

Public Document Pack

LICENSING SUB COMMITTEE

SUPPLEMENTARY INFORMATION

**AGENDA ITEM 8 – THORP ARCH & BOSTON SPA CRICKET
CLUB**


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Thorp Arch And Boston Spa Cricket Club
The Village
Thorp Arch
Wetherby
LS23 7AR

Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS

Contact: Hughin Chari


Our reference: PREM/05085/001
22 February 2024

Dear Sir/Madam

Licensing Act 2003

Name and Address of Premises: Thorp Arch And Boston Spa Cricket Club, Cricket Ground, The Village, Thorp Arch, Wetherby, LS23 7AR,

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application that includes information specifically associated with and .

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours


Hughin Chari
Senior Technical Officer

PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003
Name and Address of Premises: Thorp Arch And Boston Spa Cricket Club, Cricket
Ground, The Village, Thorp Arch, Wetherby, LS23 7AR,

The premises is in the middle of a residential village and has a pub next to it (The Pax Inn). The Main club house is used for cricket teas, the applicant is proposing this building for the licence. The building is accessed via a main door, and also has an additional staff door/ emergency access. The room has a kitchen where cricket teas are served, and tuck shop is run. With an open plan seating area to watch the cricket. There's also an outdoor seating area of 14 benches around the boundary of the cricket pitch.

There are concerns with nuisance arising from recorded/live music when the club is hosting events. There are also concerns of noise arising from patrons while using or leaving the premises. We have therefore suggested a few mitigation measures to help reduce noise outbreak.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the licence:

- Prevention of public nuisance

Noise and Vibration

1. 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.
2. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises.
3. There shall be no external loudspeakers after 10pm
4. Bottles will not be placed in any external receptacle between 11 pm and 7 am the following day to minimise noise disturbance to neighbouring properties.
5. 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.
6. The PLH/DPS will ensure patrons use 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.
7. The activities of persons using the external areas shall be monitored after 10 pm and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.
8. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.

Litter

- 9. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

Transport / Pedestrian Movement

- 10. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly 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.
- 11. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
- 12. 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.

Signed:



Dated: 22/02/2024

PART 2

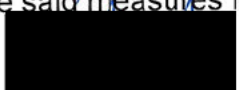
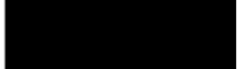
To be completed by the responsible authority

Leeds City Council's Environmental Action Service
 Proposed Controlled Measures under the Licensing Act 2003
 Name and Address of Premises: Thorp Arch And Boston Spa Cricket Club, Cricket Ground, The Village, Thorp Arch, Wetherby, LS23 7AR,

I / We 

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

In signing this document I / we agree with the measures proposed by Leeds City Council's Environmental Action Service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed: 
 Dated: 

1/3/24

PART 3

Name and Address of Premises: Thorp Arch And Boston Spa Cricket Club, Cricket Ground, The Village, Thorp Arch, Wetherby, LS23 7AR,

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council's Environmental Action Service.

In this instance we understand that Leeds City Council's environmental action service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS

www.leeds.gov.uk

general enquiries 0113 222 4444



[REDACTED]

Subject:FW: WYP REP - THORP ARCH & BOSTON SPA CRICKET CLUB - NEW PL PREM/05085

Attachments:WYP form.pdf

Good morning [REDACTED]

Thank you for the signed Part 2.

Good morning [REDACTED] / LCC ELS:

Please see the attached Part 2 in relation to the letter of representation I served on behalf of West Yorkshire Police dated 22nd February 2024, with regards to the subject bar premises / application.

Because of the Part 2 agreement and the usual proviso as a consequence of receiving it, please now withdraw the letter of representation served on behalf of West Yorkshire Police concerning this application.

With regards to the hearing for this matter already scheduled for the 19th March as I understand, could you please now take note of the following-

- I understand from [REDACTED] (Chairman of the club / applicant in this case) after speaking with him yesterday, that he has also signed a Part 2 to a letter of representation served by the Environmental Protection Team (EPT), with regards to this application.

I am also aware, in that representation of the EPT and agreed by [REDACTED] reference is made to 10pm in some of the conditions agreed to, but which is at odds with the representation of West Yorkshire Police and also agreed to, which makes reference to 9pm (2100) when referring to the same external areas.

