

SUPPLEMENTARY INFORMATION

LICENSING SUB COMMITTEE

21st JANUARY 2025

**AGENDA ITEM 6 - Application for the Grant of a
Premises Licence for Otley Road
Convenience Store, 80 Otley Road, Headingley, Leeds,
LS6 4BA**

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**Otley Road Convenience Store 80 Otley Road
Leeds, LS6 1HX**

Hours of sale of alcohol requested by the applicant

Monday to Friday 08.00 until 20.00

Saturday 09.00 until 20.00

Sunday 09.00 until 17.00

These hours are corresponding with the premises trading hours granted by the planning office.

Amended hours agreed with ALL parties

Monday to Thursday 08.00 until 20.00

Friday 08.00 until **13.00**

Saturday 09.00 until **13.00**

Sunday 09.00 until **13.00**

Hours open to the public remain unchanged.

Representations received from:

- 1: West Yorkshire Police
- 2: Principle Licensing Officer
- 3: Senior Environmental Health Officer

Source of Representation	Proposed Conditions	Agreed / Disagree
West Yorkshire Police WYP Sarah Blenkhorn	<i>The premises must not sell alcohol from 13.00 to closing on a Friday, Saturday and Sunday.</i> All alcohol at these times must be removed from the shelves or covered up so that the public do not have access to it. Notices are to be displayed prominently to this effect.	Agree with amendment of 13.00 CIP Policy
WYP	<i>There shall be no sale of alcohol to any person in fancy dress.</i> Notices to be displayed prominently to this effect.	Agree
WYP A similar condition was already proposed in our Operating Schedule	Incident Records should include matters such as admission / refusals, ejections, seizure of any discarded prohibited items, unwell customers, welfare and safeguarding matters and accidents. Incident records shall include the date, time, and location of the incident; nature of the incident; personal	Agree

	<p>details and contact information for all people involved including any witnesses where available.</p> <p>Personal Licence numbers, any crime number and details of police officers attending. A note of the action taken, and where relevant a note of the actions to prevent any reoccurrence should also be included.</p>	
<p>WYP</p> <p>Similar conditions have already proposed in our Operating Schedule</p>	<p>The CCTV system shall record images to cover the immediate external areas.</p> <p>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.</p> <p>At least one member of staff shall be on duty at the premises at all times who can operate the playback facility of the system.</p> <p>The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.</p> <p>The CCTV shall be checked weekly to ensure it is working correctly and a log maintained of those checks.</p> <p>This log will be kept on the premises for a 12-month period and produced for inspection when requested to do so by an authorised officer.</p>	<p>Agree</p>
<p>WYP</p>	<p>There shall be no advertisement of alcohol external to the premises including window displays.</p>	<p>Agree</p>
<p>WYP</p>	<p>The display of alcohol shall be in a designated area of the premises which is capable of being supervised from the counter area.</p> <p>Alcohol shall not be displayed next to the public entrance/exit of the premises.</p> <p>The display of spirits shall be in an area accessible only by staff.</p>	<p>Agree</p>
<p>WYP</p>	<p>There shall be no sale of spirits in any bottles less than 70ml.</p> <p>There shall be no sale of beer, cider, lager and perry of 7.5% alcohol by volume and above.</p> <p>There shall be no sale of any single cans of alcohol.</p>	<p>Agree</p>

WYP	The name of the premises shall not contain reference to alcohol.	Agree
WYP	Customers shall be discouraged from drinking alcohol outside the premises.	Agree
WYP	Staff training shall be endorsed by staff, maintained on the premises for a 12 month period and produced for inspection immediately when requested to do so by an authorised officer.	Agree
WYP	The refusals book shall also contain details of any other refusals of alcohol sales such as when a person in fancy dress.	Agree
WYP	The licence holder shall provide secure storage for identification documents and a system for safe disposal, which may include returning to the originating organisation, e.g. DVLA/HM passport office	Agree
WYP	A written policy will be in place to manage any queues forming outside of the premises and blocking the footpath	Agree
WYP	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 which can be clearly seen by people attending and leaving the premises.	Agree
Principal Licensing Officer PLO Susan Duckworth	In agreement with WYP and SEHO	
Senior Environmental Health Officer SEHO Vanessa Holroyd	The sale of alcohol shall be restricted to Monday to Thursday 08:00 hours to 20:00, Friday 08.00 until 13.00, Saturday and Sundays from 09:00 hours to 13:00 hours only.	Agreed
SEHO	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.	Exact duplication of the condition number 7 in the Operating Schedule

