



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
MONDAY, 8TH NOVEMBER, 2010 AT 10.00 AM

MEMBERSHIP

Councillors

Mrs R Feldman - Alwoodley;
T Hanley - Bramley and Stanningley;
B Selby - Killingbeck and Seacroft;

Agenda compiled by:
Tel No:
Governance Services
Civic Hall
LEEDS LS1 1UR

Helen Gray
247 4355

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><u>PRELIMINARY PROCEDURES</u></p> <p>ELECTION OF THE CHAIR</p>	
2			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
3			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

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5			<p>DECLARATIONS OF INTEREST</p> <p>Members are reminded to declare any interests at the start of the hearing on each application for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of conduct</p> <p><u>HEARINGS</u></p>	
6	City and Hunslet;		<p>"BOODWAAR" - APPLICATION TO VARY A PREMISES LICENCE RELATING TO BOODWAAR, 174 LOWER BRIGGATE, LEEDS LS1 6DT - TO SPECIFY A DESIGNATED PREMISES SUPERVISOR AND TRANSFER OF A LICENCE: MR M POWELL</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on applications received to vary an existing Premises Licence held at the premises known as "Boodwaar", Lower Briggate, LS1 in order to specify a new Designated Premises Supervisor proposed as Mr Matthew Powell and to transfer the Premise Licence in order to specify Mr Matthew Powell as the Premise Licence Holder.</p> <p>(Report attached)</p>	1 - 76
7	Cross Gates and Whinmoor;		<p>"KASA CROSSGATES" - APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR KASA CROSSGATES LTD, GROUND FLOOR PREMISES, 18 AUSTHORPE ROAD, CROSS GATES, LEEDS LS15 8DX</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on an application received for the grant of a Premises Licence in respect of premises situated on the ground floor of 18 Austhorpe Road, Crossgates, Leeds LS15 and trading as "KASA Crossgates".</p> <p>(Report attached)</p>	77 - 134

Item No	Ward	Item Not Open		Page No
8	City and Hunslet;		<p>"FAZENDA RODIZIO BAR & GRILL" - APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR FAZENDA RODIZIO BAR & GRILL, UNIT B - K, WATERMANS PLACE, 3 WHARF APPROACH, HOLBECK, LEEDS LS1 4GL</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on an application for the grant of a Premises Licence in respect of premises situated at Unit B-K Watermans Place, Holbeck and trading as Fazenda Rodizio Bar & Grill</p> <p>(Report attached)</p>	135 - 192
9	Kirkstall;		<p>"CHINESE TAKE AWAY" - APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR A CHINESE TAKE AWAY AT 378 KIRKSTALL ROAD, LEEDS LS4 2HQ</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on an application received for the grant of a Premises Licence in respect of premises trading as a Chinese Takeaway at 378 Kirkstall Road, Leeds LS4</p> <p>(Report attached)</p>	193 - 238

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Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: Monday 8th November 2010

**Subject: Application to Vary a Premise Licence relating to Boodwaar, 174 Lower Briggate, Leeds, LS1 6DT – to specify a Designated Premises Supervisor
Proposed Designated Premises Supervisor and transfer of a licence: Matthew Powell**

Electoral Wards Affected:

City and Hunslet

N/A

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application originally submitted on the 27th September 2010, to Transfer a Premise Licence in accordance with Section 42 of the Licensing Act 2003 ("The Act") relating to Boodwaar also to vary a Premise Licence to specify Matthew Powell as Designated Premises Supervisor in accordance with Section 37 of the Licensing Act 2003 ("The Act"), the applicants requesting that the variations have immediate effect.

1.0 Purpose of this Report

To advise Members of an application made under section 42 and section 37 of the Licensing Act 2003 ("the Act") for the transfer of a premises licence and the variation of a Premise Licence in order to specify Matthew Powell as the premises licence holder and Designated Premises Supervisor.

The Licensing Sub-Committee is required to consider this application due to the receipt of a representation in accordance with Sections 37(5) and 37(6) of the Licensing Act 2003 from West Yorkshire Police.

2.0 The Application

2.1 The Applicant is Matthew Powell.

2.2 A copy of the applications are attached.

Members are invited to consider Appendix "A" of this report.

3.0 History

- 3.1 Matthew Powell , is the holder of a Personal Licence issued by City of Wakefield Metropolitan District Council, expiry date 18th November 2018. Matthew Powell is already a Premises Licence Holder in Wakefield City Centre. The premises for which he is the Designated Premises Supervisor and Premises Licence Holder, was subject to a closure order under Section 161 of the Licensing Act 2003 and had the premises licence revoked by Wakefield City Council on 3rd June 2010.
- 3.2 Matthew Powell made a previous application on the 29th July 2010, to Leeds City Council, to transfer the premises licence for Boodwaar, to name himself as the Premises Licence Holder. Representation was received from West Yorkshire Police and a Sub Committee hearing was scheduled for 6th September 2010. The decision at the hearing was to refuse the transfer of the licence as the committee were satisfied that granting the application would undermine the crime prevention objective.
- 3.3 Mr Matthew Powell made a further application on 27th September 2010, to transfer the premises licence and vary the Designated Premises Supervisor, he subsequently became the Premises Licence Holder and Designated Premises Supervisor as the applications were to take place with immediate effect. The variation to specify Matthew Powell as the designated premises supervisor did not become valid until the 6th of October when the correct information was received regarding Mr Powells personal licence issuing authority.

4.0 Relevant Representation

- 4.1 Under the Act representations can be received from West Yorkshire Police. The representation must be relevant

Member's are invited to consider Appendix "B" of this report.

5.0 Matters Relevant to the Application

- 5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder

6.0 Options Available to Members

- 6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objective – Crime and Disorder.

- Grant the application as requested.
- Reject the application as requested

- 6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy

Leeds City Council

Application to transfer premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We Matthew Powell

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PREM/02363/VO1

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

Roodwaar (form.Religion)
4 Lower Briggate

Post town Leeds

Post code LS1 6DT

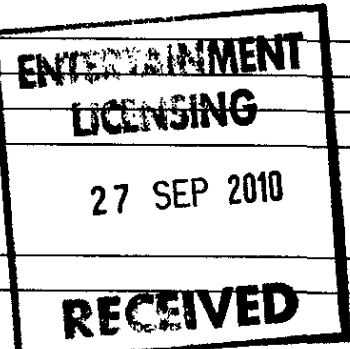
Telephone number at premises (if any)

Please give a brief description of the premises

Late night entertainment venue

Name of current premises licence holder

Christopher Ayre



Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick yes

- | | |
|--|---|
| a) an individual or individuals* | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| f) a health service body | <input type="checkbox"/> please complete section (B) |
| g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> please complete section (B) |

*If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves
The use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post town **Post code**

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post town **Post code**

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?)
--

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not. Original licence still with your office from previous application.

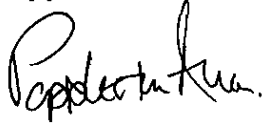
- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today

- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 2)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.



Signature

Date 24 September 2010
.....

Capacity Poppleston Allen – Solicitors for and on behalf of the applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Judy Willis - P36485/10 Poppleston Allen 37 Stoney Street The Lace Market	
Post town Nottingham	Post Code NG1 1LS
Telephone number (if any) 0115 953 8511	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) j.willis@popall.co.uk	

Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. The application form must be signed.
3. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

I, Judy Willis in the firm of Messrs. Poppleston Allen, Solicitors of 37 Stoney Street, The Lace Market, , Nottingham, NG1 1LS refer to the following:-

1. Letter to Leeds City Council dated 24 September 2010
2. Application Form
3. Original Premises Licence – already with your office
4. Consent of Existing Premises Licence Holder
5. Cheque in the sum of £23

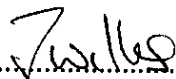
I FURTHER CERTIFY that I have served documents 1 – 5 upon the following:-

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

I FURTHER CERTIFY that I have served a true copy of documents 1 - 4 upon the following:-

2. The Licensing Officer, West Yorkshire Police , Operations & Licensing Department, Millgarth Police Station, Millgarth Street, Leeds, LS2 7HX

I effected service by sending the said documents to each and every one of them by first class post addressed to them on 24 September 2010.

SIGNED 

DATED: 24 September 2010

PREM5

SCANNED

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

Consent of premises licence holder to transfer

I/we *[Christopher Ayre.....]* the premises licence holder
full name of premises licence holder(s)

of premises licence number *[...PREM/02636/V01.....]* relating to
insert premises licence number

[Religion, 174 Lower Briggate, Leeds, LS1 6DT.]
name and address of premises to which the application relates
hereby give my consent for the transfer of premises licence number

[...PREM/02636/V01.....] to
insert premises licence number

[...Matthew Powell.....].
full name of transferee

C. Ayre.....signed

Christopher Ayre..name (please print)

29-07-2010.....dated

Leeds City Council

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I / we Matthew Powell

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

PREM/02363/VO1

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

Boodwaar (form.Religion)
174 Lower Briggate

Post town

Leeds

Post code (if known)

LS1 6DT

Telephone number (if any)

Description of premises (please read guidance note 1)

Licensed premise

RECEIVED

LICENSING

08 OCT 2010

RECEIVED

Part 2

Full name of proposed designated premises supervisor

Matthew Powell

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

PA1 934 - City of Wakefield Metropolitan District Council

Full name of existing designated premises supervisor (if any)

Mr Lee Maurice Yates

✓ Exp 18-11-18

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

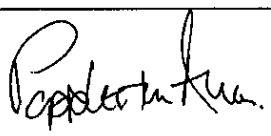


I have enclosed the premises licence or relevant part of it



(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it
Original licence with your office from previous application.

Please tick yes	
▪ I have made or enclosed payment of the fee	<input checked="" type="checkbox"/>
▪ I will give a copy of this application to the chief officer of police	<input checked="" type="checkbox"/>
▪ I have enclosed the consent form completed by the proposed premises supervisor	<input checked="" type="checkbox"/>
▪ I have enclosed the premises licence, or relevant part of it or explanation	<input checked="" type="checkbox"/>
▪ I will give a copy of this form to the existing premises supervisor, if any	<input checked="" type="checkbox"/>
▪ I understand that if I do not comply with the above requirements my application will be rejected	<input checked="" type="checkbox"/>
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE , UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION	
Part 3 – Signatures (please read guidance note 2)	
Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.	
Signature	
Date	30/09/2010
Capacity	Poppleston Allen - Solicitors for and on behalf of the applicant
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Poppleston Allen Solicitors – P36485/12 - Judy Willis 37 Stoney Street The Lace Market	
Post town Nottingham	Post Code NG1 1LS
Telephone number (if any) 0115 953 8511	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) j.willis@popall.co.uk	

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

To be completed in block capitals

I Matthew Powell of ~~The specified external data code 'EXTGONTMANAGER' is not currently supported.~~

supported: 69 KINGSWAY OSSETT WF58DG (home address) hereby

confirm that I give my consent to be specified as the Designated Premises Supervisor in relation to the application for a Variation of Designated Premises Supervisor - Matthew Powell by Matthew Powell relating to a Premises Licence PREM/02363/VO1 for Boodwaar (form Religion), 174 Lower Briggate, Leeds, LS1 6DT and any premises licence to be granted or varied in respect of this application made by Matthew Powell concerning the supply of alcohol at Boodwaar (form Religion), 174 Lower Briggate, Leeds, LS1 6DT

I also confirm that I hold a personal licence, details of which I set out below:

Personal Licence Number:- PA1934

Personal Licence Issuing Authority:- LEEDS

Signed [Signature]

Name Printed MATTHEW POWELL

Dated 30-9-10

ATR

Richardson, Adele

From: Anna Morley [A.Morley@popall.co.uk]
Sent: 06 October 2010 10:35
To: Richardson, Adele
Subject: RE: Boodwaar - JW/JW/P36485-12
Attachments: appn form.doc

Dear Adele

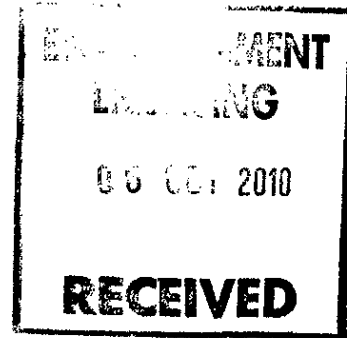
Matthew has confirmed his personal licence details are: PA1 934 - Wakefield Licensing authority

Please find attached an amended application form.

Apologises for any inconvenience caused.

Thanks

Anna Morley,
 Para-legal, Poppleston Allen
 T: 0115 948 7430 W: www.popall.co.uk



From: Richardson, Adele [mailto:Adele.Richardson@leeds.gov.uk]
Sent: 04 October 2010 15:47
To: Judy Willis
Subject: Boodwaar - JW/JW/P36485-12

Dear Sir/Madam,

Re: Boodwaar, 174 Lower Briggate, Leeds, LS1 6DT.

I am writing with relation to the recently submitted application to vary the Designated Premises Supervisor. The application states that the licensing authority for Mr Powell's personal licence is Leeds City Council. However this is not the case as the reference number does not match any on our system.

Could you please confirm the issuing authority of Mr Powell's personal licence so that I may check that the details supplied are correct it would be greatly appreciated.

