

Public Document Pack

LICENSING SUB COMMITTEE

MONDAY 12TH DECEMBER 2011

SUPPLEMENTARY PACK

Agenda item 6 – KFC City Station – two additional statements have been submitted along with a revised representation from LCC Health & Safety team as the previous representation made reference to a Designated Premises Supervisor, which does not apply to an application without alcohol, and has been replaced with the Unit Manager accordingly.

Agenda item 7 - Shell at Roydsbeck – we are advised that due to long term ill health, the DPS named in the application has been replaced. The solicitor for the applicant has submitted the relevant paperwork to name a new DPS – and that document is attached for your reference along with a revised copy of the Part N of the application form

This page is intentionally left blank

LEEDS CITY COUNCIL LICENSING SUB-COMMITTEE

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

KFC, CITY STATION, NEW STATION STREET, LEEDS LS1 4DT

HEARING 12 DECEMBER 2011

WITNESS STATEMENT

STATEMENT OF: Jay Heathcote

CAPACITY: Operations Manager

AGE OF WITNESS: Over 18

ADDRESS: c/o SSP Ltd 169 Euston Road London NW1 2AE

This statement is true to the best of my knowledge and belief

INTRODUCTION

I am an Operations Manager, employed by Select Service Partner Limited ("SSP"). My responsibilities include the operational leadership and management of the North of England region for SSP which encompasses 50 multi-branded units in 15 railway stations, of which Leeds City is one. SSP operate numerous units at City Station including the White Rose, Burger King, M&S Simply Food, Pumpkin and Camden Food.

This application is for the grant of a Premises Licence for a KFC restaurant to be situated on the North Concourse of City Station. As set out in the witness statement of Kris Dungey, KFC will be operated under a franchise agreement and will be accessible only from the station. It will replace the existing licensed Whistlestop unit and the Premises Licence for Whistlestop will be surrendered when the KFC starts trading, if this application is granted.

OPERATION OF PREMISES

We have applied for late night refreshment from 23.00 to 02.00 daily to give flexibility to cater for persons using and working from City Station. Train services operate throughout the night from the station to Manchester Airport and York (one every hour and a half approximately). There are additionally approximately 30 passenger services between 11pm and 2am.

As set out in the application, a CCTV system will be installed and maintained on the Premises. In addition, the station itself is covered extensively by CCTV with 360 cameras in operation, including coverage of the North concourse area where the KFC will be based.

Furthermore, the company operate a "lone worker" policy. The minimum staffing for the KFC would generally be 5 employees up to the last hour of business and a minimum of 3 employees (including a team leader) for the last hour. The unit will have a trained team leader (unit duty manager) on shift at all times.

The General Manager of the KFC will be the current manager of the Burger King at City Station, Phil Connell. As set out above, the Burger King is currently authorised for the hours now applied for i.e. from 23.00 to 02.00 daily. Although we do not operate until 02.00 on a daily basis, we have done so on certain occasions. We are currently opening until midnight Sunday to Thursday and until 01.00 Friday and Saturday without complaint. As far as I am aware, we have not received any complaints from the Leeds' Police Licensing Service or the British Transport Police in relation to the operation of the Burger King.

As shown on the plan submitted with the Licence application, the KFC unit will consist of the back of house kitchen area, a counter and dedicated self-contained seating area. There will be 32 seats available for customers who wish to eat in.

The company has procedures in place to ensure queues are properly managed. Queue barriers will be used to control the shape of the queue and all unit duty managers are required to carry out and record regular shift walk-throughs to ensure customers are called forward at the earliest possible time. The service standard for the KFC stand is that a customer will spend a maximum of 5 minutes in the queue and will be served within 60 seconds of payment.

There are numerous other alternative venues for late night refreshment in the City Centre outside of the Station (a number of which we understand are already authorised for late night refreshment until or beyond 02.00 daily). For example, on Boar Lane adjacent to the station, there is Greggs authorised until 04.30 daily; St Ives Pasty Bakery authorised until 04.00 Friday to Sunday; and a Subway authorised until 04.00 daily. There is a further Subway on Duncan Street authorised until 05.00 daily; and Mumtaz Jaldi Jaldi on Nevill Street authorised until 05.00 daily.