SEHO	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.	Agree
Conditions offered by the applicant in the Operating Schedule		
Prevention of Crime & Disorder CCTV	<p>CCTV</p> <p>1.1 The premise are to operate an effective CCTV system which shall to be maintained in good working order at all times the premises is open for business. Cameras will be installed and positioned to cover the customers areas.</p> <p>1.2 The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request.</p> <p>1.3 The Premises Licence Holder or Designated Premises Supervisor is to provide the police with the contact details of at least one other member of staff or other person(s) who shall be trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data within no more than 12 hours from the time of the request.</p> <p>1.4 In the case of a breakdown or malfunction the premises licence holder / designated premises supervisor shall make sure that the CCTV is in working order as soon as practicable</p>	As existing in the Operating Schedule
Alcohol Authorisation Log	2 A written sale of alcohol authorisation list will be maintained at the premises (this can be found in the Staff Training Induction Log book).	As existing in the Operating Schedule
Staff Training	3. Staff training shall take place for all new staff to be completed within 1 month upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.	As existing in the Operating Schedule
Staff	4. Training will concentrate on the licensing objectives, underage sales, Challenge 25, Conflict	

Training	Management, the sale of cigarettes both legal and illegal age restricted products.	As existing in the Operating Schedule
Incident Log Book	<p>5. An incident book/register shall be maintained to record:</p> <p>i. All incidents of crime and disorder occurring at the premises.</p> <p>ii. Details of occasions when the police are called to the premises.</p> <p>The book/register shall be made available for inspection by a police officer or other authorised officer on request.</p>	As existing in the Operating Schedule
Prevention of Public Nuisance	6. Management and staff are to use their best endeavours to prevent 3 or more persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.	As existing in the Operating Schedule
Prevention of Public Nuisance	7. 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.	As existing in the Operating Schedule
Prevention of Public Nuisance	8. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents, to leave the premises and area quietly and to properly dispose of litter.	As existing in the Operating Schedule
Prevention of Public Nuisance	9. Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of any litter from the premises.	As existing in the Operating Schedule
Prevention of Public Nuisance	10. All deliveries or removal of trade waste will not take place between 08.00 and 20.00 on any day.	As existing in the Operating Schedule
Prevention of Public Nuisance	11. The Premises Licence Holder will ensure that no exterior lighting will cause a nuisance to any neighbouring residential properties.	As existing in the Operating Schedule

Protection of Children	<p>12. The premises will operate a “Challenge 25” proof of age policy which will require any person who appears to be under the age of 25 to produce identification to prove they are 18 or over.</p> <p>13. The only acceptable forms of identification for proof of age are recognisable identification bearing a photograph, date of birth, and either a holographic mark or ultraviolet feature, such as a driving licence, passport, military ID card, national identity card, or a proof of age card with the PASS Hologram. Digital ID’s displayed on mobile devices will not be an accepted as a form of ID - until such a time that official guidance is issued on acceptable forms and safeguards. The premises is to maintain a refusals book or electronic equivalent to record the details of incidents where a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The Premises Licence Holder / Designated Premises Supervisor or nominated representative shall regularly monitor the book/electronic equivalent and record these checks. The book/electronic records must be made available to a Police Constable / Authorised Officers of the Licensing Authority on request.</p>	As existing in the Operating Schedule
Protection of Children	<p>14. Notices which inform customers of the offence of purchasing or attempting to purchase alcohol on behalf of under 18's (proxy sales), shall be displayed at the premises.</p>	As existing in the Operating Schedule

Office of MP Alex Sobel
Cllr Hesselwood
Cllr Goodall
Objectors

Good afternoon all,

Re: Otley Road Convenience Store, 80 Otley Road, Leeds.

Representations

I write as the legal representative to my client in response to the letters and emails outlining your letters of objection, comments and concerns regarding the Otley Run and my client's application.