Kind Regards

Adele Richardson
 Administrative Assistant
 Entertainment Licensing
 Leeds City Council
 Tel: 0113 2474095
 Fax: 0113 2243885
 email: adele.richardson@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](#).

The information in this email (and any attachment) may be for the



Leeds Area Licensing Department
 Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

SCANNED

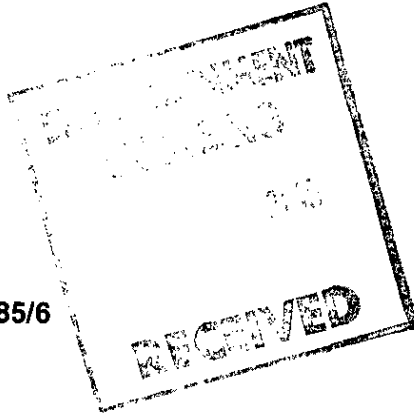
City & Holbeck

Tel: 0113-2414023
 Fax: 0113-2413123
 Email:
 catherine.arkle@westyorkshire.pnn.police.uk
 Website:

Your ref:
 Our ref:

7th October 2010

Judy Willis – P36485/6
 Poppleston Allen
 37, Stoney Street
 The Lace Market
 Nottingham
 NG1 1LS



cc. Matthew Powell, 69, Kingsway, Ossett, WF5 8DG
 cc. Entertainment Licensing Section – Leeds City Council, Civic Hall, Leeds. LS1 1UR

NOTICE OF OBJECTION – TRANSFER OF PREMISES LICENCE:
SECTION 42 (6)&(7) – LICENSING ACT 2003:

PREMISES: BOODWAAR, (FORM.RELIGION), 174, LOWER BRIGGATE, LEEDS, LS1 6DT

I Catherine Arkle, City and Holbeck Divisional Licensing Officer for West Yorkshire Police, hereby give you notice that I intend to object to your application for the transfer of the licence at the premises indicated above. West Yorkshire Police are satisfied that the exceptional circumstances of this case are such that granting this application would undermine the crime prevention objective.

West Yorkshire Police are so satisfied for the following reasons:-

- This is the second such application by Matthew Powell, who is already a premises licence holder in Wakefield City Centre. The Wakefield premises, The Bank on Westgate, for which he is both DPS and Premises Licence Holder, had their premises licence revoked by Wakefield City Council on 3rd June 2010 following a Section 161 Closure Order which was served on 9th May 2010. The decision papers from Wakefield Council, giving their reason for the revocation, highlight the fact that they saw the management of the premises as the root of the problem at the venue. The Sub-Committee added that they were not satisfied that Mr.Powell was suitably qualified and more importantly able to manage and train others in promoting the Licensing objectives. This decision is currently being appealed.
- Mr.Powell has demonstrated his unsuitability to manage these premises already in initially proposing that the DPS for Boodwaar should be a person who has a previous conviction for keeping/managing a brothel. This application was effectively withdrawn when a new application was received proposing the head door man, Lee Yates, as DPS. Mr.Yates has since removed himself from this position at

NOT PROTECTIVELY MARKED

very short notice. Enquiries are ongoing with Mr. Yates and the firm which supplied the door staff to ascertain why he felt he could not continue in this supervisory position. The applicant has now submitted an application proposing himself as DPS. This is to receive a police objection also.

- Mr. Powell has suspected connections to a number of licensed premises and there is extremely reliable intelligence which strongly suggests that he is involved in money laundering through licensed premises. This intelligence is marked A11 which denotes it is extremely reliable. The intelligence is confidential and I am therefore unable to disclose this but I would hope that the Sub-Committee would note its classification.
- On 6th September this year the Licensing Sub-Committee, hearing the police objection to the first application to transfer the premises licence in to the applicant's name, decided to refuse the application. They listed 7 points upon which they based their decision which can be seen listed (a) to (g) on the 'Notice of Decision' letter, dated 6th September 2010. Although Mr. Powell has rectified the drug safe issue, referred to at point (e), there has been no movement on the Nitenet issue also mentioned herein. In fact I have spoken to the suppliers of the radio who state they have concerns regarding the application they have received. MRS currently have an application in for the radio but have concerns re the following points:
 1. They cannot find Powell on the electoral roll at his given address and therefore cannot accept him supplying the Direct Debit. He stated he had lived there for the past 6 years.
 2. They now have a direct debit form signed by Lisa Gaskin, the originally proposed DPS, which strongly suggests that Gaskin remains firmly associated with the operation of the premises financially as well as operationally. She appears as the 'reporting person' on a crime of criminal damage at the premises on 11th September this year.
 3. MRS state that they have received conflicting information from Gaskin and Powell as to who owns or is in charge of the premises. They have been told three different versions: Gaskin and Powell are co-owners, that Gaskin is the owner, and that Powell is the manager.
- At the previous hearing on 6th September 2010 Councillors' attention was drawn to requirements made in the High Court Consent Order which allowed The Bank in Wakefield to re-open. Amongst these requirements were, 1) that Mr. Powell, as DPS, did not drink alcohol on the premises, and,
 - 2) that Mr. Powell, as DPS, submit to a roadside breathalyser test during licensable hours upon the request of a police officer.These two requirements relate directly to the fact that officers in Wakefield stated Mr. Powell was drunk when he was in charge of The Bank when it had to be closed. Mr. Powell denies this.

Mr. Powell's previous track record in Wakefield as the PLH and DPS of busy city centre premises is poor. Whatever the outcome of the appeal re the revocation, West Yorkshire Police have had serious problems with crime and disorder associated with premises run by the applicant, and we would ask the Sub-Committee not to allow these problems to be brought to premises in Leeds City Centre. The applicant's connections to suspected money laundering are a real concern, and his initial choice of DPS illustrates a lack of judgement necessary in managing busy city centre premises to the required standard. His second nominated DPS has left in the space of weeks and he now asks that he be the DPS for the premises. This mirrors the set up at the Wakefield premises at the time the venue was closed and subsequently had its licence revoked. PS Bob King from Wakefield Licensing is quite prepared to give a statement detailing his department's dealings with Mr. Powell and the premises he runs there.

For these reasons, and the real prospect of the undermining of the crime prevention objective, we ask that the application to transfer the premises licence into the applicant's name be refused.

NOT PROTECTIVELY MARKED

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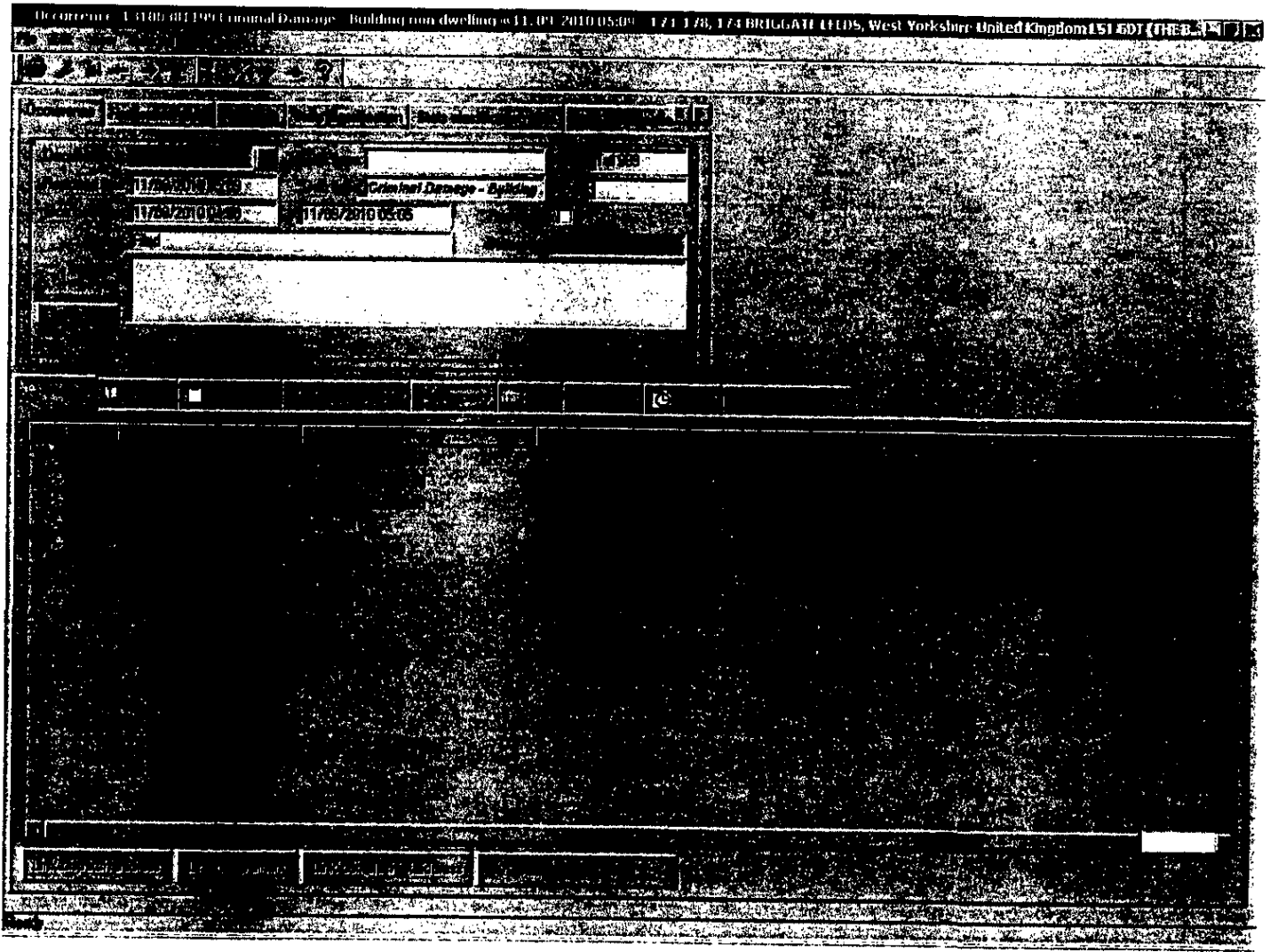
CA Arkle

Catherine Arkle

PC 5548

Leeds Area Licensing Officer.

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RECEIVED
10 SEP 2010



Leeds
CITY COUNCIL

Cath Arkle
Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Legal, Licensing & Registration
Entertainment Licensing Section
Civic Hall
Leeds LS1 1UR

Contact: Miss Janice Archibald
Tel: 0113 2474095
Fax: 0113 2243885
Email: entertainment.licensing@leeds.gov.uk
Our Ref: A80/PREM/02363/V01

9th September 2010

Dear Madam

Application for the variation of a Premises Licence - Notice of Determination

Premises: Boodwaar, 174 Lower Briggate, Leeds, LS1 6DT

Please find enclosed a copy of the Notice of Determination which represents the formal decision made by the Licensing Sub Committee in relation to the above application.

Please do not hesitate to contact the Licensing Section on the above telephone number should you require any further assistance or information.

Yours faithfully

Miss Janice Archibald
Licensing Officer
Entertainment Licensing Section



Notice of Decision
Of the Licensing Sub Committee

RECEIVED
10 SEP 2010



Date of Hearing: 6th September 2010

Determination Date: 6th September 2010

Members: Councillor Donald Wilson (Chair)
Councillor Graham Hyde
Councillor Chris Townsley

Legal Officer: Nigel Augustin

Committee Clerk: Helen Gray & Sophie Wallace

Licensing Officer: Emma White & Stephen Holder

Application: Variation to a Premises Licence to specify an individual as Designated Premises Supervisor.

Premises: Boodwaar 174 Lower Briggate, Leeds, LS1 6DT,

Proposed Premises Licence Holder: Mr Matthew Powell

Attendees: Mr Matthew Powell (applicant), Lisa Gaskin (promotions), Lee Yates (DPS)

The Licensing Sub Committee considered:

1. The report from the Assistant Chief Executive (Corporate Governance).
2. Licensing Act 2003.
3. Guidance issued by the secretary of State of Culture Media and Sport pursuant to Section 182 of the act.
4. Relevant Licensing Objectives.
5. The statement of Licensing Policy 2007 – 2010.
6. Representations received from West Yorkshire Police.

Having taken all these matters into account the Licensing Sub Committee have agreed to **refuse** the application.

The reason for this decision is as follows:

The committee listened carefully to representations from West Yorkshire Police setting out why this application should not be granted. The committee have also heard representations from Mr Powell as to why transfer application should be granted.

The committee were satisfied that granting the application would undermine the crime prevention objective and therefore it is necessary to reject the application.

This is because:-

- (a) Mr Powell holds the licence for a premises which suffered a serious incident of disorder in May 2010. This premises being 'The bank' in Wakefield.
- (b) Because of this incident the premises was closed pursuant to section 161 of the Licensing act 2003 having undermined the crime prevention objective.
- (c) The premises was only reopened after a High Court Consent Order which required, amongst other things, for Mr Powell to be breathalysed during licensed hours upon the request of a police officer.
- (d) That the licence for the Bank was revoked after a finding by Wakefield Metropolitan District Council that Mr Powell was not suitably qualified or able to manage and train others in promoting the licensing objectives.
- (e) That since Mr Powell had acquired the licence on an interim basis, West Yorkshire Police had visited the premises on 14 August 2010 and 27 August 2010. These visits had revealed that crime prevention conditions on the premises licence relating to radio communications and the drugs safe had not been complied with.
- (f) That the formally proposed DPS, Miss Gaskin, remained involved in the day to day business which called into question how the objective could be promoted given her conviction for keeping/managing a brothel.
- (g) That this was a busy, city centre premises with late night hours which required a management style which was committed to promoting the crime prevention objective and Matthew Powell had failed to demonstrate this to the committee.