We would anticipate that the majority of our customers would be passengers/ other station users. Other persons would have a choice of numerous alternative venues for late night refreshment in the vicinity.

CONCLUSION

As the KFC will be located wholly within City Station and will replace the existing licensed Whistlestop, I do not believe that the granting of this application would adversely affect the licensing objectives or add to the cumulative impact of licensed premises in the City Centre.

For the reasons set out above and in the statement of Kris Dungey, I would ask the Committee to grant the application.

Jay Heathcote

05.12.2011

LEEDS CITY COUNCIL LICENSING SUB-COMMITTEE

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

KFC, CITY STATION, NEW STATION STREET, LEEDS LS1 4DT

HEARING 12 DECEMBER 2011

WITNESS STATEMENT

STATEMENT OF: Kris Dungey

CAPACITY: Regional Operations Manager

AGE OF WITNESS: Over 18

ADDRESS: c/o 169, Euston Road, London, NW1

This statement is true to the best of my knowledge and belief

INTRODUCTION

I am a Regional Operations Manager, employed by Select Service Partner Limited ("SSP"). My responsibilities include responsibility for extensive rail catering operations throughout the Midlands and North.

SSP have operated units at transport hubs across the UK for approximately 5 years, although the management structure has been in place for almost 20 years as the company was previously owned and operated by the Compass Group. Current brands include M&S Simply Food, Burger King, UpperCrust, Costa Coffee, Millies Cookies and Starbucks.

This application is for the grant of a Premises Licence for a KFC restaurant to be situated on the North Concourse of City Station. KFC is a well known fast food brand, which will be operated under a franchise agreement at City Station by SSP.

The outlet is accessible only from within the station and there is no public entry or exit into the unit other than the main entrance on the North Concourse. The position of the unit within the station is shown on the site location plan at Annex A of this statement.

The KFC will be located in a unit that SSP currently operate as a "Whistlestop". The Whistlestop is a convenience store and as such, the unit has the benefit of a Premises Licence for the sale of alcohol and recorded music daily from 08.00 to 00.00 midnight; and for late night refreshment, also until midnight (Licence Number PREM/01244/VO1). The Premises Licence for the Whistlestop will be surrendered when the KFC opens, if this application is granted. A copy of the Whistlestop Licence is attached at Annex B of this statement for ease of reference.

APPLICATION FOR PREMISES LICENCE

The application that has been made is for late night refreshment only from 23.00 to 02.00 daily. The hours applied for mirror those that are authorised for late night refreshment for the Burger

King at City Station, also operated by SSP. A copy of the Burger King Licence is attached at Annex C of this statement for ease of reference.

The application is made in these terms to give flexibility to cater for persons using City Station. Train services operate throughout the night as detailed in the statement of Jay Heathcote.

SSP operate over 300 licensed outlets at railway stations nationwide. The company has detailed brand standards and due diligence procedures and work with British Transport Police and Network Rail across the country to ensure compliance on an ongoing basis. Where British Transport Police have crime and disorder grounds to request that a unit is closed temporarily, the company would do so voluntarily. For example Leeds played Manchester United (20/9/11) and at the request of the Police SSP closed the White Rose Bar at 22.00.

The company has operated a number of Premises Licences at City Station since 2005 when the Licensing Act 2003 came into force. Prior to that, we operated Justices Licences at the station for over 15 years. Throughout that time, as far as I am aware, we have never been subject to any review application or enforcement action at the station by any responsible authority or interested party.

REPRESENTATIONS

Health & Safety Service

We have agreed a condition with the Health & Safety service as follows:

Being a responsible business, Select Service Partner Limited has comprehensive policies, procedures and audit systems in place to protect public safety. These include arrangements for pre-opening checks, electrical safety, accident recording and first aid arrangements, and slips and trips in public areas. The unit Manager will ensure that Company's Health and Safety policies and procedures relating to public safety are being followed.