This letter is to request a resolution with all objectors and to reach a mutually beneficial compromise and secondly to explain some of the policies and circumstances involved.

The Licensing Act and its supporting policies are quite complex and complicated. It can be far more convoluted and multifaceted than what can appear simply to a lay person; straight forward.

In this statement I will refer to the Leeds Cumulative Impact Assessment 2023 -2025 and the Leeds Statement of Licensing Policy 2023 - 2027 and any additional sections taken from the policies deemed to be relevant are highlighted in blue text.

All applicants, Responsible Authorities **(including yourselves as the Objectors)** have a legal duty to **'follow and abide by'** the policies as written in the Leeds Statement of Licensing Policy, only Members of the Licensing Sub-Committee/Committee may make the decision to 'depart' from these policies upon certain circumstances.

5.33 LEEDS SOLP *Where relevant representations are received about an application the council will hold a hearing to consider them unless the council, the applicant and everyone who has made representations agree that the hearing is not necessary. Applicants and those making representations should seek, in advance of any hearing, to try to reach agreement or to narrow the areas in dispute, particularly where both are professionally represented.*

This section of the policy strongly advocates a resolution instead of a costly mediation process i.e. Hearings. We as the contested party are hoping to secure a resolution to provide a path for your withdrawal.

Unfortunately, we are unable to explain all the aspects of all the policies regarding this application in this simple letter, however we will try to explain some of the legal

basics and salient points to assist you in making your decision if you choose to withdraw your objection, as per s5.33 of Leeds SOLP.

My client has expressed sympathy and empathy with the local resident's having to cope with the anti-social behaviour issues and has also expressed that he will not intentionally contribute to this.

My client did not understand the gravity of this situation when he agreed to take on the lease. The lease was good value because of the limited trading hours, but he was quite happy to sign the agreement even with its restricted trading hours that were fixed by Leeds planning office in 2020. The shop was granted permission for exterior signage and lights in 1985/6.

During our risk assessment of the 4 Licensing Objectives and prior to the submission of the application, we identified an potential high risk area between St. Chad's Road, Park Terrace, Cottage Terrace, Burton Crescent, & St Chad's Drive.

We then extracted the crime data from police.uk (**s.6.26 LEEDS SOLP link**) and the findings of our research show that from January 2024 until October 2024, which is a period just under 1 year 24 crimes committed, 6 of these were burglary, this equates to 2.18 crime reported per month; this is not a high level of crime. If you remove the burglaries, it becomes 1.63 crimes per month.

Throughout the last 2 weeks, discussions and negotiations regarding this application have been conducted with 3 Responsible Authorities;

- 1: West Yorkshire Police,
- 2: Senior Environmental Officer Noise Pollution
- 3: Head of Licensing

Our client and all 3 parties agreed to amend the Operating Schedule to include a substantial set of conditions (see below) and 5 of these conditions are significant and pertinent to the application:

West Yorkshire Police WYP	1: The premises must not sell alcohol from 13.00 to closing on a Friday, Saturday and Sunday.	Agree
Head of Licensing	2: All alcohol at these times must be removed from the shelves or covered up so that the public do not have access to it.	with amendment of 13.00
Senior Environmental Health Officer	3: Notices are to be displayed prominently to this effect.	CIP Policy
West Yorkshire Police WYP	4: There shall be no sale of alcohol to any person in fancy dress.	Agree
Head of Licensing	5: Notices to be displayed prominently to this effect.	
Senior Environmental Health Officer		

7.44 LEEDS SOLP *When considering an application where the subject premises is in a cumulative impact area, the council will need to be satisfied that the grant of the licence or variation will NOT impact on the cumulative impact of EXISTING LICENSED PREMISES IN THE AREA and as the burden of proof is on the applicant, they will often suggest measures which they assert will demonstrate there will be no impact. Examples of factors the licensing authority may consider as demonstrating there will be no impact may include, though are not limited to:*

1: Small premises who intend to operate before midnight

2: Premises which are not alcohol led and only operate during the daytime economy.

Our client has agreed to 5 additional robust conditions that compellingly demonstrate there will be no impact to existing licensed premises in the area.