The transfer which had interim effect will cease upon notification of this decision.

Right of Appeal

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the sub committee. You must make this appeal within 21 days of this letter reaching you.

Appeals should be addressed to the Magistrates Court at:

**Clerk to the Justices
Leeds Magistrates Court
Westgate
Leeds
LS1 3JP**

and be accompanied by a copy of this notice of decision and the court fee of £200.00. Cheques should be made payable to HMCS.

Please note – Persons making appeals should be aware that the Magistrates have the power to award costs against any party as a result of appeal proceedings.

NOT PROTECTIVELY MARKED



Leeds Area Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

City & Holbeck

Tel: 0113-2414023
Fax: 0113-2413123
Email:
catherine.arkle@westyorkshire.pnn.police.uk
Website:

Your ref:

Our ref:

3rd August 2010

Judy Willis – P36485/6
Poppleston Allen
37, Stoney Street
The Lace Market
Nottingham
NG1 1LS

cc. **Matthew Powell, 118 Montague Avenue, Leeds, LS8 2RJ**
cc. **Entertainment Licensing Section – Leeds City Council, Civic Hall, Leeds. LS1 1UR**

NOTICE OF OBJECTION – TRANSFER OF PREMISES LICENCE:
SECTION 42 (6)&(7) – LICENSING ACT 2003:

PREMISES: BOODWAAR, (FORM.RELIGION), 174, LOWER BRIGGATE, LEEDS, LS1 6DT

I **Catherine Arkle, City and Holbeck Divisional Licensing Officer for West Yorkshire Police**, hereby give you notice that I intend to object to your application for the transfer of the licence at the premises indicated above. West Yorkshire Police are satisfied that the exceptional circumstances of this case are such that granting this application would undermine the crime prevention objective.

West Yorkshire Police are so satisfied for the following reasons:-

- The applicant, Matthew Powell, is already a premises licence holder in Wakefield City Centre. The premises, The Bank on Westgate, Wakefield, for which he is both DPS and Premises Licence Holder, had their premises licence revoked by Wakefield City Council on 3rd June 2010 following a Section 161 Closure Order which was served on 9th May 2010. The decision papers from Wakefield Council, giving their reason for the revocation, highlight the fact that they saw the management of the premises as the root of the problem at the venue. The Sub-Committee added that they were not satisfied that Mr.Powell was suitably qualified and more importantly able to manage and train others in promoting the Licensing objectives. This decision is currently being appealed.
- Mr.Powell has demonstrated his unsuitability to manage these premises already in proposing that the DPS for Boodwaar should be a person who has a previous conviction for keeping/managing a brothel. There is a separate objection from West Yorkshire Police in relation to the application to vary the DPS.

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- Mr.Powell has suspected connections to a number of licensed premises and there is extremely reliable intelligence which strongly suggests that he is involved in money laundering through licensed premises. This intelligence is marked A11 which denotes it is extremely reliable. The intelligence is confidential and I am therefore unable to disclose this but I would hope that the Sub-Committee would note its classification.

Mr.Powell's previous track record in Wakefield being the PLH and DPS of busy city centre premises is not good. Whatever the outcome of the appeal re the revocation, West Yorkshire Police have had serious problems with crime and disorder associated with premises run by the applicant, and we would ask the sub-committee not to allow these problems to be brought to premises in Leeds City Centre. The applicant's connections to suspected money laundering are a real concern, and his choice of DPS illustrates a lack of judgement necessary in managing busy city centre premises to the required standard.

For these reasons, and the real prospect of the undermining of the crime prevention objective, we ask that the application to transfer the premises licence into the applicant's name be refused.

Catherine Arkle
PC 5548
City & Holbeck Divisional Licensing Officer.

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**CLOSURE ORDER MADE UNDER
SECTION 161 OF THE LICENSING ACT 2003**

Date and time: 09/05/2010 0810hrs

Division/Station: Central NPT, Wakefield

Name of senior police officer making the Order: Insp Close

Premises to be closed: Bank, Westgate, Wakefield

Closure from: Time: 0810 Date: ⁰⁹09/05/2010

Closure to: Time: 0810 Date: ¹⁰09/05/2010

Reasons (grounds) for closure:

At 0715hrs 08/05/2010 premise is open on temporary event notice. Whilst driving past in my private vehicle I noted that the doors were wide open, music loud enough to vibrate my vehicle and easily audible through my closed windows and over the volume of my own radio.

I also noted in the yard behind the bank, one male vomiting and another urinating whilst attempting to stand upright. At approx 0730hrs I attend and speak to the head doorman, point out the lack of management, instruct the doors to be closed whilst music is played and for the numerous bottles and glasses strewn around the doorways to be cleared. At this time members of the public were beginning to walk around Westgate, clearly avoiding the premise, street cleaners were attempting to clean the highway.

At approx 0745hrs whilst monitoring the CCTV for Westgate I notice that an incident has broken out within the Bank, door staff are on the pavement and members of the public are gesticulating their dissatisfaction. Upon attendance at the premise a male is carried to the doorway clearly having suffered an assault whilst inside, officers were then directed down Marygate where door staff were chasing a male suspected of the assault.

The male was detained arrested for assault as another male was then CS sprayed and arrested for threatening behaviour.

Two ambulances then attend the public house for males knocked unconscious, upon arrival officers are clearing the area when another reveller exits the bar, he is verbally abusive clearly drunk and wont listen to reason, he is arrested for drunk and disorderly behaviour. One male is currently at hospital for injuries consistent with assault occasioning actual bodily harm.

Management are called and premise is officially closed as there is disorder within the premise and the vicinity, a nuisance is being caused by excessive noise from the premise.

A closure is necessary in the interests of public safety and to prevent disturbance.

Name of person on whom the order has been served:

Full name: MATTHEW POWELL

Signed: 

Notes:

A senior police officer has decided to make this closure order under the terms of Section 161 of the Licensing Act 2003, requiring the licensed premises specified in the order to be closed for the period of time specified in the order.

Your attention is drawn to sub-section 161(6) of the 2003 Act. This makes it an offence for a person, without reasonable excuse, to permit licensed premises to be open in contravention of this closure order or any extension of it, and any person found guilty of such an offence shall be liable to a fine not exceeding £20,000 or to imprisonment for a term not exceeding three months or to both.

Under Section 171(2) and (3) of the 2003 Act relevant licensed premises are to be regarded as open, for the purposes of the above offence, if any person other than the holder of the licence for the premises, a designated premises supervisor, a manager of the premises or any member of the family of either of them, enters the premises

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and purchases, or is supplied with, any item of food or drink or any item usually sold on the premises, OR the premises are used for the provision of regulated entertainment.

You will also wish to note that it is an offence for any person, without reasonable excuse, to fail to leave the premises when asked to do so, for the purpose of ensuring compliance with this closure order, by the holder of the licence for the premises or by any manager of the premises, or Designated Premises Supervisor.

Sections 162-168 of the Licensing Act 2003

This part of the closure order now explains the effects of Sections 162-168 of the 2003 Act as required by Section 161(4)(d) of that Act.

Extension of closure order

- Where, for whatever reason, the courts are unable to consider a closure order before it expires, the senior police officer concerned may extend the order for up to another period of 24 hours if certain circumstances exist. These are that the officer reasonably believes that the closure of the premises continues to be necessary in the interests of public safety to prevent disorder, or likely disorder or to prevent further public nuisance caused by noise. Such extensions can be made on an indefinite number of occasions
- The senior police officer is required to give notice to the licensee, DPS or the manager of the premises of such extensions of the closure order before expiry of the existing order for it to have effect.

Cancellation of closure order

- The senior police officer may cancel the closure order at any time after it is issued, but before it has been considered by the court. In this case, the court must still consider the closure order originally served, and the licensing authority will still be obliged to consider the revocation of the premises licence.
- The senior police officer is required to cancel the order if they reasonably believe that closure of the premises is no longer necessary in the interests of public safety to prevent disorder or further public nuisance; and is required to give notice to the person on whom he had previously served the closure order when they decide to cancel it.

Initial hearing

- The senior police officer who made the closure order is under a statutory duty to apply to the magistrates' court for them to consider a closure order, or any extension of it, as soon as reasonably practicable after it comes into force.
- The responsible senior officer must also notify the relevant licensing authority that:
 - (a) A closure order has come into force;
 - (b) of the contents of the order and of any extension of it; and
 - (c) of the application to the magistrates' court.

Consideration of closure order by magistrates

- A magistrates' court must consider a closure order made by a senior police officer as soon as practicable after it comes into force.
- Under law on human rights, you are entitled to attend the hearing, to be legally represented, and to make representations to the court before any decision is taken. The Chief Executive to the magistrates' court will be able to advise you about the details of the procedures which apply in your area.
- A discretion is provided for the magistrates' court to revoke the order if it is still in force; and/or to order that the premises remain closed or be closed until the determination by the licensing authority of the review of the licence; and/or to make any order they see fit in relation to the premises. The last of these powers would enable the court to allow premises to re-open but subject to certain new terms and conditions which they may decide to impose.
- When deciding whether the premises should be allowed to re-open or remain closed, the court must consider whether closure of the premises is necessary in the interest of public safety to prevent disorder or disturbance.

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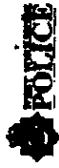
- It is an offence for any person who permits the premises to open in contravention of an order made by the magistrates for the closure of the premises, and provides for an offender on conviction to be liable to a fine not exceeding £20,000 or to three months imprisonment or to both.

Appeal from decision of magistrates' court

- Appeals against decisions made by the magistrates' in respect of closure may be made to the Crown Court, and must be made within 21 days of the decision in question.

Review of premises licence following closure

- Where a licensing authority has received notice from a magistrate court in respect of a closure order having effect in relation to premises, it must review any premises licence having effect in respect of those premises.
- The authority must reach a determination on the review no later than 28 days after the day on which it receives the notice.
- The relevant licensing authority must:
 - Give, to the holder of the premises licence and each responsible authority, notice of the review, the closure order and any extension of it, and any order made in relation to it by the court.
 - Advertise the review and invite representations within set time limits.
 - Hold a hearing to consider the matter and any relevant representations.
 - Take such of the steps as a result of the hearing as it considers necessary for the promotion of the licensing objectives which may include:
 - (a) To modify the conditions of the premises licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the DPS from the licence;
 - (d) to suspend the licence for a period not exceeding three months; or
 - (e) to revoke the licence.
- Where the authority takes a step within sub-section (a) or (b), it may provide that the modification or exclusion is to have effect only for a specified period (not exceeding three months).
- Where a licensing authority determines a review under this section, it must notify the determination and its reasons to the holder of the licence, any person who made relevant representations, and the chief officer of police in which the premises are situated.
- Section 168 makes provision for premises subject to a closure order under Section 161 to remain closed during any appeal against the licensing authority's decision to revoke the premises licence (although the licence would remain in force). Under Schedule 5 a magistrates' court may order the re-opening of the premises pending the appeal.
- It is an offence for a person, without reasonable excuse, to allow premises to be open in contravention of a decision by the local authority to revoke a premises licence, and provides for an offender on conviction to be liable to a fine not exceeding £20,000 or to three months imprisonment or to both.



Regina v.

This is the Copy of Closure Order
Notice

referred to in my statement

(Signature)

Date 9/05/10

(1)

(2)

(3)

(4)

EXHIBIT No: RCC1 (To be shown at Court)
44. (1-11-09)

Your Ref Sgt 3961 King
 Our Ref L/PAJ/106
 Please Reply To Mr P A Jaques - Legal Services
 Telephone No (01924) 305216
 Fax No (01924) 305243
 E-Mail pjaques@wakefield.gov.uk
 Date 4th June 2010

Corporate Director: Philip Taylor
 Town Hall, Wood Street Wakefield
 West Yorkshire WF1 2HQ
 Typetalk calls welcome

West Yorkshire Police
 Wakefield District Licensing Office
 Wood Street Police Station
 Wood Street
 Wakefield

Dear Sirs

REVIEW OF PREMISES LICENCE – 3.6.10
The Bank, Westgate, Wakefield

Following the Committee Hearing on the 3rd June 2010, please find attached the Notice of Decision for the above premises.

Yours faithfully,



P Jaques
 Senior Legal Officer

**LICENSING ACT 2003
Section 167**

**Notice of determination of review of premises licence following
closure order**

To: West Yorkshire Police

Of: Licensing Office, Wood Street, Wakefield

The Wakefield Metropolitan District Council, being the licensing authority, was required to review the premises licence for the Bank, Westgate Wakefield, WF1 1XD pursuant to section 167 of the Licensing Act.

On 3rd June 2010 as required under the Licensing Act 2003, a hearing was held to consider the closure order, the order of the Magistrates Court and the interim Order of the High Court together with relevant representations. The Committee's decision is attached.

The decision shall take effect in 21 days beginning with the day on which any Appellant was notified by the Licensing Authority of the decision, or if the decision is appealed against, until the appeal is disposed of.

