representation

During the visit yesterday we did take some photographs but due to the poor lighting they were of poor quality there are however some very good images on the Freedom Mills website. Some of the images show the crowd density in front of the stage during performance which raises questions if 0.5 persons per square is appropriate.

We are also concerned that this venue is continuing to hold Temporary Event Notices (TEN) for up to 499 persons the next planned Event is this Friday 9th March

Contact details for Freedom Mills

Email address: [REDACTED]@ [REDACTED]

Mobile for Joshua Threlfall (Director) [REDACTED]

Regards

Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 3785342
Fax: 0113 3367124
email: michael.waters@leeds.gov.uk
www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

From: "Waters, Michael" [<mailto:Michael.Waters@leeds.gov.uk>]
Sent: 07 March 2018 10:34
To: Waters, Michael <Michael.Waters@leeds.gov.uk>
Subject: Attached Image

Shared Lives is recruiting paid carers to support adults with a range of care needs.
Find out more at our drop-in information session in Leeds city centre on the 29 March, 11am-2pm.

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Longfellow, Samantha

From: Sanderson, Christopher
Sent: 08 May 2018 11:54
To: freedom mills
Cc: [REDACTED]; Longfellow, Samantha;
Waters, Michael
Subject: RE: FREEDOM MILLS LS3

Hi Joshua,

Sorry for the delay in responding.

We have recently had a planning application at Canal Mill, Brandon Street that I advise you to look at on our website along with your planning agent.

The reference number is 17/00409/FU.

Chris Sanderson
Principal Compliance Officer
Tel. No. 0113 3788069

-----Original Message-----

From: freedom mills [mailto:[REDACTED]]
Sent: 01 May 2018 15:10
To: Sanderson, Christopher <Chris.Sanderson@leeds.gov.uk>
Cc: [REDACTED]; Longfellow, Samantha
<Samantha.Longfellow@leeds.gov.uk>; Waters, Michael <Michael.Waters@leeds.gov.uk>
Subject: Re: FREEDOM MILLS LS3

Hello,

Could you explain a "sequential test"?

This has not been mentioned since applying for a licence.

We have been running for 3 years with the council having full knowledge. Non of this has ever been made apparent until applying for a premises licence.

There are a number of units that have gained a premises licence in our location.

Is the change of use class "Sui generis" that we need to apply for?

I have a meeting booked with a planning consultant who use to work for your department so it would help greatly to know what you want us to change the use too.

Regards
Joshua

Sent from my iPhone

> On 1 May 2018, at 2:26 pm, Sanderson, Christopher <Chris.Sanderson@leeds.gov.uk> wrote:
>
> Hi,
>
> I will discuss this with Paul Kendal but my initial thoughts are that you would require planning permission and the use is a predominately city centre use so a "sequential test" might be required.
>
> Chris Sanderson
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> Sent: 01 May 2018 14:08
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> Cc: [REDACTED] Longfellow,
> Samantha <Samantha.Longfellow@leeds.gov.uk>; Waters, Michael
> <Michael.Waters@leeds.gov.uk>; Kendall, Paul
> <Paul.D.Kendall@leeds.gov.uk>
> Subject: Re: FREEDOM MILLS LS3
>
> Hello,
>
> We are open everyday for exhibitions, workshops and group/political meetings. This could be from 9am until late in the evening.
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> We want a bar on to build extra revenue to put back into projects we finance ourselves.
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> We also are open for bookings like music events, cooperate parties, pop up restaurants, pop up cinema, pop up flee markets etc. These types of events could be from 12pm until 5am and maybe booked on any day of the week.
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> The venue has now been running for nearly 3 years and has started to make quite an impact in the local community.
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>> From the information we can assess what the use of the building constitutes.
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>> This is a former warehouse so the information you provide I can discuss with Paul Kendall who is the planning officer for the area and let you know what application would be required.
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>> Sent: 01 May 2018 09:47
>> To: Sanderson, Christopher <Chris.Sanderson@leeds.gov.uk>
>> Cc: [REDACTED]; [REDACTED]; [REDACTED]
>> Longfellow, Samantha <Samantha.Longfellow@leeds.gov.uk>; Waters,
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>> Good morning,
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>> Could you advise what class the current use is and what use do you believe we need to change it too.
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>> Our agents still believe that the use for a gallery/events/education business is still right.
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Longfellow, Samantha

From: Sanderson, Christopher
Sent: 14 May 2018 13:31
To: Longfellow, Samantha; freedom mills
Cc: [REDACTED] Waters, Michael
Subject: RE: FREEDOM MILLS LS3

Hi Sam,

I have just checked the system and could not find a planning application.

Chris Sanderson
Principal Compliance Officer
Tel. No. 0113 3788069

-----Original Message-----

From: Longfellow, Samantha
Sent: 14 May 2018 13:29
To: Sanderson, Christopher <Chris.Sanderson@leeds.gov.uk>; [REDACTED]>
Cc: [REDACTED] Waters, Michael <Michael.Waters@leeds.gov.uk>
Subject: RE: FREEDOM MILLS LS3

Hi Chris

Can you advise if you have received any application for Freedom Mills?

Thanks

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