My client's termination hour for the sale of alcohol on Friday, Saturday & Sunday's fell within the restricted daytime policy of Leeds SOLP of 13.00 until 18.00. (Please note that only **NEW** applications are relevant to peak hours), except for 2 hours 18.00 until 20.00.

- The applicant has agreed **NOT to sell alcohol from 13.00 on Friday, Saturday & Sundays**
- and
- **Will not sell alcohol to any person in fancy dress costumes.**
-

In a public statement made by Cllrs Abdul Hannan & Jonathan Pryor about the anticipation of new premises by Arcadia, which I understood it to be a MacDonalDs restaurant in Arndale Centre (06.01.2025 / Headingley, Hyde Park & Woodhouse News facebook page).

"We are pleased that the applicant has clearly looked at previous applications in the area, and voluntarily asked for conditions to be added to their license application.

- Those in fancy dress or judged to be on 'The Otley Run' will not be admitted

- The premises shall be and remain predominantly food led

These conditions would not only ensure that this venue does not exacerbate existing issues, but also will 'future proof' the venue in the future. We will therefore be supporting this application and we believe it will add something new to Headingley town centre".

There were more conditions to be attached, ie diners must be seated etc, but the core principle is the same.

It is a similar condition to our client's shop which will also be 'food led' as it is a grocery store.

Departing from the Policy

7.38 Leeds SOLP It is for the applicant to demonstrate that their application would not add to the cumulative impact of such licensed premises in the area and so allow the council to depart from its own policy.

In section 7.38 Leeds SOLP and the Secretary of State's Guidance, both policies execute the identical Code of Practice.

With the acceptance of this set of conditions, the applicant can now demonstrate that the premises will not impact on the Cumulative Impact of existing premises within the area of Far Headingley and even less in Headingley. If alcohol will not be sold after 1pm and the shop is not allowed to sell to participants in fancy dress, it will be extremely difficult to add to the problem.

To add to this, the shop would not **attract an increase in footfall**, as the shop will serve customers passing by. As the conditions will be attached to the Premises Licence, it will also **'future proof'** the premises.

Impact on the Behaviour of Customers

4.11 Leeds SOLP

If relevant representations are made **in relation to a premises licence** or club premises certificate, the council will consider whether it is necessary to impose conditions to regulate behaviour **ON** the premises and access to them where this relates to licensable activities, and the licensing objectives.

Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff, or agents, **but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave.**

Secretary of State's Guidance s182 of Licensing Act 2003

2.27 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law.

An individual who engages in anti- social behaviour is accountable in their own right.

However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on

the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

This relates to all licensed premises both in Far Headingley and Headingley. Licensed premises including bar's pubs, off licenses, restaurants, cinemas or similar types are not responsible for the behaviour of their customers once they leave the direct vicinity of their premises... that statement is in the Legislation (Licensing Act 2003) and Code of Practice (Leeds SOLP and Secretary of States Guidance under s182 of the Licensing act 2003).

The police, licensing authorities and other agencies are faced with a very difficult and challenging situation trying to control the crowds, basically their hands are almost tied.

CCTV is the primary mechanism both inside and outside the premises for addressing the problems. Planning Controls and **Public Space Protection Order (PSPO)** which gives persons who are authorised by the councils or the police, the authority to discipline and control people who are committing anti-social behaviour and drunken behaviour. They can also confiscate alcohol from persons drinking in the street whom they believe is committing anti-social behaviour, plus other misdemeanours.

The councils have no legal authority to 'fine' a person, but they can issue a Penalty Notice, however the police can issue fines to persons. Since the PSPO was introduced in 2023, I believe 13 people have been given £100 'fines' for drunken matters.

The core root of this tricky scenario is, it is the people themselves who are causing the problem and how do you control crowds of people in a public place, you don't, you can only manage them. It can be a difficult task, but this is what the licensed premises do and the police support this huge exercise.

Disproportionate & Unreasonable

4.20 Leeds SOLP In considering the promotion of this licensing objective, applicants need to focus on the effect of licensable activities on people living and working in the area around the premises which may be disproportionate and unreasonable.