Dated:

3.6.10

Signed:



Designation:

Senior Legal Officer

the officer appointed for this purpose

Please address any communications to:

The Licensing Office
Horbury Community Centre
Cluntergate
Horbury
Wakefield
WF4 5DA

Note: An appeal against this decision may be made by the applicant/a person who made relevant representations/the Chief Officer of Police as applicable (see Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the premises concerned are situated within 21 days from the date of receipt of the notification of the decision.

All matters that come before the Sub-Committee are treated on their own merits and the Licensing Authority will take its decision based upon.

- the promotion of the Licensing Objectives:
Crime and disorder, Public Safety, Public Nuisance & Protection of Children from harm
- the policy of the Licensing Authority, copies of which are available on the Council's website (www.wakefield.gov.uk);
- the Guidance issued by the Secretary of State for Culture, Media and Sport as amended, under Section 182 of the Licensing Act 2003.

On 9th May 2010, the Police issued a Closure Order under Section 161 of the Act in respect of the premises. The Order was further extended on 10th May 2010 under Section 162 of the Act.

The reason for closure was in the interests of public safety and to prevent disturbance, disorder was taking place within the premises and the vicinity, a nuisance was being caused by excessive noise from the premise.

PREMISES LICENCE – THE BANK, WESTGATE, WAKEFIELD, WF1 1XD

**Review of the Premises Licence under the Licensing Act 2003 for the Bank,
Westgate, Wakefield, WF1 1XD**

Present at the Licensing Sub-Committee held on 3rd June 2010 were:-

1. Licensing Committee Members

Cllr Mrs J Drysdale (Chair)

Cllr G Lloyd

Cllr J Stone

2. Officers from the Council:-

Rachel Winstanley - Clerk to the Committee

P.Jaques - Legal Adviser to the Committee

3. Responsible Authorities

West Yorkshire Police represented by Mr O Thorne

Also in attendance: M Falciano & D Finch Force Solicitors

Inspector Close / PC Shelton / Sgt King / PC Studd / PC Burnett

4. Building Control

Jill Fletcher

5. Premises Licence Holder:

Matthew Powell

Later on 10th May 2010, Wakefield Magistrates Court gave consideration to the Closure Order pursuant to section 165 of the Act. The Magistrates ordered that the premises remain closed until the matter was determined by the Licensing Authority.

On 14th May 2010, the High Court sitting at Leeds considered an application under Civil Procedure Rules 25.1 for an Interim Order. By consent between the Licence Holder and Magistrates Court it was Ordered that the Closure Order made by the Magistrates Court under S165 would cease to have effect and that the Interim Order with conditions would remain in force until today's Review hearing under Section 167 of the Act.

The Review has been advertised and all Responsible Authorities have been notified. West Yorkshire Police have submitted further representations, full details of which have been circulated to all relevant parties. There is also a representation from Building Control.

At this Review hearing the Committee is required to consider:

The Closure Order, the Order of the Magistrates Court and subsequent interim order of the High Court and any relevant representations that have been made and take such steps (if any) as are referred under Section 167(6) of the Act which are:

- (a) to modify conditions of the Premises Licence
- (b) to exclude a Licensable activity from the scope of the licence
- (c) remove the designated premises supervisor from the Licence
- (d) to suspend the licence for a period not exceeding three months or
- (e) revoke the Licence

THE DECISION

This is a review of the Premises Licence of the The Bank, Westgate, Wakefield initiated as a result of a Police Closure Order.

We have read the information in support of the Police representation and heard evidence today from Inspector Close, PC Shelton, Sgt King together with written evidence, CCTV evidence and other statements in support and the submissions of Mr Thorne.

* The Committee view the incident of 9th May 2010 extremely seriously and concerned about the incident as it unfolded as explained by Inspector Close. We have heard about previous (Licence breaches) and the suitability of staff in supervisory positions and also the general management of the premises and practices that are employed.

* We have no reason to doubt having heard Police evidence that Mr Powell was under the influence of alcohol at the time of the incident and whilst those causing disturbance were ejected from the premises, there was a delay in contacting the Police and persons were clearly extremely drunk on the premises.

The Committee have heard evidence of issues with Building Control and non-compliance over a number of issues. This shows a further lack of responsibility with Responsible Authorities.

X The Committee have also listened to representations given by the Licence Holder Mr Powell. We have been asked to view this as a one-off incident and that lessons have been

learned. Mr Powell states that he was not drunk at the time of the incident but the Committee prefer the Police evidence on this issue.

We have not seen any training records and are concerned that appropriate checks were not made when recruiting staff to work at the premises particularly in supervisory positions. Further, Mr Powell made several inconsistent statements during his representation in this hearing.

We have therefore given consideration to the steps available to us under the Act in considering this Review Hearing.

(The management of the premises seems to be the root of the problem.) This Committee needs to be sure that incidents of this nature do not arise in the future.

In imposing further conditions we would need to be satisfied that the management of this large venue could be compiled with.

* However, upon what the Sub-Committee have heard we are not satisfied that Mr Powell is suitably qualified and more importantly able to manage and train others in promoting the Licensing objectives.

We have given consideration to the removal of Mr Powell as Designated premises Supervisor but feel poor management practice of the Licence Holder will still not prevent the problems that have arisen.

Therefore, the Sub-Committee have taken the serious step of revoking the Licence.

Licensing Sub-Committee 2



Occurrence details

West Yorkshire

Printed: 05/09/2010 08:16 by 5548

Occurrence: 13100192003

Occurrence details:

Report no.: 13100192003
 Occurrence Type: Licensing Visit
 Occurrence time: 10/05/2010 10:01 -
 Reported time: 10/05/2010 09:59
 Place of offence: WESTGATE CENTRE, WAKEFIELD, WEST YORKSHIRE United Kingdom WF1
 1XD (THE BANK) (BCU: DA, Name: Wakefield, Ward: 17)
 Clearance status: New
 Concluded: No
 Concluded date:
 Summary: PL0965
 Remarks:

Reports:

Occurrence enquiry log:

Type	Entry time	Event time	Author	Link	Log entry
Licensed visits	10/05/2010 10:22		#2860 BURNETT, C.	No	The premises were closed by Insp CLOSE (DA CENTRAL NPT) under S161 Licensing Act 2003 at 0810hrs on Sunday 9th May 2010. The closure order is initially for 24 hours but this has been extended by Insp Close to 0810hrs on Tuesday 11 May to allow a hearing at Wakefield Mags Court on Monday 10-5-2010. All documents attached to occurrence.
Licensed visits	11/05/2010 09:00		#2860 BURNETT, C.	No	The S161 Closure was heard at Wakefield Magistrates Court on 10-05-2009. A closure order was issued by the Magistrates, and the premises will now remain closed until a full review of the licence can be heard. The date is to be set shortly. A copy of the order is attached to this occurrence.
Licensed visits	17/05/2010 09:02		#2860 BURNETT, C.	No	The DPS Matthew Powell made an application on Friday 14th May 2010 at Leeds Crown Court for an interim order pursuant to CPR Rule 25.1, in effect an application to overturn the Magistrates decision and re open the premises. Consent was reached by POWELL and the Police as to conditions on the premises licence, and an order was made by His Honour Judge Grenfell that the S165 closure order imposed by Wakefield Magistrates on 10-10-2010 shall cease to have effect until further order of the Court. The licence is scheduled for a full review hearing at Wakefield Licensing Committee on Wednesday 26th May 2010. A full list of the conditions set at are scanned to this occurrence.
Licensed visits	01/06/2010 08:55		#2860 BURNETT, C.	No	A licensed visit was made to the premises at 2340hrs on 28-5-2010. No door staff were at the front door or the bottom of the steps on ground floor level or on side door, (usually positioned front door, bottom of steps and side door). Licensed visit pro forma completed.
Licensed visits	03/06/2010 07:51		#2860 BURNETT, C.	No	The full licensing review of the premises is to be heard by Wakefield Licencing Committee at 9.30am on Thursday 3rd June 2010.
Licensed visits	07/06/2010		#2860	No	The full licensing review was heard before the

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Printed by: 5548 Date: 05/09/2010 08:16 Computer: BB1604D Page 1 of 2

	14:38		BURNETT, C.		Wakefield Licensing Committee on Thursday 3rd June 2010. The decision made was that the premises licence was revoked. The owner Matthew Powell has 21 days to appeal the decision from the date of the hearing (he can remain open if he appeals, operates under the conditions of the original premises licence until the appeal is heard). A copy of the licensing committee decision is scanned to this occurrence.
Licensed visits	11/08/2010 11:34		#2860 BURNETT, C.	No	The premises were visited on 30-7-2010 by Pc Burnett (licensing) and Mr Dean (council licensing enforcement). A warning notice was served on the manager Neil Cooper as up to date staff records were not available to inspect at that time. A drugs safe was not in use, and the staff safe was being used in its place. Mr Cooper was advised to install a secure and fixed safe, specifically for drugs use in accordance with his licence conditions. On Monday 2nd August 2010, the DPS Matthew Powell was spoken to by telephone and advised in relation to the warning notice. He was advised the safe was necessary and the records needed to be available and up to date. He advised Pc Burnett that the staff training records were with the accountant but that he would make them available for inspection. On 3rd August 2010, Mr Cooper was spoken to after the Wakefield Pubwatch meeting. He stated he had still not purchased a specific drugs safe, but he was planning on getting one that afternoon. He was advised it had to be securely fixed in accordance with his licence conditions. He stated he would comply with this, and ensure the training records were all in order.
Licensed visits	12/08/2010 15:41		#2860 BURNETT, C.	No	The premises were visited again today and the manager Mr Cooper has now affixed a specific drugs safe to the wall in the vaults. He has changed most of his staff and has shown me his new training records in respect of those staff.

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Printed by: 5548 Date: 05/09/2010 08:16 Computer: BB1604D Page 2 of 2

Wakefield bar has licence revoked

Published on Wed Jun 09 16:56:58 BST 2010

A TROUBLE-HIT Wakefield bar is set to shut after losing its licence

Council chiefs revoked The Bank's premises licence after hearing how violence flared during an all-night dance event and how the owner was drunk

The venue on Westgate hit the headlines last month when magistrates closed it down after police told them about mayhem on the morning of May 9.

But that decision was overturned in the High Court just four days later and The Bank was allowed to re-open pending a review of the licence.

That review hearing took place yesterday, at Wakefield Town Hall, when the council's licensing sub committee took the serious step of revoking the licence.

The decision will take effect in 21 days but Mr Powell can appeal.

Inspector Richard Close, of Wakefield central neighbourhood police team, told the hearing about the "unbelievable" noise coming from the venue's open doors, which he could hear from his car when he drove by at 7am.

He also saw two men vomiting and urinating in the street.

Later an assault victim was carried from the premises and a threatening man had to be subdued with CS gas.

Insp Close spoke to bar manager Richard Hanks, who smelt of intoxicant, and to the Bank's owner, Matthew Powell, who was "clearly drunk".

Mr Powell refuted that assessment in the hearing and also denied he'd said, "they're drunk, we're drunk" to the officer. But the committee preferred the evidence of Insp Close on the drink issue.

The hearing was also told that Mr Hanks had several previous convictions for drug offences and that Mr Powell didn't carry out Criminal Record Bureau checks.

The committee's ruling said: "We view the incident on May 9 extremely seriously.

"We're concerned about how it unfolded as explained by Insp Close. We've heard about the previous licence breaches and suitability of staff in supervisory positions and also general management of the premises and practises employed."

It concluded: "In considering this review the management of the premises seems to be the root of the problem.

"This committee needs to be sure that incidents of this nature do not arise in the future."

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IN THE HIGH COURT OF JUSTICE
ADMISTRATIVE COURT
SITTING AT LEEDS

Before HHJ Grenfell
Sitting as a Judge of the High Court
At Leeds
On 14 May 2010

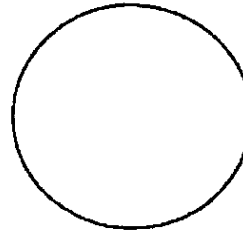
Claim No: CC/5585/2010

Dated: 14 May 2010

Claimant:

MATTHEW POWELL

Seal



First Defendant:

WAKEFIELD MAGISTRATES COURT

Second Defendant:

WEST YORKSHIRE POLICE

THIS ORDER

On the 14TH day of May 2010, the Court considered an application for an interim order pursuant to CPR rule 25.1

1. *By Consent between the Claimant and First Defendant, It is ordered that;*

The Closure order made pursuant to s.165 of the Licensing Act 2003, by the Justices sitting at Wakefield on the 10th Day of May 2010 shall cease to have effect.

This order shall remain in force until further order of the Court.

The Claimant undertakes to abide by the following conditions until such time as the Review Hearing pursuant to s. 167 LA 2003 has been determined;

(i) the Claimant will shall not operate any licensable activities (as listed on premises licence PL0965) beyond the hour of 01:00am Monday to Sunday.

(ii) the Claimant (in his capacity as designated premises supervisor) shall be present at the premises at all times when licensable activities are taking place.

(iii) the Claimant (in his capacity as designated premises supervisor) shall not consume alcohol within the premises during licensable activities are taking place. the time that

(iv) the Claimant shall submit to a roadside breathalyser test during licensable hours upon the request of a police officer.