Police Licensing Service

I understand that the police have made a representation to this application on the basis that the premises falls in the City Centre Cumulative Impact zone.

However, we do not believe that the granting of this application will have an adverse impact on the licensing objectives in the cumulative impact zone for a number of reasons:

1. If this application is granted, the current Premises Licence for the Whistlestop (which authorises alcohol, music and late night refreshment until midnight daily) will be surrendered when the KFC starts to trade.
2. The unit is located wholly within the City Station and can only be accessed from the North Concourse. There is no direct access from the street, as shown on the site plan annexed to this statement.
3. There are existing units in the Station authorised for late night refreshment until the times applied for. The Burger King, also operated by SSP, is authorised for late night refreshment until 2am daily. We also understand that the McDonalds (operated by a third party) is authorised to provide late night refreshment until 02.00 on Thursdays and 02.30 on Fridays and Saturdays.

4. In our experience, customers using station facilities for late night refreshment are generally passengers and persons who would be in the station in any event, including train drivers, network rail and station staff.
5. The unit will be self-contained with a dedicated seating area as shown on the plan submitted with the application. We also have procedures to manage queues at the premises, as set out in the statement of Jay Heathcote, to minimise the impact of the premises on the station concourse.

CONCLUSION

I do not believe that the granting of this application would adversely affect the licensing objectives or add to the cumulative impact of licensed premises in the City Centre. This is not a new-build premises – it will replace a convenience store which is licensed for late night refreshment, the sale of alcohol and recorded music until midnight

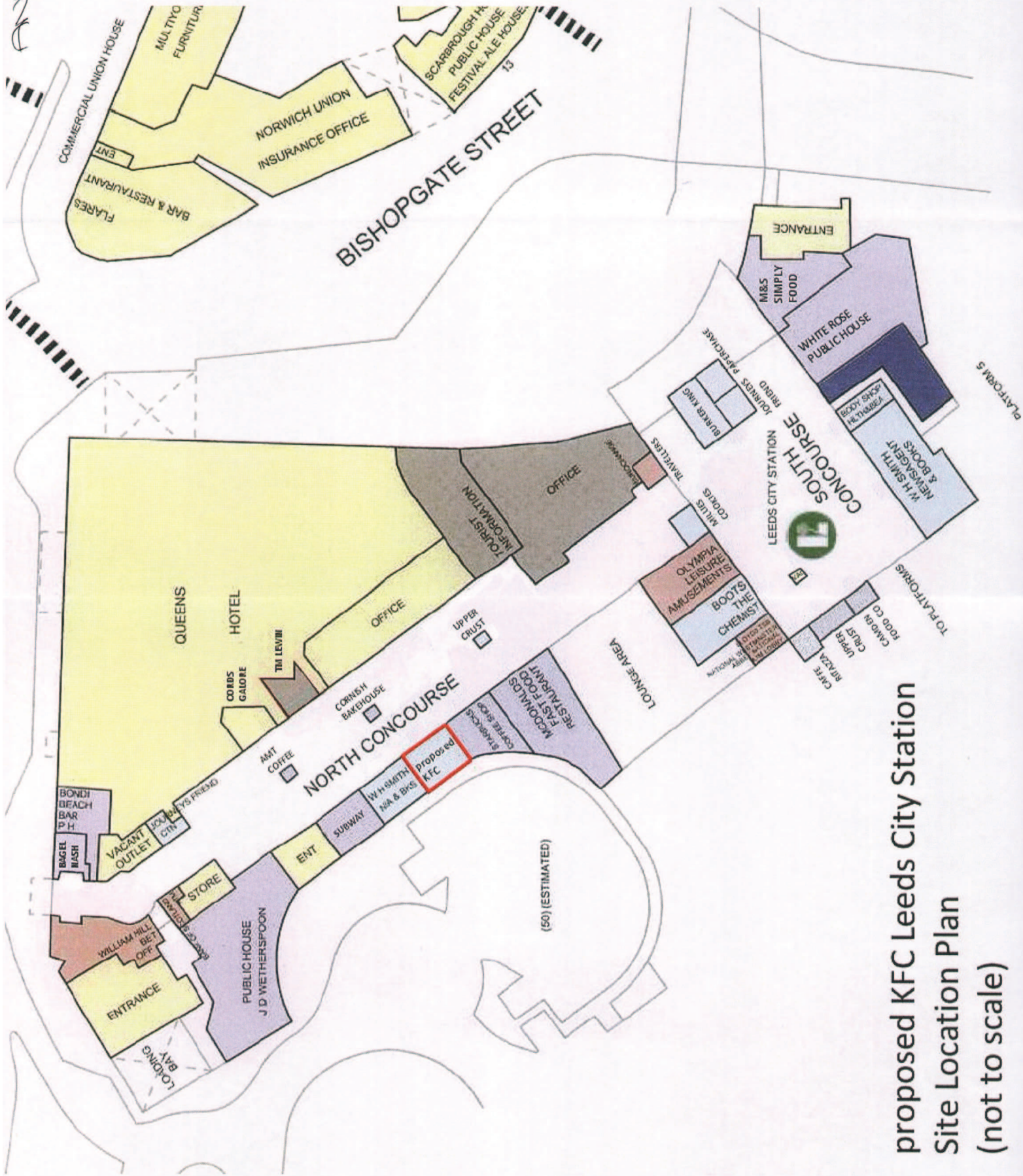
SSP have considerable experience in managing station premises and indeed already operate the Burger King at City Station which is authorised to provide late night refreshment for the same times.