Our client's application does focus on the effect of his neighbours or persons working in the area. Our client's application is neither disproportionate nor unreasonable. A nightclub or large bar with capacity of 700 plus requesting licensable activities until 3am would be disproportionate and unreasonable, but not a shop that closes at 8pm and 5pm on Sundays.

Right's of Residents and Businesses

4.28 Leeds SOLP The council recognises that it is necessary to balance the rights of residents' businesses and others with those wishing to provide licensable activities, and those who wish to use such facilities.

Our client is providing a small corner shop style grocery service (with the sale of alcohol) to the community, he is not trying to 'cash in' on the Otley Run.

Appropriate for the Local Area

6.13 Leeds SOLP The applicant has properly considered what is appropriate for the local area when considering what hours and activities to apply for the potential effect on the licensing objectives is not significant the agreed operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on residents and businesses.

The conditions attached to our client's Operating Schedule weighs heavily in comparison to the other 4 premises in Far Headingley, who all have the benefit of 'OFF' sales' and 3 of those premises have no relevant conditions to support the licensing objectives, their support is entirely voluntary.

Almost 85% of the licensed premises that we checked in Far Headingley and Headingley area also have the benefit of 'OFF' sales ('including Sainsbury's) until upon average 23.30 to 00.00; 7 days a week, some even more.

Granting the Hours

6.14 Leeds SOLP Granting the hours sought will not impact on the licensing objectives the potential for neighbouring premises.

We now believe that due to the restriction of alcohol sales of our client's shop on Otley run days (Friday, Saturday & Sunday) and refusing all sales of alcohol to persons in fancy dress costumes will not impact on the licensing objectives or neighbouring premises.

The 'NEED' for Licensing Premises

14.19 Secretary of State's Guidance s182 of Licensing Act 2003

There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market.

This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

We believe that these amended hours for the sale of alcohol and additional conditions has adopted the correct burden of proof and now the application has fully rebutted the presumption.

The premises Operating Schedule is quite robust and does indeed fully support the 4 Licensing Objectives. Other additional conditions that the premises must adhere to are shown in the boxed grid below.

THE END

Please refer to the 'Summary' at the end of this document.

I apologise for the lengthy statement but I do hope this has clarified many errors in fully understanding the Licensing application process, especially with regard to the interpretation of the Licensing Objectives.

In our application we needed to satisfy the authority that our application would not impact on the 4 Licensing Objectives, this is what we believe we have now achieved.

I am available during working hours to discuss any of these issues further, please email me and I will respond. Please be aware of the strict time restrictions. We are trying to give you an opportunity to withdraw so you don't waste your time.

Should you wish to withdraw your objection which must be in writing, please email the Licensing Office on entertainment.licensing@leeds.gov.uk by Monday morning.

Regards
June Clarke
Licensing Consultant
Warrington, WA2 8TX
t: 07961776059
e: licensinghouse@me.com

These are the conditions that my client will adhere to if this licence is approved.

Source of Representation	Proposed Conditions of the Operating Schedule	Agreed / Disagree
	80 Otley Road, Leeds, LS6	
West Yorkshire Police WYP Sarah Blenkhorn	<i>The premises must not sell alcohol from 13.00 to closing on a Friday, Saturday and Sunday.</i> All alcohol at these times must be removed from the shelves or covered up so that the public do not have access to it. Notices are to be displayed prominently to this effect.	Agree with amendment of 13.00 CIP Policy
WYP	<i>There shall be no sale of alcohol to any person in fancy dress.</i>	Agree