(v) the Claimant will make no application for a Temporary Event Notice (TEN)

Further, the temporary event notice for 30 May 2010 is withdrawn.

It is further ordered that:

2. The parties have 7 days from the date of this order to submit representations (by e-mail) as to any costs order in respect of this application for an interim order pursuant to CPR rule 25.1

Communications with the Court

All communications to the Court about this order should be sent to-

The Administrative Court, Leeds Combined Court Centre, The Court House, 1 Oxford Row, Leeds, West Yorkshire LS1 3BG, DX 703016 Leeds 6,

You are here: News > Local

Court shuts trouble-hit club

Published on Thu May 13 17:37:48 BST 2010

A CLUB has been shut down after an all night dance event descended into booze-fuelled mayhem and violence.

Wakefield magistrates heard one man was left covered in blood following an assault inside The Bank on Sunday morning

And another ambulance was called to a second man who had been knocked out inside the nightclub on Westgate

The court heard how bar bosses were "intoxicated" and even continued to drink when police went through the closure process after trouble flared at 7.45am.

The Bank's designated premises manager Matthew Powell told police. "Whenever we are open late I get nervous. Anything past four o'clock and there is trouble. They are drunk, we are drunk. it's too long. everyone is tired. I have to stay open or we just break even "

The court heard how Mr Powell and premises manager Richard Hanks were both intoxicated

Licensing Sergeant Bob King, explaining how events unfolded and told how the venue had previously been granted a temporary events notice enabling it to play dance music until 9am.

He said Inspector Richard Close drove by The Bank at 7.15am on his way to work.

Music was blaring out of the club's open doors so loud his car was vibrating

He then saw revellers urinating and vomiting in the street, and members of the public clearly avoiding the area

The court also heard how glasses and bottles were strewn around the entrance

Insp Close spoke with the head doorman and pointed out lack of management of customers. The officer then continued to monitor the premises via CCTV.

At 7.45am he saw an incident break out inside The Bank. Insp Close returned to the venue and saw a man, who'd clearly been assaulted inside, being carried to the doorway, his head covered in blood

Then officers were forced to use CS gas on another man who became threatening and violent

After the mayhem Insp Close spoke with managers and considered their continued drinking to be "totally unacceptable"

Sgt King told magistrates: "Insp Close formed the opinion that a clear lack of management led to this incident "

Mr Powell was told of the police's intention to seek a closure notice at court and he was informed he could make representations

But Sgt King said Mr Powell declined.

Chairman of the bench Pamela White ordered the Bank be closed until the licensing authority reviews their licence.

That hearing is expected to be in late May

Mrs White said "It's felt for public safety and to prevent disturbance that this order is necessary "

Inspector Close, of Wakefield Central Neighbourhood Police Team, said: "This action demonstrates that alcohol fuelled disorder will not be tolerated in Wakefield, whether it is on the street or in the confines of licensed premises.

"We will take whatever action necessary to make visits to the city centre safer."

Police said three men were arrested for public order offences in the vicinity of the pub but not inside it

One was cautioned, one received a fixed penalty, and the third was bailed pending further enquiries

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Leeds Area Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

City & Holbeck

Tel: 0113-2414023
Fax: 0113-2413123
Email:
catherine.arkle@westyorkshire.pnn.police.uk
Website:

Your ref:
Our ref:

7th October 2010

Judy Willis – P36485/6
Popleston Allen
37, Stoney Street
The Lace Market
Nottingham
NG1 1LS



cc. Matthew Powell, 69, Kingsway, Ossett, WF5 8DG
cc. Entertainment Licensing Section – Leeds City Council, Civic Hall, Leeds. LS1 1UR

OBJECTION NOTICE :
VARY PREMISES LICENCE - DESIGNATED PREMISES SUPERVISOR:
SECTION 37(5) & 37(6) LICENSING ACT 2003

PROPOSED PREMISES SUPERVISOR: MATTHEW POWELL
PREMISES: BOODWAAR, 174, LOWER BRIGGATE, LEEDS, LS1 6DT

I Catherine Arkle, City and Holbeck Divisional Licensing Officer for West Yorkshire Police, hereby give you notice that I intend to object to your application to vary the premises licence as indicated above. West Yorkshire Police are satisfied that the exceptional circumstances of this case are such that granting this application would undermine the crime prevention objective.

West Yorkshire Police are so satisfied for the following reasons:-

- This is the third such application by Matthew Powell, who is already a premises licence holder in Wakefield City Centre. The Wakefield premises, The Bank on Westgate, for which he is both DPS and Premises Licence Holder, had their premises licence revoked by Wakefield City Council on 3rd June 2010 following a Section 161 Closure Order which was served on 9th May 2010. The decision papers from Wakefield Council, giving their reason for the revocation, highlight the fact that they saw the management of the premises as the root of the problem at the venue. The Sub-Committee added that they were not satisfied that Mr.Powell was suitably qualified and more importantly able to manage and train others in promoting the Licensing objectives. This decision is currently being appealed.
- Mr.Powell has demonstrated his unsuitability to manage these premises already in initially proposing that the DPS for Boodwaar should be a person who has a previous conviction for keeping/managing

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a brothel. This application was effectively withdrawn when a new application was received proposing the head door man, Lee Yates, as DPS. Mr. Yates has since removed himself from this position at very short notice. Enquiries are ongoing with Mr. Yates and the firm which supplied the door staff to ascertain why he felt he could not continue in this supervisory position. The applicant has now submitted an application proposing himself as DPS.

- Mr. Powell has suspected connections to a number of licensed premises and there is extremely reliable intelligence which strongly suggests that he is involved in money laundering through licensed premises. This intelligence is marked A11 which denotes it is extremely reliable. The intelligence is confidential and I am therefore unable to disclose this but I would hope that the Sub-Committee would note its classification.
- On 6th September this year the Licensing Sub-Committee, hearing the police objection to the first application to transfer the premises licence in to the applicant's name, decided to refuse the application. They listed 7 points upon which they based their decision which can be seen listed (a) to (g) on the 'Notice of Decision' letter, dated 6th September 2010. Although Mr. Powell has rectified the drug safe issue, referred to at point (e), there has been no movement on the Nitenet issue also mentioned herein. In fact I have spoken to the suppliers of the radio who state they have concerns regarding the application they have received. MRS currently have an application in for the radio but have concerns re the following points:
 1. They cannot find Powell on the electoral roll at his given address and therefore cannot accept him supplying the Direct Debit. He stated he had lived there for the past 6 years.
 2. They now have a direct debit form signed by Lisa Gaskin, the originally proposed DPS, which strongly suggests that Gaskin remains firmly associated with the operation of the premises financially as well as operationally. She appears as the 'reporting person' on a crime of criminal damage at the premises on 11th September this year.
 3. MRS state that they have received conflicting information from Gaskin and Powell as to who owns or is in charge of the premises. They have been told three different versions: Gaskin and Powell are co-owners, that Gaskin is the owner, and that Powell is the manager.
- At the previous hearing on 6th September 2010 Councillors' attention was drawn to requirements made in the High Court Consent Order which allowed The Bank in Wakefield to re-open. Amongst these requirements were, 1) that Mr. Powell, as DPS, did not drink alcohol on the premises, and,
 - 2) that Mr. Powell, as DPS, submit to a roadside breathalyser test during licensable hours upon the request of a police officer.These two requirements relate directly to the fact that officers in Wakefield stated Mr. Powell was drunk when he was in charge of The Bank when it had to be closed. Mr. Powell denies this.

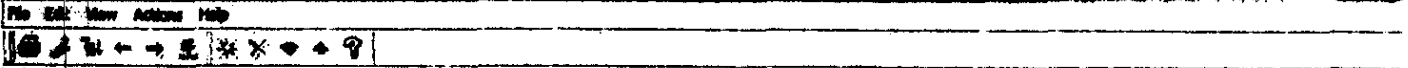
Mr. Powell's previous track record in Wakefield as the PLH and DPS of busy city centre premises is poor. Whatever the outcome of the appeal re the revocation, West Yorkshire Police have had serious problems with crime and disorder associated with premises run by the applicant, and we would ask the Sub-Committee not to allow these problems to be brought to premises in Leeds City Centre. The applicant's connections to suspected money laundering are a real concern, and his initial choice of DPS illustrates a lack of judgement necessary in managing busy city centre premises to the required standard. His second nominated DPS has left in the space of weeks and he now asks that he be the DPS for the premises. This mirrors the set up at the Wakefield premises at the time the venue was closed and subsequently had its licence revoked. PS Bob King from Wakefield Licensing is quite prepared to give a statement detailing his department's dealings with Mr. Powell and the premises he runs there.

For these reasons, and the real prospect of the undermining of the crime prevention objective, we ask that the application to vary the premises licence to allow Powell as DPS be refused.

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C. A. Arkle

Catherine Arkle
PC 5548
Leeds Area Licensing Officer.



Occurrences | Finalisation/info. | Retention | Stats classification | Stats classification misc. | Stats classification

Occurrence ID: [REDACTED]	Disp. type: [REDACTED]	Emergency: [REDACTED]
Reported time: 11/09/2010 05:09	Occ. type: Criminal Damage - Building (CAD pt)	
Occurrence start: 11/09/2010 04:58	11/09/2010 05:05	Repeatable: <input type="checkbox"/>
Status: Filed	Status date: [REDACTED]	

Person	Current Officer	Property	Case	Links	Documents (0)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Link to person address | Link to complaint | Link to complaint address | View last CAD event

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10 SEP 2010



Leeds
CITY COUNCIL

Cath Arkle
Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Legal, Licensing & Registration
Entertainment Licensing Section
Civic Hall
Leeds LS1 1UR

Contact: Miss Janice Archibald
Tel: 0113 2474095
Fax: 0113 2243885
Email: entertainment.licensing@leeds.gov.uk
Our Ref: A80/PREM/02363/V01

9th September 2010

Dear Madam

Application for the variation of a Premises Licence - Notice of Determination

Premises: Boodwaar, 174 Lower Briggate, Leeds, LS1 6DT

Please find enclosed a copy of the Notice of Determination which represents the formal decision made by the Licensing Sub Committee in relation to the above application.

Please do not hesitate to contact the Licensing Section on the above telephone number should you require any further assistance or information.

Yours faithfully

Miss Janice Archibald
Licensing Officer
Entertainment Licensing Section

Notice of Decision

10 SEP 2010



Leeds
CITY COUNCIL

Of the Licensing Sub Committee

Date of Hearing: 6th September 2010

Determination Date: 6th September 2010

Members: Councillor Donald Wilson (Chair)
Councillor Graham Hyde
Councillor Chris Townsley

Legal Officer: Nigel Augustin

Committee Clerk: Helen Gray & Sophie Wallace

Licensing Officer: Emma White & Stephen Holder

Application: Variation to a Premises Licence to specify an individual as Designated Premises Supervisor.

Premises: Boodwaar 174 Lower Briggate, Leeds, LS1 6DT,

Proposed Premises Licence Holder: Mr Matthew Powell

Attendees: Mr Matthew Powell (applicant), Lisa Gaskin (promotions), Lee Yates (DPS)

The Licensing Sub Committee considered:

1. The report from the Assistant Chief Executive (Corporate Governance).
2. Licensing Act 2003.
3. Guidance issued by the secretary of State of Culture Media and Sport pursuant to Section 182 of the act.
4. Relevant Licensing Objectives.
5. The statement of Licensing Policy 2007 – 2010.
6. Representations received from West Yorkshire Police.

Having taken all these matters into account the Licensing Sub Committee have agreed to **refuse** the application.

The reason for this decision is as follows:

The committee listened carefully to representations from West Yorkshire Police setting out why this application should not be granted. The committee have also heard representations from Mr Powell as to why transfer application should be granted.

The committee were satisfied that granting the application would undermine the crime prevention objective and therefore it is necessary to reject the application.

(a) Mr Powell holds the licence for a premises which suffered a serious incident of disorder in May 2010. This premises being 'The bank' in Wakefield.

(b) Because of this incident the premises was closed pursuant to section 161 of the Licensing act 2003 having undermined the crime prevention objective.

(c) The premises was only reopened after a High Court Consent Order which required, amongst other things, for Mr Powell to be breathalysed during licensed hours upon the request of a police officer.

(d) That the licence for the Bank was revoked after a finding by Wakefield Metropolitan District Council that Mr Powell was not suitably qualified or able to manage and train others in promoting the licensing objectives.

(e) That since Mr Powell had acquired the licence on an interim basis, West Yorkshire Police had visited the premises on 14 August 2010 and 27 August 2010. These visits had revealed that crime prevention conditions on the premises licence relating to radio communications and the drugs safe had not been complied with.

(f) That the formally proposed DPS, Miss Gaskin, remained involved in the day to day business which called into question how the objective could be promoted given her conviction for keeping/managing a brothel.

(g) That this was a busy, city centre premises with late night hours which required a management style which was committed to promoting the crime prevention objective and Matthew Powell had failed to demonstrate this to the committee.

The transfer which had interim effect will cease upon notification of this decision.

Right of Appeal

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the sub committee. You must make this appeal within 21 days of this letter reaching you.

Appeals should be addressed to the Magistrates Court at:

**Clerk to the Justices
Leeds Magistrates Court
Westgate
Leeds
LS1 3JP**

and be accompanied by a copy of this notice of decision and the court fee of £200.00. Cheques should be made payable to HMCS.