For the benefit of the presiding sub-committee at the hearing on the 19th March, the reference to 9pm (2100) is selected by West Yorkshire Police, for no other reason than 9pm (2100) has been agreed to before on a number of occasions, and in very similar circumstances to these.

- On the basis of the withdrawal of the representation served on behalf of West Yorkshire Police, clearly there will now be nobody in attendance from the force at the hearing scheduled for the 19th March.

- Finally, along with the signed Part 2 attached, could you also pass on this email to the relevant department dealing with the hearing, as supplementary information which is additional to the agenda pack which has already been circulated.

Thank you in advance.

Best regards.



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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Leeds District Licensing Department

Leeds District Licensing Department
Leeds District HQ
Elland Road
Leeds
LS11 8BU

T:

W: www.westyorkshire.police.uk

22nd February 2024

Entertainment Licensing Section
Leeds City Council
Civic Hall, Leeds
LS1 1UR

cc. [REDACTED] (Club Chairman) – Thorp Arch & Boston Spa Cricket Club, Thorp Arch.

**RE: THORP ARCH & BOSTON SPA CRICKET CLUB, THE VILLAGE THORP ARCH LS23 7AR.
NEW PREMISES LICENCE – PREM/05085 - LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for a premises licence at the above address, which we received on 19th January 2024, via Leeds City Council as an electronic application.

West Yorkshire Police are of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives.

We therefore confirm that we are submitting a formal representation against your application on the grounds of:-

1. the prevention of crime & disorder
2. the prevention of public nuisance, and
3. the protection of children from harm.

However, West Yorkshire Police are also of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule, in **addition** to what you may have offered in your application.

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in agreement with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible, but no later than 23rd February 2024.

Upon receipt of your consent at **Part 2**, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

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Alternatively should you disagree with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible, but no later than 23rd February 2024.

PART 1 - to be completed by the Responsible Authority:

West Yorkshire Police propose the following control measures under the Licensing Act 2003 (in addition or as alternative wording to those that you may have already offered), for the premises:-

**THORP ARCH & BOSTON SPA CRICKET CLUB
THE VILLAGE
THORP ARCH
LEEDS
LS23 7AR.**

Also, the following control measures, either as additions or alternatives, refer specifically to-

1. The 'site plan' produced with the application and dated 10th March 2023, which will form an integral part of the premises licence if issued, and
2. An official document of Leeds City Council entitled "**Licensing Act 2003 – Box M – Operating Schedule – Suggested Measures**", also dated March 2023.

This official document of the licensing authority, is used constantly in conjunction with all 'responsible authorities' in Leeds, including West Yorkshire Police, for this purpose.

Having considered the application under the Licensing Act 2003 for the above premises, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives:-

- the prevention of crime & disorder
- the prevention of public nuisance
- the protection of children from harm

Alternative measures – (in substitution for those proposed):

A 'Check 21' scheme shall be used to prevent the sale of alcohol to people under 18 years of age. (Alternative to step offered at Section M Box b) – 5.)	9PF008
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. (Alternative to step offered at Section M Box b) – 5.)	9PF010
A suitable closed-circuit television (CCTV) system shall be in operation whilst members of the public are in attendance. 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). The CCTV system shall record images to cover external areas used by customers. At least one member of staff shall be on duty at the premises who can operate the system and download recorded images. 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. 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. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.	9PF012

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(Alternative to step offered at Section M Box b) – 9.)	
The premises licence holder shall provide accredited security staff on the occasions and to the numbers as identified through a risk assessment. (Alternative to step offered at Section M Box b) – 3.)	9PF013
The premises licence holder/designated premises supervisor will belong to a recognised trade body or Pubwatch Scheme where one exists, whose aims include the promotion of the licensing objectives. (Alternative to step offered at Section M Box b) – 1.)	9PF053

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Additional measures - (to those proposed):

At all times the premises licence has effect with regards to the sale / supply and consumption of alcohol, the following conditions will apply in relation to the inherent 'site plan' of the premises dated 10th March 2023-

- 1) With regards to the pavilion **edged in red** as indicated on the plan of the premises-
 - The sale / supply of alcohol is authorised every day from 1100 to 2330, and
 - The consumption of alcohol is allowed every day from 1100 to 0000.
- 2) The sale / supply and consumption of alcohol in the areas **edged in green and in yellow** as indicated on the plan of the premises, is as follows-
- 3) With regards to the area **edged in green** as indicated on the plan of the premises-
 - The sale / supply of alcohol is NOT authorised at any time.
 - Therefore, the use of any type of permanent or temporary, mobile or fixed alcohol dispense points in this area, is prohibited at any time.
 - Consumption of alcohol in this area is allowed but only until 2100 on any day, and only providing the alcohol to be consumed in this area, is first sold / supplied from within the pavilion edged in red on the plan of the premises.
 - A waiter / waitress service of alcohol from within the pavilion to those within the 'green consumption area', is permitted at all times.