	Notices to be displayed prominently to this effect.	
WYP A similar condition was already proposed in our Operating Schedule	<p>Incident Records should include matters such as admission / refusals, ejections, seizure of any discarded prohibited items, unwell customers, welfare and safeguarding matters and accidents.</p> <p>Incident 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 where available,</p> <p>Personal Licence numbers, any crime number and details of police officers attending. A note of the action taken, and where relevant a note of the actions to prevent any reoccurrence should also be included.</p>	Agree
WYP Similar conditions have already proposed in our Operating Schedule	<p>The CCTV system shall record images to cover the immediate external areas.</p> <p>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.</p> <p>At least one member of staff shall be on duty at the premises at all times who can operate the playback facility of the system.</p> <p>The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.</p> <p>The CCTV shall be checked weekly to ensure it is working correctly and a log maintained of those checks.</p> <p>This log will be kept on the premises for a 12-month period and produced for inspection when requested to do so by an authorised officer.</p>	Agree
WYP	There shall be no advertisement of alcohol external to the premises including window displays.	Agree
WYP	<p>The display of alcohol shall be in a designated area of the premises which is capable of being supervised from the counter area.</p> <p>Alcohol shall not be displayed next to the public entrance/exit of the premises.</p> <p>The display of spirits shall be in an area accessible only by staff.</p>	Agree
WYP	<p>There shall be no sale of spirits in any bottles less than 70ml.</p> <p>There shall be no sale of beer, cider, lager and perry of 7.5% alcohol by volume and above.</p> <p>There shall be no sale of any single cans of alcohol.</p>	Agree
WYP	The name of the premises shall not contain reference to alcohol.	Agree

WYP	Customers shall be discouraged from drinking alcohol outside the premises.	Agree
WYP	Staff training shall be endorsed by staff, maintained on the premises for a 12 month period and produced for inspection immediately when requested to do so by an authorised officer.	Agree
WYP	The refusals book shall also contain details of any other refusals of alcohol sales such as when a person in fancy dress.	Agree
WYP	The licence holder shall provide secure storage for identification documents and a system for safe disposal, which may include returning to the originating organisation, e.g. DVLA/HM passport office	Agree
WYP	A written policy will be in place to manage any queues forming outside of the premises and blocking the footpath	Agree
WYP	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 which can be clearly seen by people attending and leaving the premises.	Agree
Principal Licensing Officer PLO Susan Duckworth	PLO will agree if an agreement could be reached with WYP and SEHO,	Agreed
Senior Environmental Health Officer SEHO Vanessa Holroyd	The sale of alcohol shall be restricted to Monday to Friday 08:00 hours to 20:00 hours and Saturday and Sundays from 09:00 hours to 13:00 hours only.	Agreed
SEHO	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.	Agree
Conditions offered by the applicant in the Operating Schedule		
Prevention of Crime & Disorder	<p>CCTV</p> <p>1.1 The premise are to operate an effective CCTV system which shall to be maintained in good working order at all times the premises is open for business. Cameras will be installed and positioned to cover the customers areas.</p> <p>1.2 The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request.</p>	

CCTV	<p>1.3 The Premises Licence Holder or Designated Premises Supervisor is to provide the police with the contact details of at least one other member of staff or other person(s) who shall be trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data within no more than 12 hours from the time of the request.</p> <p>1.4 In the case of a breakdown or malfunction the premises licence holder / designated premises supervisor shall make sure that the CCTV is in working order as soon as practicable</p>	As existing in the Operating Schedule
Alcohol Authorisation Log	2 A written sale of alcohol authorisation list will be maintained at the premises (this can be found in the Staff Training Induction Log book).	As existing in the Operating Schedule
Staff Training	3. Staff training shall take place for all new staff to be completed within 1 month upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.	As existing in the Operating Schedule
Staff Training	4. Training will concentrate on the licensing objectives, underage sales, Challenge 25, Conflict Management, the sale of cigarettes both legal and illegal age restricted products.	As existing in the Operating Schedule
Incident Log Book	<p>5. An incident book/register shall be maintained to record:</p> <ul style="list-style-type: none"> i. All incidents of crime and disorder occurring at the premises. ii. Details of occasions when the police are called to the premises. <p>The book/register shall be made available for inspection by a police officer or other authorised officer on request.</p>	As existing in the Operating Schedule
Prevention of Public Nuisance	6. Management and staff are to use their best endeavours to prevent 3 or more persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.	As existing in the Operating Schedule
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Prevention of Public Nuisance	9. Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of any litter from the premises.	As existing in the Operating Schedule
Prevention of Public Nuisance	10. All deliveries or removal of trade waste will not take place between 08.00 and 20.00 on any day.	As existing in the Operating Schedule
Prevention of Public Nuisance	11. The Premises Licence Holder will ensure that no exterior lighting will cause a nuisance to any neighbouring residential properties.	As existing in the Operating Schedule
Protection of Children	<p>12. The premises will operate a "Challenge 25" proof of age policy which will require any person who appears to be under the age of 25 to produce identification to prove they are 18 or over.</p> <p>13. The only acceptable forms of identification for proof of age are recognisable identification bearing a photograph, date of birth, and either a holographic mark or ultraviolet feature, such as a driving licence, passport, military ID card, national identity card, or a proof of age card with the PASS Hologram. Digital ID's displayed on mobile devices will not be an accepted as a form of ID - until such a time that official guidance is issued on acceptable forms and safeguards.</p> <p>The premises is to maintain a refusals book or electronic equivalent to record the details of incidents where a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The Premises Licence Holder / Designated Premises Supervisor or nominated representative shall regularly monitor the book/electronic equivalent and record these checks. The book/electronic records must be made available to a Police Constable / Authorised Officers of the Licensing Authority on request.</p>	As existing in the Operating Schedule
Protection of Children	14. Notices which inform customers of the offence of purchasing or attempting to purchase alcohol on behalf of under 18's (proxy sales), shall be displayed at the premises.	As existing in the Operating Schedule