For the reasons set out above and in the statement of Jay Heathcote, I would ask the Committee to grant the application.

Kris Dungey

6th December 2011

ANNEXE
A.



proposed KFC Leeds City Station
Site Location Plan
(not to scale)



Premises Licence Leeds City Council

Licence Issued By:

On: 6th December 2007

N
25 Jackson.

Nicole Jackson 24.01.2008.
Assistant Chief Executive (Corporate Governance)

Premises Licence Number

PREM/01244/V01

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Whistlestop
25 North Concourse
City Station
New Station Street
Leeds
LS1 4DY

Telephone number 0113 2453263

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Performance of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of Recorded Music
Every Day 08:00 - 00:00

Late Night Refreshment
Every Day 23:00 - 00:00

Sale by Retail of Alcohol
Every Day 08:00 - 00:00

The opening hours of the premises

The hours of licensable activities for the premises are as above. There are no regulated opening hours for non-licensable activities.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption off the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Select Service Partner Limited
169 Euston Road
London
NW1 2AE

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 02184010

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Susan Bentley
Moorleigh
Toftshaw Lane
Bradford Moor
Bradford
BD4 6RA

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: KMCPL0332 Licensing Authority: Kirklees Metropolitan Council

Times the licence authorises the carrying out of licensable activities

Performance of Recorded Music
Every Day 08:00 - 00:00

Late Night Refreshment
Every Day 23:00 - 00:00

Sale by Retail of Alcohol
Every Day 08:00 - 00:00

The opening hours of the premises

The hours of licensable activities for the premises are as above. There are no regulated opening hours for non-licensable activities.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption off the Premise

Name, (registered) address of holder of premises licence

Select Service Partner Limited
169 Euston Road
London
NW1 2AE

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 02184010


Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Susan Bentley

State whether access to the premises by children is restricted or prohibited

N/A

Premises Licence
Leeds City Council

Licence Issued By:	On: 6th December 2007
 N 25 Jackson. Nicole Jackson 24.01.2008 Assistant Chief Executive (Corporate Governance)	

Premises Licence Number

PREM/01244/V01

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Whistlestop 25 North Concourse City Station New Station Street Leeds LS1 4DY	
Telephone number	0113 2453263

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Performance of Recorded Music Late Night Refreshment Sale by Retail of Alcohol

Annex 1 – Mandatory conditions

Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-

- a. unauthorised access or occupation (e.g. through door supervision), or
- b. outbreaks of disorder, or
- c. damage

No supply of alcohol may be made under this licence

- a. At a time when there is no designated premises supervisor in respect of the premises licence, or
- b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Alcohol shall not be sold in an open container or be consumed in, the licensed premises.