Patrons are not permitted to remove drinks in open bottles/glasses or other open vessels from the pavilion, save for consumption in the external area edged in green on the plan of the premises. (From the LCC document and slightly re-worded – as an alternative to step offered at Section M Box b) – 2.)	9PF027
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- 4) With regards to the area **edged in yellow** as indicated on the plan of the premises (& **other** than the areas **edged in red and in green**)-
 - This area will only be used on a maximum of 5 occasions in any calendar year, and for any authorised licensable activity.
 - For every event which involves the sale / supply and consumption of alcohol, the premises licence holder will give at least 7 consecutive days' prior notice of the event, to West Yorkshire Police and the licensing authority, and which will also provide the following information-
 - (a) The date of the event,

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NOT PROTECTIVELY MARKED

- (b) A basic description of the nature of the event and if regulated entertainment will be involved other than alcohol, a brief account of the entertainment intended,
- (c) The contact details of any external organiser of the event where applicable,
- (d) The number of people expected to attend the event,
- (e) The times the event is intended to run, no earlier than 1100 and no later than 2100, and
- (f) Any other information the premises licence holder considers relevant.


- The sale / supply of alcohol is NOT authorised at any time.
- Therefore, the use of any type of permanent or temporary, mobile or fixed alcohol dispense points in this area, is prohibited at any time.
- Consumption of alcohol in this area is allowed but only until 2100 on any day, and only providing the alcohol to be consumed in this area, is first sold / supplied from within the pavilion edged in red on the plan of the premises.
- A waiter / waitress service of alcohol from within the pavilion to those within this yellow area, is permitted at all times.
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All drinks to be taken into the area edged in yellow from the pavilion, shall always be in non-glass containers. (From the LCC document and slightly re-worded – as an alternative to step offered at Section M Box b) – 2.)	9PF064
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West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures within the Operating Schedule for the said premises.

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.


Leeds District Licensing Officer
West Yorkshire Police

Date: 22nd February 2024

PART 2 – to be completed by the applicant or applicant's representative:

Consent for all proposed control measures under the Licensing Act 2003.

Name & Address of Premises:

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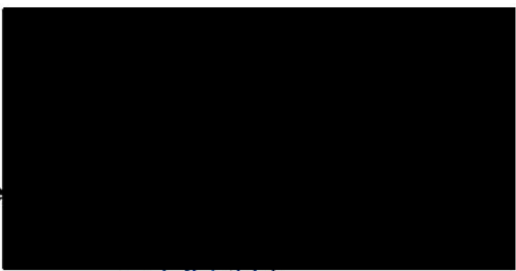
THORP ARCH & BOSTON SPA CRICKET CLUB
THE VILLAGE
THORP ARCH
LEEDS
LS23 7AR.

I / We ... 

confirm that I am / we are the applicant / the applicants representative (delete as appropriate) for the premises as stated above.

In signing this document:-

- I / we agree with the measures proposed by West Yorkshire Police,
- I / we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises, and furthermore,
- I / we confirm the premises will then operate in accordance with those measures agreed to.

Signature 

Dated: 11/3/29

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PART 3 – to be completed by the applicant or applicant’s representative:

Proposed control measures under the Licensing Act 2003

Name & Address of Premises:

**THORP ARCH & BOSTON SPA CRICKET CLUB
THE VILLAGE
THORP ARCH
LEEDS
LS23 7AR.**

I / We

confirm that I am / we are the applicant / the applicants representative (delete as appropriate) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by the West Yorkshire Police.

In this instance we understand that West Yorkshire Police will maintain their representation to my /our application, which will now proceed to a hearing before the Licensing Sub-Committee, at which I / we will be required to attend.

Signed:

Dated:

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