Please note – Persons making appeals should be aware that the Magistrates have the power to award costs against any party as a result of appeal proceedings.



Leeds Area Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

City & Holbeck

Tel: 0113-2414023
Fax: 0113-2413123
Email:
catherine.arkle@westyorkshire.pnn.police.uk
Website:

Your ref:
Our ref:

3rd August 2010

Judy Willis – P36485/6
Poppleston Allen
37, Stoney Street
The Lace Market
Nottingham
NG1 1LS

cc. **Matthew Powell, 118 Montague Avenue, Leeds, LS8 2RJ**
cc. **Entertainment Licensing Section – Leeds City Council, Civic Hall, Leeds. LS1 1UR**

NOTICE OF OBJECTION – TRANSFER OF PREMISES LICENCE:
SECTION 42 (6)&(7) – LICENSING ACT 2003:

PREMISES: BOODWAAR, (FORM.RELIGION), 174, LOWER BRIGGATE, LEEDS, LS1 6DT

I **Catherine Arkle, City and Holbeck Divisional Licensing Officer for West Yorkshire Police**, hereby give you notice that I intend to object to your application for the transfer of the licence at the premises indicated above. West Yorkshire Police are satisfied that the exceptional circumstances of this case are such that granting this application would undermine the crime prevention objective.

West Yorkshire Police are so satisfied for the following reasons:-

- The applicant, Matthew Powell, is already a premises licence holder in Wakefield City Centre. The premises, The Bank on Westgate, Wakefield, for which he is both DPS and Premises Licence Holder, had their premises licence revoked by Wakefield City Council on 3rd June 2010 following a Section 161 Closure Order which was served on 9th May 2010. The decision papers from Wakefield Council, giving their reason for the revocation, highlight the fact that they saw the management of the premises as the root of the problem at the venue. The Sub-Committee added that they were not satisfied that Mr.Powell was suitably qualified and more importantly able to manage and train others in promoting the Licensing objectives. This decision is currently being appealed.
- Mr.Powell has demonstrated his unsuitability to manage these premises already in proposing that the DPS for Boodwaar should be a person who has a previous conviction for keeping/managing a brothel. There is a separate objection from West Yorkshire Police in relation to the application to vary the DPS.

- Mr.Powell has suspected connections to a number of licensed premises and there is extremely reliable intelligence which strongly suggests that he is involved in money laundering through licensed premises. This intelligence is marked A11 which denotes it is extremely reliable. The intelligence is confidential and I am therefore unable to disclose this but I would hope that the Sub-Committee would note its classification.

Mr.Powell's previous track record in Wakefield being the PLH and DPS of busy city centre premises is not good. Whatever the outcome of the appeal re the revocation, West Yorkshire Police have had serious problems with crime and disorder associated with premises run by the applicant, and we would ask the sub-committee not to allow these problems to be brought to premises in Leeds City Centre. The applicant's connections to suspected money laundering are a real concern, and his choice of DPS illustrates a lack of judgement necessary in managing busy city centre premises to the required standard.

For these reasons,, and the real prospect of the undermining of the crime prevention objective, we ask that the application to transfer the premises licence into the applicant's name be refused.

Catherine Arkle
PC 5548
City & Holbeck Divisional Licensing Officer.

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CLOSURE ORDER MADE UNDER SECTION 161 OF THE LICENSING ACT 2003

Date and time: 09/05/2010 0810hrs

Division/Station: Central NPT, Wakefield

Name of senior police officer making the Order: Insp Close

Premises to be closed: Bank, Westgate, Wakefield

Closure from: Time: 0810 Date: ⁰⁹09/05/2010

Closure to: Time: 0810 Date: ¹⁰09/05/2010

Reasons (grounds) for closure:

At 0715hrs 08/05/2010 premise is open on temporary event notice. Whilst driving past in my private vehicle I noted that the doors were wide open, music loud enough to vibrate my vehicle and easily audible through my closed windows and over the volume of my own radio.

I also noted in the yard behind the bank, one male vomiting and another urinating whilst attempting to stand upright. At approx 0730hrs I attend and speak to the head doorman, point out the lack of management, instruct the doors to be closed whilst music is played and for the numerous bottles and glasses strewn around the doorways to be cleared. At this time members of the public were beginning to walk around Westgate, clearly avoiding the premise, street cleaners were attempting to clean the highway.

At approx 0745hrs whilst monitoring the CCTV for Westgate I notice that an incident has broken out within the Bank, door staff are on the pavement and members of the public are gesticulating their dissatisfaction. Upon attendance at the premise a male is carried to the doorway clearly having suffered an assault whilst inside, officers were then directed down Marygate where door staff were chasing a male suspected of the assault.

The male was detained arrested for assault as another male was then CS sprayed and arrested for threatening behaviour.

Two ambulances then attend the public house for males knocked unconscious, upon arrival officers are clearing the area when another reveller exits the bar, he is verbally abusive clearly drunk and wont listen to reason, he is arrested for drunk and disorderly behaviour. One male is currently at hospital for injuries consistent with assault occasioning actual bodily harm.

Management are called and premise is officially closed as there is disorder within the premise and the vicinity, a nuisance is being caused by excessive noise from the premise.

A closure is necessary in the interests of public safety and to prevent disturbance.

Name of person on whom the order has been served:

Full name: MATTHEW POWELL

Signed:

Notes:

A senior police officer has decided to make this closure order under the terms of Section 161 of the Licensing Act 2003, requiring the licensed premises specified in the order to be closed for the period of time specified in the order.

Your attention is drawn to sub-section 161(6) of the 2003 Act. This makes it an offence for a person, without reasonable excuse, to permit licensed premises to be open in contravention of this closure order or any extension of it, and any person found guilty of such an offence shall be liable to a fine not exceeding £20,000 or to imprisonment for a term not exceeding three months or to both.

Under Section 171(2) and (3) of the 2003 Act relevant licensed premises are to be regarded as open, for the purposes of the above offence, if any person other than the holder of the licence for the premises, a designated premises supervisor, a manager of the premises or any member of the family of either of them, enters the premises

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and purchases, or is supplied with, any item of food or drink or any item usually sold on the premises, OR the premises are used for the provision of regulated entertainment.

You will also wish to note that it is an offence for any person, without reasonable excuse, to fail to leave the premises when asked to do so, for the purpose of ensuring compliance with this closure order, by the holder of the licence for the premises or by any manager of the premises, or Designated Premises Supervisor.

Sections 162–168 of the Licensing Act 2003

This part of the closure order now explains the effects of Sections 162–168 of the 2003 Act as required by Section 161(4)(d) of that Act.

Extension of closure order

- Where, for whatever reason, the courts are unable to consider a closure order before it expires, the senior police officer concerned may extend the order for up to another period of 24 hours if certain circumstances exist. These are that the officer reasonably believes that the closure of the premises continues to be necessary in the interests of public safety to prevent disorder, or likely disorder or to prevent further public nuisance caused by noise. Such extensions can be made on an indefinite number of occasions
- The senior police officer is required to give notice to the licensee, DPS or the manager of the premises of such extensions of the closure order before expiry of the existing order for it to have effect.

Cancellation of closure order

- The senior police officer may cancel the closure order at any time after it is issued, but before it has been considered by the court. In this case, the court must still consider the closure order originally served, and the licensing authority will still be obliged to consider the revocation of the premises licence.
- The senior police officer is required to cancel the order if they reasonably believe that closure of the premises is no longer necessary in the interests of public safety to prevent disorder or further public nuisance; and is required to give notice to the person on whom he had previously served the closure order when they decide to cancel it.

Initial hearing

- The senior police officer who made the closure order is under a statutory duty to apply to the magistrates' court for them to consider a closure order, or any extension of it, as soon as reasonably practicable after it comes into force.
- The responsible senior officer must also notify the relevant licensing authority that:
 - (a) A closure order has come into force;
 - (b) of the contents of the order and of any extension of it; and
 - (c) of the application to the magistrates' court.

Consideration of closure order by magistrates

- A magistrates' court must consider a closure order made by a senior police officer as soon as practicable after it comes into force.
- Under law on human rights, you are entitled to attend the hearing, to be legally represented, and to make representations to the court before any decision is taken. The Chief Executive to the magistrates' court will be able to advise you about the details of the procedures which apply in your area.
- A discretion is provided for the magistrates' court to revoke the order if it is still in force; and/or to order that the premises remain closed or be closed until the determination by the licensing authority of the review of the licence; and/or to make any order they see fit in relation to the premises. The last of these powers would enable the court to allow premises to re-open but subject to certain new terms and conditions which they may decide to impose.
- When deciding whether the premises should be allowed to re-open or remain closed, the court must consider whether closure of the premises is necessary in the interest of public safety to prevent disorder or disturbance.

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- It is an offence for any person who permits the premises to open in contravention of an order made by the magistrates for the closure of the premises, and provides for an offender on conviction to be liable to a fine not exceeding £20,000 or to three months imprisonment or to both.

Appeal from decision of magistrates' court

- Appeals against decisions made by the magistrates' in respect of closure may be made to the Crown Court, and must be made within 21 days of the decision in question.

Review of premises licence following closure

- Where a licensing authority has received notice from a magistrate court in respect of a closure order having effect in relation to premises, it must review any premises licence having effect in respect of those premises.
- The authority must reach a determination on the review no later than 28 days after the day on which it receives the notice.
- The relevant licensing authority must:
 - Give, to the holder of the premises licence and each responsible authority, notice of the review, the closure order and any extension of it, and any order made in relation to it by the court.
 - Advertise the review and invite representations within set time limits.
 - Hold a hearing to consider the matter and any relevant representations.
 - Take such of the steps as a result of the hearing as it considers necessary for the promotion of the licensing objectives which may include:
 - (a) To modify the conditions of the premises licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the DPS from the licence;
 - (d) to suspend the licence for a period not exceeding three months; or
 - (e) to revoke the licence.
- Where the authority takes a step within sub-section (a) or (b), it may provide that the modification or exclusion is to have effect only for a specified period (not exceeding three months).
- Where a licensing authority determines a review under this section, it must notify the determination and its reasons to the holder of the licence, any person who made relevant representations, and the chief officer of police in which the premises are situated.
- Section 168 makes provision for premises subject to a closure order under Section 161 to remain closed during any appeal against the licensing authority's decision to revoke the premises licence (although the licence would remain in force). Under Schedule 5 a magistrates' court may order the re-opening of the premises pending the appeal.
- It is an offence for a person, without reasonable excuse, to allow premises to be open in contravention of a decision by the local authority to revoke a premises licence, and provides for an offender on conviction to be liable to a fine not exceeding £20,000 or to three months imprisonment or to both.



Regina v.

This is the Copy of Closure Order

Notice

referred to in my statement

(Signature)

Date 9/05/10

(1)

(2)

(3)

(4)

EXHIBIT No. RCO (To be shown at Court)
44. (1-11-05)

Your Ref Sgt 3961 King
 Our Ref L/PAJ/106
 Please Reply To Mr P A Jaques - Legal Services
 Telephone No (01924) 305216
 Fax No (01924) 305243
 E-Mail pjaques@wakefield.gov.uk
 Date 4th June 2010

Corporate Director: Philip Taylor
 Town Hall, Wood Street Wakefield
 West Yorkshire WF1 2HQ
 Typetalk calls welcome

West Yorkshire Police
 Wakefield District Licensing Office
 Wood Street Police Station
 Wood Street
 Wakefield

Dear Sirs

**REVIEW OF PREMISES LICENCE – 3.6.10
 The Bank, Westgate, Wakefield**

Following the Committee Hearing on the 3rd June 2010, please find attached the Notice of Decision for the above premises.

Yours faithfully,



P Jaques
 Senior Legal Officer

Y:\LICENSING\General Lic Research\LICENSING ACT 2003 COMMITTEE HEARINGS\Bank, Westgate\Review\Letter - Police 3.6.10.DOC



working for

LICENSING ACT 2003

Section 167

Notice of determination of review of premises licence following closure order

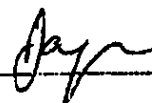
To: West Yorkshire Police

Of: Licensing Office, Wood Street, Wakefield

The Wakefield Metropolitan District Council, being the licensing authority, was required to review the premises licence for the Bank, Westgate Wakefield, WF1 1XD pursuant to section 167 of the Licensing Act.

On 3rd June 2010 as required under the Licensing Act 2003, a hearing was held to consider the closure order, the order of the Magistrates Court and the interim Order of the High Court together with relevant representations. The Committee's decision is attached.

The decision shall take effect in 21 days beginning with the day on which any Appellant was notified by the Licensing Authority of the decision, or if the decision is appealed against, until the appeal is disposed of.

Dated: 3.6.10 Signed: 
Designation: Senior Legal Officer
the officer appointed for this purpose

Please address any communications to: The Licensing Office
Horbury Community Centre
Cluntergate
Horbury
Wakefield
WF4 5DA

Note: An appeal against this decision may be made by the applicant/a person who made relevant representations/the Chief Officer of Police as applicable (see Schedule 5 of the Act) to the magistrates' court for the petty sessions area (or any such area) in which the premises concerned are situated within 21 days from the date of receipt of the notification of the decision.