Annex 2 – Conditions consistent with the Operating Schedule

N/A

Annex 3 – Conditions attached after a hearing by the licensing authority

N/A

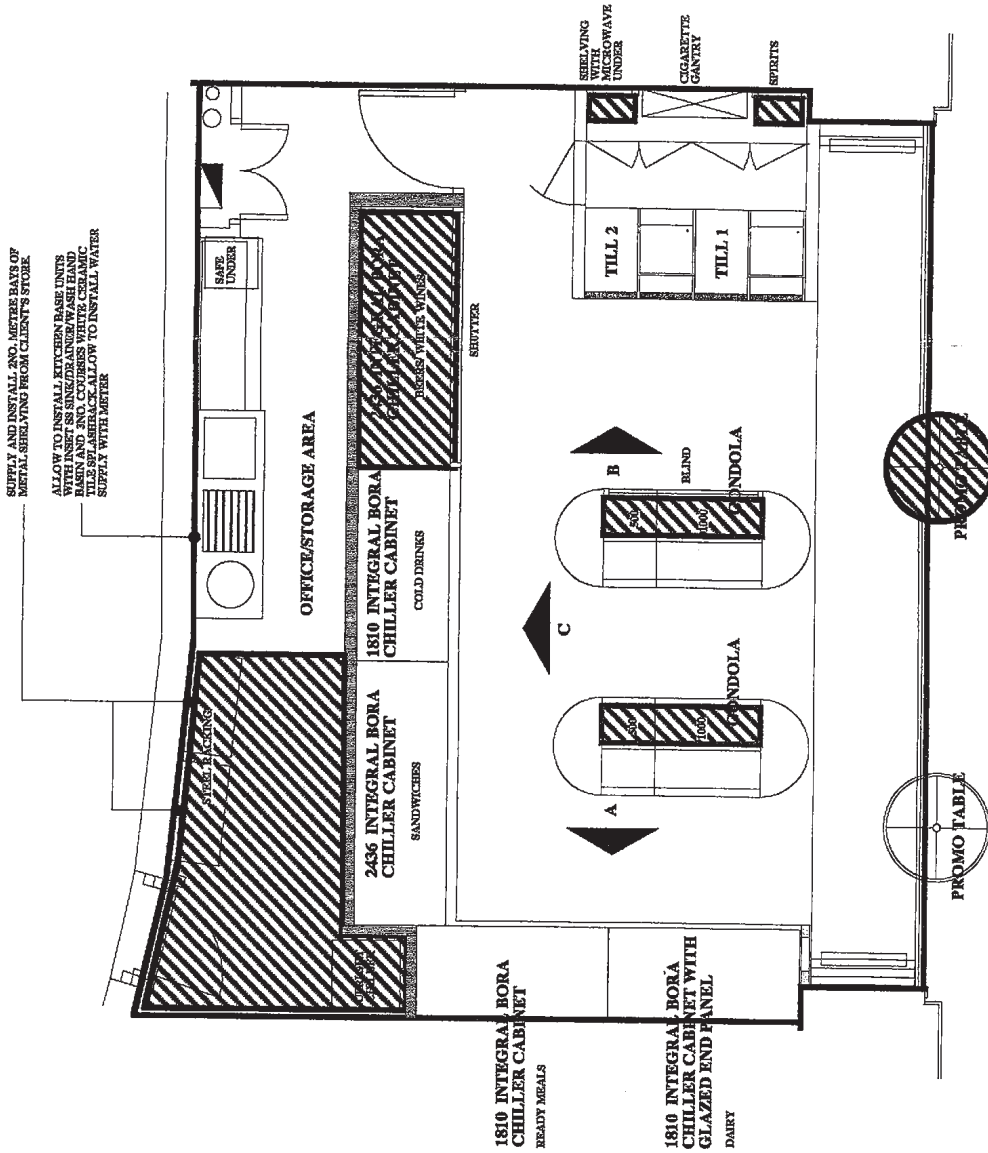
Annex 4 – Plans

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council Licensing Authority.