To Summarise

Further reading

S.2.1 - 2.7 Secretary of State's Guidance s182 of Licensing Act 2003

interpretation of the 4 Licensing Objectives

Prevention of Crime & Disorder

Covers many aspects of different crimes, however these are centred **ON and around** the premises of and not crimes committed hundreds of yards away. Conditions attached to a premises should be targeted on the deterrence and prevention of crime.

Typical crimes are spiking, anti-social behaviour Illegal workers, drugs, firearms and general crime (**ON AND AROUND** the premises).

Preventative measures are CCTV, Door Supervision, training, Radio links and many more.

4.11 LEEDS SOLP If relevant representations are made in relation to a premises licence or club premises certificate, the council will consider whether it is necessary to impose conditions to regulate behaviour **ON** the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached **will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff, or agents**, but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave

Public Safety

This licensing objective covers the Premises Licence Holders legal duty to ensure safety of its customers **ON** the premises. This includes harm from overcrowding, safe departure, safe equipment, lighting, stairs and steps, car parks, excess drinking, accidents and injuries. It does not cover, Health & Safety, Fire, or other matters that are covered by its' own legislation. It also does not cover, people walking in the road and blocking the pavement (unless they are the customer of the venue and are outside the premises waiting to gain entry or leaving).

Again prevention is the primary concern. The management of the customers outside the premise is an serious licensing matter that 'premises' must safely manage especially with regard to the safety of the general public on the highway.

Prevention of Public Nuisance

Public Nuisance is a contentious subject to discuss and is not narrowly defined in the Licensing Act 2003. What exactly constitutes Public Nuisance and how to prevent it? Licensing authorities concentrate on the 'likely effect' on businesses and residents **IN THE AREA** but only **AROUND THE PREMISES'** that may be disproportionate and unreasonable.

There are many concerns but the foremost ones are is noise nuisance, light pollution, noxious smells and litter, but can include, dust, odour and insects, or a detrimental effect prejudicial to health especially between the hours of 11pm and 8am.

Noise is also related to noise nuisance coming **FROM** the premises, music, smoking areas, gardens extractor fans.

Again preventative measures are generally implemented such as noise limiters, keeping windows and door closed, removing or altering lights, restrictions on the use of outside areas.

Sometimes, it is difficult for authorities to prevent or control concerns raised by the local residents.

Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music.

Public urination, disruptive behaviour, smoking in the street, drunk people, mobs of runners swarming into the paths of motorists. It appears to be very unpleasant for those that must live with it and witness these incidents, but unfortunately I believe that the solutions to the majority of these general problems does not sit within the Licensing Act 2003. The licensing authority can only review a licensed premises, not general nuisance.

Protection of Children

This objective embraces the protection of children on licensed premises from moral, psychological, physical harm and sexual exploitation. One of the key control measures would be restricting access of children to identified high risk premises for example, adult entertainment type venues, premises known for drugtaking or dealing or other matters that could harm children.

Children are normally allowed access to most licensed premises unless there is a good reason to impose restrictive measures.

The selling of vapes and smoking is not within the remit of this objective.

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