All matters that come before the Sub-Committee are treated on their own merits and the Licensing Authority will take its decision based upon.

- the promotion of the Licensing Objectives:
Crime and disorder, Public Safety, Public Nuisance & Protection of Children from harm
- the policy of the Licensing Authority, copies of which are available on the Council's website (www.wakefield.gov.uk);
- the Guidance issued by the Secretary of State for Culture, Media and Sport as amended, under Section 182 of the Licensing Act 2003.

On 9th May 2010, the Police issued a Closure Order under Section 161 of the Act in respect of the premises. The Order was further extended on 10th May 2010 under Section 162 of the Act.

The reason for closure was in the interests of public safety and to prevent disturbance, disorder was taking place within the premises and the vicinity, a nuisance was being caused by excessive noise from the premise.

PREMISES LICENCE – THE BANK, WESTGATE, WAKEFIELD, WF1 1XD

**Review of the Premises Licence under the Licensing Act 2003 for the Bank,
Westgate, Wakefield, WF1 1XD**

Present at the Licensing Sub-Committee held on 3rd June 2010 were:-

1. **Licensing Committee Members**

Cllr Mrs J Drysdale (Chair)

Cllr G Lloyd

Cllr J Stone

2. **Officers from the Council:-**

Rachel Winstanley - Clerk to the Committee

P.Jaques - Legal Adviser to the Committee

3. **Responsible Authorities**

West Yorkshire Police represented by Mr O Thorne

Also in attendance: M Falciano & D Finch Force Solicitors

Inspector Close / PC Shelton / Sgt King / PC Studd / PC Burnett

4. **Building Control**

Jill Fletcher

5. **Premises Licence Holder:**

Matthew Powell

Later on 10th May 2010, Wakefield Magistrates Court gave consideration to the Closure Order pursuant to section 165 of the Act. The Magistrates ordered that the premises remain closed until the matter was determined by the Licensing Authority.

On 14th May 2010, the High Court sitting at Leeds considered an application under Civil Procedure Rules 25.1 for an Interim Order. By consent between the Licence Holder and Magistrates Court it was Ordered that the Closure Order made by the Magistrates Court under S165 would cease to have effect and that the Interim Order with conditions would remain in force until today's Review hearing under Section 167 of the Act.

The Review has been advertised and all Responsible Authorities have been notified. West Yorkshire Police have submitted further representations, full details of which have been circulated to all relevant parties. There is also a representation from Building Control.

At this Review hearing the Committee is required to consider:

The Closure Order, the Order of the Magistrates Court and subsequent interim order of the High Court and any relevant representations that have been made and take such steps (if any) as are referred under Section 167(6) of the Act which are:

- (a) to modify conditions of the Premises Licence
- (b) to exclude a Licensable activity from the scope of the licence
- (c) remove the designated premises supervisor from the Licence
- (d) to suspend the licence for a period not exceeding three months or
- (e) revoke the Licence

THE DECISION

This is a review of the Premises Licence of the The Bank, Westgate, Wakefield initiated as a result of a Police Closure Order.

We have read the information in support of the Police representation and heard evidence today from Inspector Close, PC Shelton, Sgt King together with written evidence, CCTV evidence and other statements in support and the submissions of Mr Thorne.

* The Committee view the incident of 9th May 2010 extremely seriously and concerned about the incident as it unfolded as explained by Inspector Close. We have heard about previous (Licence breaches) and the suitability of staff in supervisory positions and also the general management of the premises and practices that are employed.

* We have no reason to doubt having heard Police evidence that Mr Powell was under the influence of alcohol at the time of the incident and whilst those causing disturbance were ejected from the premises, there was a delay in contacting the Police and persons were clearly extremely drunk on the premises.

The Committee have heard evidence of issues with Building Control and non-compliance over a number of issues. This shows a further lack of responsibility with Responsible Authorities.

* The Committee have also listened to representations given by the Licence Holder Mr Powell. We have been asked to view this as a one-off incident and that lessons have been

learned. Mr Powell states that he was not drunk at the time of the incident but the Committee prefer the Police evidence on this issue.

We have not seen any training records and are concerned that appropriate checks were not made when recruiting staff to work at the premises particularly in supervisory positions. Further, Mr Powell made several inconsistent statements during his representation in this hearing.

We have therefore given consideration to the steps available to us under the Act in considering this Review Hearing.

(*The management of the premises seems to be the root of the problem*) This Committee needs to be sure that incidents of this nature do not arise in the future.

In imposing further conditions we would need to be satisfied that the management of this large venue could be complied with.

* However, upon what the Sub-Committee have heard we are not satisfied that Mr Powell is suitably qualified and more importantly able to manage and train others in promoting the Licensing objectives.

We have given consideration to the removal of Mr Powell as Designated premises Supervisor but feel poor management practice of the Licence Holder will still not prevent the problems that have arisen.

Therefore, the Sub-Committee have taken the serious step of revoking the Licence.

Licensing Sub-Committee 2



Occurrence details

West Yorkshire

Printed: 05/09/2010 08:16 by 5548

Occurrence: 13100192003

Occurrence details:

Report no.: 13100192003
 Occurrence Type: Licensing Visit
 Occurrence time: 10/05/2010 10:01 -
 Reported time: 10/05/2010 09:59
 Place of offence: WESTGATE CENTRE, WAKEFIELD, WEST YORKSHIRE United Kingdom WF1 1XD (THE BANK) (BCU: DA, Name: Wakefield, Ward: 17)
 Clearance status: New
 Concluded: No
 Concluded date:
 Summary: PL0965
 Remarks:

Reports:

Occurrence enquiry log:

Type	Entry time	Event time	Author	Link	Log entry
Licensed visits	10/05/2010 10:22		#2860 BURNETT, C.	No	The premises were closed by Insp CLOSE (DA CENTRAL NPT) under S161 Licensing Act 2003 at 0810hrs on Sunday 9th May 2010. The closure order is initially for 24 hours but this has been extended by Insp Close to 0810hrs on Tuesday 11 May to allow a hearing at Wakefield Mags Court on Monday 10-5-2010. All documents attached to occurrence.
Licensed visits	11/05/2010 09:00		#2860 BURNETT, C.	No	The S161 Closure was heard at Wakefield Magistrates Court on 10-05-2009. A closure order was issued by the Magistrates, and the premises will now remain closed until a full review of the licence can be heard. The date is to be set shortly. A copy of the order is attached to this occurrence.
Licensed visits	17/05/2010 09:02		#2860 BURNETT, C.	No	The DPS Matthew Powell made an application on Friday 14th May 2010 at Leeds Crown Court for an interim order pursuant to CPR Rule 25.1, in effect an application to overturn the Magistrates decision and re open the premises. Consent was reached by POWELL and the Police as to conditions on the premises licence, and an order was made by His Honour Judge Grenfell that the S165 closure order imposed by Wakefield Magistrates on 10-10-2010 shall cease to have effect until further order of the Court. The licence is scheduled for a full review hearing at Wakefield Licensing Committee on Wednesday 26th May 2010. A full list of the conditions set at are scanned to this occurrence.
Licensed visits	01/06/2010 08:55		#2860 BURNETT, C.	No	A licensed visit was made to the premises at 2340hrs on 28-5-2010. No door staff were at the front door or the bottom of the steps on ground floor level or on side door, (usually positioned front door, bottom of steps and side door). Licensed visit pro forma completed.
Licensed visits	03/06/2010 07:51		#2860 BURNETT, C.	No	The full licensing review of the premises is to be heard by Wakefield Licensing Committee at 9.30am on Thursday 3rd June 2010.
Licensed visits	07/06/2010		#2860	No	The full licensing review was heard before the

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Printed by: 5548 Date: 05/09/2010 08:16 Computer: BB1604D Page 1 of 2

	14:38		BURNETT, C.		Wakefield Licensing Committee on Thursday 3rd June 2010. The decision made was that the premises licence was revoked. The owner Matthew Powell has 21 days to appeal the decision from the date of the hearing (he can remain open if he appeals, operates under the conditions of the original premises licence until the appeal is heard). A copy of the licensing committee decision is scanned to this occurrence.
Licensed visits	11/08/2010 11:34		#2860 BURNETT, C.	No	The premises were visited on 30-7-2010 by Pc Burnett (licensing) and Mr Dean (council licensing enforcement). A warning notice was served on the manager Neil Cooper as up to date staff records were not available to inspect at that time. A drugs safe was not in use, and the staff safe was being used in its place. Mr Cooper was advised to install a secure and fixed safe, specifically for drugs use in accordance with his licence conditions. On Monday 2nd August 2010, the DPS Matthew Powell was spoken to by telephone and advised in relation to the warning notice. He was advised the safe was necessary and the records needed to be available and up to date. He advised Pc Burnett that the staff training records were with the accountant but that he would make them available for inspection. On 3rd August 2010, Mr Cooper was spoken to after the Wakefield Pubwatch meeting. He stated he had still not purchased a specific drugs safe, but he was planning on getting one that afternoon. He was advised it had to be securely fixed in accordance with his licence conditions. He stated he would comply with this, and ensure the training records were all in order.
Licensed visits	12/08/2010 15:41		#2860 BURNETT, C.	No	The premises were visited again today and the manager Mr Cooper has now affixed a specific drugs safe to the wall in the vaults. He has changed most of his staff and has shown me his new training records in respect of those staff.

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Printed by: 5548 Date: 05/09/2010 08:16 Computer: BB1604D Page 2 of 2

Wakefield bar has licence revoked

Published on Wed Jun 09 16:56:58 BST 2010

A TROUBLE-HIT Wakefield bar is set to shut after losing its licence.

Council chiefs revoked The Bank's premises licence after hearing how violence flared during an all-night dance event and how the owner was drunk.

The venue on Westgate hit the headlines last month when magistrates closed it down after police told them about mayhem on the morning of May 9.

But that decision was overturned in the High Court just four days later and The Bank was allowed to re-open pending a review of the licence.

That review hearing took place yesterday, at Wakefield Town Hall, when the council's licensing sub committee took the serious step of revoking the licence.

The decision will take effect in 21 days but Mr Powell can appeal.

Inspector Richard Close, of Wakefield central neighbourhood police team, told the hearing about the "unbelievable" noise coming from the venue's open doors, which he could hear from his car when he drove by at 7am.

He also saw two men vomiting and urinating in the street.

Later an assault victim was carried from the premises and a threatening man had to be subdued with with CS gas.

Insp Close spoke to bar manager Richard Hanks, who smelt of intoxicant, and to the Bank's owner, Matthew Powell, who was "clearly drunk".

Mr Powell refuted that assessment in the hearing and also denied he'd said, "they're drunk, we're drunk" to the officer. But the committee preferred the evidence of Insp Close on the drink issue.

The hearing was also told that Mr Hanks had several previous convictions for drug offences and that Mr Powell didn't carry out Criminal Record Bureau checks.

The committee's ruling said: "We view the incident on May 9 extremely seriously.

"We're concerned about how it unfolded as explained by Insp Close. We've heard about the previous licence breaches and suitability of staff in supervisory positions and also general management of the premises and practises employed."

It concluded: "In considering this review the management of the premises seems to be the root of the problem.

"This committee needs to be sure that incidents of this nature do not arise in the future."

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IN THE HIGH COURT OF JUSTICE
ADMISTRATIVE COURT
SITTING AT LEEDS

Before HHJ Grenfell
Sitting as a Judge of the High Court
At Leeds
On 14 May 2010

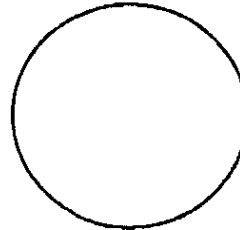
Claim No: CC/5585/2010

Dated: 14 May 2010

Claimant:

MATTHEW POWELL

Seal



First Defendant:

WAKEFIELD MAGISTRATES COURT

Second Defendant:

WEST YORKSHIRE POLICE

THIS ORDER

On the 14TH day of May 2010, the Court considered an application for an interim order pursuant to CPR rule 25.1

1. *By Consent between the Claimant and First Defendant, It is ordered that,*

The Closure order made pursuant to s.165 of the Licensing Act 2003, by the Justices sitting at Wakefield on the 10th Day of May 2010 shall cease to have effect.

This order shall remain in force until further order of the Court.

The Claimant undertakes to abide by the following conditions until such time as the Review Hearing pursuant to s. 167 LA 2003 has been determined;

(i) the Claimant will shall not operate any licensable activities (as listed on premises licence PL0965) beyond the hour of 01:00am Monday to Sunday.

(ii) the Claimant (in his capacity as designated premises supervisor) shall be present at the premises at all times when licensable activities are taking place.

(iii) the Claimant (in his capacity as designated premises supervisor) shall not consume alcohol within the premises during licensable activities are taking place. the time that

(iv) the Claimant shall submit to a roadside breathalyser test during licensable hours upon the request of a police officer.

(v) the Claimant will make no application for a Temporary Event Notice (TEN)

Further, the temporary event notice for 30 May 2010 is withdrawn.