Notes

Revisions

Plan Approved
22.11.02



SUPPLY AND INSTALL AND LAYERS BLANK OF METAL SHEAVING FROM CLIENT'S STORE.

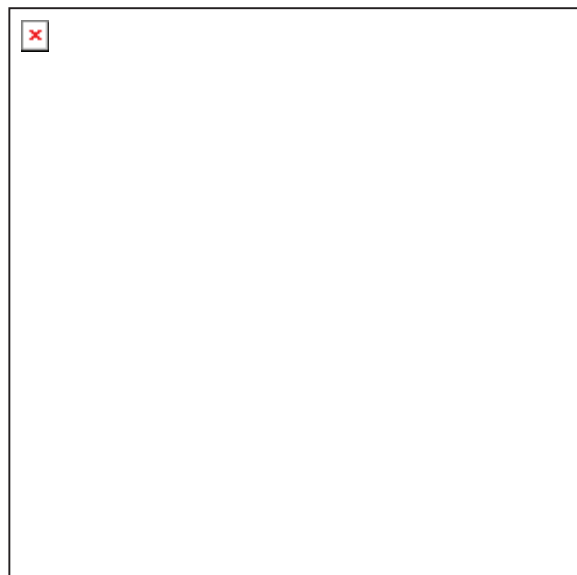
ALLOW TO INSTALL KITCHEN BASE UNITS WITH INSET SS SINK/DRAIN/WASH HAND BASIN AND JNC. COVERS WITH CELEMIC FINISH. ALLOW TO INSTALL WATER SUPPLY WITH METER.

Project	WHISTLESTOP LEEDS STATION		
Title	FLOOR PLAN-RETAIL LAYOUT		
Drwg No.	PPS0215.LIC.01	Rev	
Date	AUG 02	Scale	1:50
Drawn	MT	Drawn	MT

© Protéus Management (UK) Limited 2002

Protéus
SURVEYORS & ARCHITECTS

Myrtle House Hampton Court Road, Hampton Court, Surrey KT8 9BY
Tel: 0208 943 1110 Fax: 0208 943 3880



Stephanie Perraton
Squire Sanders & Dempsey (UK) LLP
Rutland House
148 Edmund Street
Birmingham
B3 2JR

Health and safety service
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS

Contact: Ms Tania Shiffer
Tel: 0113 247 7780
Fax: 0113 247 4947
Tania.shiffer@leeds.gov.uk
Our reference: PREM/03100/001
1 November 2011

Dear Madam

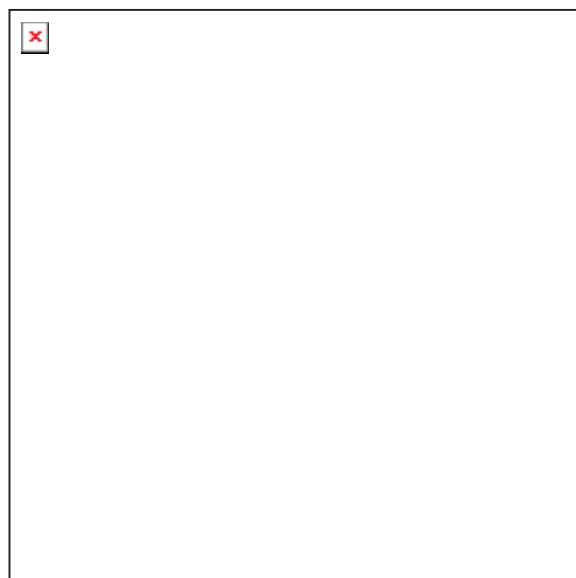
Licensing Act 2003

Premises: KFC, City Station, New Station Street, Leeds, LS1 4DT

Thank you for submitting the application for the above premises.

www.leeds.gov.uk

general enquiries 0113
222 4444



Health and safety services are of the opinion that your application contains insufficient information about how you intend to meet the licensing objective/s.

We therefore confirm that we are submitting a formal representation against your application on the grounds of public safety.

However, health and safety services are of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule.

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 7 November 2011.

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.

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 the stated date.

PART 1 - to be completed by the Responsible Authority

**Health and Safety Service
Proposed controlled measures under the Licensing Act 2003**

Name & Address of Premises: KFC, City Station, New Station Street, Leeds, LS1 4DT,

Having considered the application under the Licensing Act 2003 for the above premises, the health and safety service considers that the following measures are proportionate and necessary in order to promote the Public Safety licensing objective:

Measures proposed:

No	Potential Control Measures
	Public Safety 3 :- Management Arrangements
1	Being a responsible business, Select Service Partner Ltd has comprehensive policies, procedures and audit systems in place to protect public safety. These include arrangements for pre-opening checks, electrical safety, accident recording and first aid arrangements, and slips and trips in public areas. The Unit Manager will ensure that Company's Health and Safety policies and procedures relating to public safety are being followed.
	Public Safety 4 :- Fire/Electrical Safety
	Public Safety 6 :- General Housekeeping
	Public Safety 7 :- Refreshments
	Public Safety 8 :- First Aid
	Public Safety 9 :- Special Effects

The health and safety service is satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf the applicant agrees to incorporate the proposed measures as conditions within the operating schedule for the said premises.

Upon the satisfactory completion of the declaration the health and safety service 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.

Signed:

Dated: 1 November 2011

PART 2 – Agreement with Proposed Measures

to be completed by the applicant or applicant's representative

Consent for proposed controlled measures under the Licensing Act 2003

Name & Address of Premises: KFC, City Station, New Station Street, Leeds, LS1 4DT,

I / We S. L. Peraton

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

In signing this document we agree with the measures proposed by the health and safety service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:  Solicitor duly

Dated: 1/11/2011 authorised by a

Please return this document to: a Grant of the applicant.

**Ms Tania Shiffer
Health and safety service
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS
Fax: 0113 247 6282**

Consent of individual to being specified as premises supervisor

I, FAISAL RANA
[full name of prospective premises supervisor]

of 17, BRONTE CLOSE, ROCHDALE OL12 7PY
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE SALE OF ALCOHOL FOR CONSUMPTION OFF THE
[type of application] PREMISE & NR

by SHELL UK OIL PRODUCTS LTD
[name of applicant]

relating to a premises licence: [number of existing licence, if any]

or SHELL ROYDSBECK RING ROAD LOWER WORTLEY, WEST YORKS,
[name and address of premises to which the application relates] LS12 6AN

and any premises licence to be granted or varied in respect of this application made by: SHELL UK OIL PRODUCTS LIMITED
[name of applicant]

concerning the supply of alcohol at:

SHELL ROYDSBECK RING ROAD LOWER WORTLEY, WEST YORKS,
[name and address of premises to which application relates] LS12 6AN

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number: PA1194 [insert personal licence number, if any]

Personal licence issuing authority: ENVIRONMENTAL HEALTH AND LICENSING SERVICES, ROCHDALE MBC, TELEGRAPH HOUSE, BAILLIE STREET, ROCHDALE, OL16 1JH (01706 924157)
[Insert name and address and telephone number of personal licence issuing authority, if any]

Signed Faisal

Name (please print) FAISAL RANA

Dated 03/12/11

This page is intentionally left blank

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	00.00	24.00			
Tue	00.00	24.00			
Wed	00.00	24.00			
Thur	00.00	24.00			
Fri	00.00	24.00			
Sat	00.00	24.00			
Sun	00.00	24.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name FAISAL RANA	
Address 17 BRONTE CLOSE ROCHDALE	
Postcode	OL12 7PY
Personal Licence number (if known) PA1194	
Issuing licensing authority (if known) ROCHDALE METROPOLIAN BOROUGH COUNCIL	

This page is intentionally left blank