It is further ordered that:

2. The parties have 7 days from the date of this order to submit representations (by e-mail) as to any costs order in respect of this application for an interim order pursuant to CPR rule 25.1

Communications with the Court

All communications to the Court about this order should be sent to-

The Administrative Court, Leeds Combined Court Centre, The Court House, 1 Oxford Row, Leeds, West Yorkshire LS1 3BG, DX 703016 Leeds 6,

You are here News > Local

Court shuts trouble-hit club

Published on Thu May 13 17:37:48 BST 2010

A CLUB has been shut down after an all night dance event descended into booze-fuelled mayhem and violence.

Wakefield magistrates heard one man was left covered in blood following an assault inside The Bank on Sunday morning

And another ambulance was called to a second man who had been knocked out inside the nightclub on Westgate

The court heard how bar bosses were "intoxicated" and even continued to drink when police went through the closure process after trouble flared at 7.45am.

The Bank's designated premises manager Matthew Powell told police: "Whenever we are open late I get nervous. Anything past four o'clock and there is trouble. They are drunk, we are drunk, it's too long, everyone is tired. I have to stay open or we just break even."

The court heard how Mr Powell and premises manager Richard Hanks were both intoxicated

Licensing Sergeant Bob King, explaining how events unfolded and told how the venue had previously been granted a temporary events notice enabling it to play dance music until 9am.

He said Inspector Richard Close drove by The Bank at 7.15am on his way to work

Music was blaring out of the club's open doors so loud his car was vibrating

He then saw revellers urinating and vomiting in the street, and members of the public clearly avoiding the area

The court also heard how glasses and bottles were strewn around the entrance

Insp Close spoke with the head doorman and pointed out lack of management of customers. The officer then continued to monitor the premises via CCTV

At 7.45am he saw an incident break out inside The Bank. Insp Close returned to the venue and saw a man, who'd clearly been assaulted inside, being carried to the doorway, his head covered in blood

Then officers were forced to use CS gas on another man who became threatening and violent.

After the mayhem Insp Close spoke with managers and considered their continued drinking to be "totally unacceptable"

Sgt King told magistrates: "Insp Close formed the opinion that a clear lack of management led to this incident."

Mr Powell was told of the police's intention to seek a closure notice at court and he was informed he could make representations.

But Sgt King said Mr Powell declined.

Chairman of the bench Pamela White ordered the Bank be closed until the licensing authority reviews their licence

That hearing is expected to be in late May.

Mrs White said: "It's felt for public safety and to prevent disturbance that this order is necessary."

Inspector Close, of Wakefield Central Neighbourhood Police Team, said: "This action demonstrates that alcohol fuelled disorder will not be tolerated in Wakefield, whether it is on the street or in the confines of licensed premises.

"We will take whatever action necessary to make visits to the city centre safer."

Police said three men were arrested for public order offences in the vicinity of the pub but not inside it

One was cautioned, one received a fixed penalty, and the third was bailed pending further enquiries

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LICENSING ACT 2003
PARTIES NOTICE OF
INTENTION



Leeds
 CITY COUNCIL

Application No: PREM/02363/V01

Name of Applicant/premises: Mr Matthew Powell / Boodwaar

Date of Hearing: 8 November 2010

I am	The Applicant/Licence holder	
	A Responsible Authority	✓
	An Interested Party	

Name:	PC CATH ARKLE	Address:	MILLGARTH POLICE STATION MILLGARTH STREET LEEDS LS2 7AX
-------	---------------	----------	--

I will be attending the Hearing	✓
I will not be attending the Hearing	
I will be represented at the Hearing by	
<p><i>NB If you complete this section all further correspondence will be sent to your representative</i></p>	

Note – if you say that you will not be attending the Hearing the Committee will make it's decision based upon your written objection, that submitted by any other party and any representations made by parties who do attend.

If you wish to withdraw your representation please tick here

OR

If you consider that a hearing can be dispensed with please tick here

Please give details as to why you think a Hearing can be dispensed with.
 (e.g. because you have reached agreement with the other party(ies) on conditions)

WITNESSES

Please set out below the name of any person you wish to appear at the Hearing (other than your representative) and give brief details of what you want the witness to tell the Committee. You will only be allowed to call the witness if the Committee gives permission.

Name	Evidence to be given
PAUL NATHAN GEARY	EVIDENCE OF MISMANAGEMENT BY APPLICANT.
PC PAUL SHELTON	HISTORY OF APPLICANT'S OPERATING IN WAKEFIELD
PC CHRIS BURNETT	WAKEFIELD LICENSING IF PAUL SHELTON UNAVAILABLE

DOCUMENTS

Please list below and attach any documents (other than your application or written objections) that you wish the Committee to consider and indicate whether copies have already been sent to the other parties.

Document	Copy sent
1. POLICE INTELL. DOC. RE BOODWAAR + POWELL	} NOT SENT TO OTHERS PARTIES.
2. 2 PAGE STATEMENT FROM PC SHELTON	
3. COPY OF CLOSURE NOTICE DATED 5 TH APRIL 200	
4. COPY OF CLOSURE NOTICE DATED 25 TH JUNE 2010	
5. COPY OF WAKEFIELD WARNING LETTER DATED 30/7/2010	

PLEASE RETURN THIS FORM TO

**ENTERTAINMENT LICENSING SECTION
 LEGAL, LICENSING AND REGISTRATION
 LEEDS CITY COUNCIL
 CIVIC HALL
 LEEDS
 LS1 1UR**

**FAX 0113 224 3885
 E mail entertainment.licensing@leeds.gov.uk**

02/10/2010 19:00

[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

[Navigation icons: back, forward, search, etc.]

Sanitise Source & Officer Details

Information

Boodwaar nightclub in Leeds, club owned by Matthew Powell. Powell is leaking money, is in arrears with rent and council tax, has not paid for public liability insurance and has no CCTV. On the night of Sat 16th October the doormen were late in arriving and a large group of gypsies arrived outside attempting to gain entry.

On arrival of the door staff a heated verbal argument ensued after which Powell made a decision to allow the gypsies in. Informant states that there was trouble all night long in the club with about 6 large fights breaking out on the dance floor. Various allegations re Powell cutting corners in several areas due to cash flow problems.

ANPR Required

- Please select no of Vehicles if required -

Vehicle 1

[Redacted]

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Ref No:



Witness Statement

(CJ Act 1967, s.9;MC Act 1980, ss.5A(3)(a) and 5B;MC Rules 1981, r.70)

Crime Ref No:

URN:

Statement of Paul Shelton

Date of Birth: Over 18

Occupation: PC3738

This statement (consisting of: 7 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated: 26th October 2010

Signature:

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable, an officer of West Yorkshire Police, currently stationed at Wakefield Division. I am one of the Licensing constables for Wakefield Division and have responsibility for the enforcement of licensing law with regard to all licensed premises.

I have prepared this statement to provide to the Licensing Committee with an overview of police concerns in relation to The Bank 2-4 Westgate Wakefield, WF1 1XD.

On the 17th June 2009

Matthew John Powell applies to the Wakefield Licensing Authority for the Premises licence of The Bank to be granted.

On the 27th July 2009

The licence is then granted .but the bar did not open for a considerable time after the granting of the licence.

Signature:

Signature Witnessed by:

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MG11

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Continuation Statement of Paul Shelton

On the 5th of April 2010

At 2105 hours on the above date I conducted a licensing visit at The Bank 2-4 Westgate Wakefield, WF1 1XD. The person in charge at the time was a person called Richard Lesley Hanks. Due to a breach of of four licence conditions Annex 2 condition 1,condition 8,condition 9,and condition 11 I issued a Section 19 Criminal Justice and Police act closure order .Due to no personal licence holder or the DPS being onsite the premises were temporally closed until Mr Powell was onsite.

On the 25th June 2010

From information held on Police systems I am aware that Inspector Close of the Wakefield Central NPT issued a Section 19 Closure Notice on Matthew Powell at 2110hrs at The Bank 2-4 Westgate Wakefield, WF1 1XD for breaches of conditions Annex 2 condition 24 and 25

On the 30th July 2010

From information held on Police systems and speaking to my colleague in the licensing department PC 2860 Burnett I am aware that at 2150 hrs on the above date he issued a warning letter to Neil Cooper who was acting as manager at The Bank at the time the warning was served. I am also aware that PC Burnett has also seized over the past couple of months CCTV footage of disorder within The Bank.

Signature:

Signature Witnessed by:

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NOT PROTECTIVELY MARKED

White - POLICE COPY Yellow - DPS COPY

CLOSURE NOTICE

Section 19, Criminal Justice and Police Act 2001

Read accompanying notes on reverse

This Closure Notice is served by the Police Officer named below if he/she is satisfied that the premises have been used for the unauthorised sale of alcohol for consumption on, or in the vicinity, of these premises within the last 24 hours. Each of the paragraphs below must be completed by the Police Officer.

Date of Closure Notice: 5/4/2010 Time Notice served: 21:05 AM/PM
 Police Force: WYOT YORKSHIRE POLICE
 Name and rank of Police Officer above: PC 3738 SHELTON
 Signature of Police Officer above: [Signature] PC 3738
 Name and address of premises affected: THE BANK, WOODGATE, WAKEFIELD W. YORKS Postcode: WF11XD

Alleged unauthorised use of the premises

There has been the unauthorised sale of alcohol because: CONDITION

- i. NO MEMBER OF STAFF TRAINED IN CCTV RECOGNITION
- 8. NO TRAINING RECORDS ON SITE
- 9. DRUG SAFE NOT FITTED SECURE LOCATION.
- +1. OPS OR PERSONAL LICENSE HOLDER WILL BE ON SITE.

Steps which must be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:

ALL CONDITIONS ABOVE WILL BE COMPLETED WITHIN 30 12/4/10

The person (if applicable) upon whom the Closure Notice has been served:
 Name: [Signature] Position: MANAGER
 Signature: [Signature]



NOT PROTECTIVELY MARKED

White - POLICE COPY Yellow - DPS COPY

CLOSURE NOTICE

Section 19, Criminal Justice and Police Act 2001

Read accompanying notes on reverse

This Closure Notice is served by the Police Officer named below if he/she is satisfied that the premises have been used for the unauthorised sale of alcohol for consumption on, or in the vicinity, of these premises within the last 24 hours. Each of the paragraphs below must be completed by the Police Officer.

Date of Closure Notice: 25th JUNE 2010 20.10 Time Notice served: 21.10 AM/PM

Police Force: WEST YORKSHIRE

Name and rank of Police Officer above: INSP RICHARD CLOSE

Signature of Police Officer above: [Signature]

Name and address of premises affected: THE BANK, WESTGATE, WAKEFIELD

Postcode: WF1 1XD

Alleged unauthorised use of the premises

There has been the unauthorised sale of alcohol because:

Condition 24 - All external doors and windows to the rooms where regulated entertainment is being provided shall be closed other than for access & egress.

Condition 25 - As above and doors shall not be propped open.

Steps which must be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:

1. Cease regulated entertainment

or
2. Close doors & keep closed other than for access & egress.

The person (if applicable) upon whom the Closure Notice has been served:

Name: MATTHEW POWELL

Position: DPS

Signature: [Signature]



WEST YORKSHIRE POLICE

West Yorkshire Police
Wakefield Division Licensing
Department
Wood Street Police Station
Wakefield

To:

WF1 2HJ

NAME.....NEIL COOPER.....

Tel: 01924-302485

POSITION.....MANAGER.....

PREMISES.....THE BANK.....

ADDRESS.....WESTGATE, WAKEFIELD.....

.....
.....POSTCODE.....WF1 1XD

RECORD OF WARNING

At 2.150 hrs on 30/7/10 the premises shown above were visited by

PC IPS.....2860 BILBETT.....
Dept.....LICENSING DEPARTMENT, WAKEFIELD.....

You have been formally warned and advised in relation to the following breaches of your licence conditions.

- 1.. CONDITION 8 (ANN 2) STAFF RECORDS NOT UP TO DATE / INCOMPLETE
- 2.. CONDITION 9 (ANN 2) SPECIFIC DANGERS SAFE NOT IN PLACE. STANOMO SAFE
BEING USED. ADVISED IN RELATION TO BOTH CONDITIONS:
- 4.....

At this stage a warning and advice is considered to be appropriate. You should now address and rectify the issues immediately.
The warning notice will be recorded and retained by West Yorkshire Police.
Should further police action be required, the warning notice may be submitted in any subsequent licence hearing/review.

Ps 3961 king.
Licensing Sgt.

I confirm I have been served a copy of this warning notice.

Signed.....[Signature]..... Signed.....[Signature].....

Date/Time.....30/7/10 01.50..... Date/Time.....2.150 30/7/10.....



Leeds
CITY COUNCIL

Originator: Mrs Emma White

Tel: 0113 2474095

Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: 8th November 2010

Subject: Application for the Grant of a Premises Licence for KASA Crossgates Ltd, Ground Floor Premises , 18 Austhorpe Road, Cross Gates, Leeds, LS15 8DX

Electoral Wards Affected:

Crossgates & Whinmoor



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the grant of a Premises Licence for premises situated at Ground Floor Premises , 18 Austhorpe Road, Cross Gates, Leeds, LS15 8DX, trading as KASA Crossgates Ltd.

The premises intend to operate with the Sale of Alcohol everyday 07:00 - 23:30 sold for consumption off the premises.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

1.0 Purpose of this Report

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt to representations.

2.0 History of Premises

- 2.1 Previously the shop traded as an off-licence which was operated by Wine Rack the licence was surrendered on the 22nd September 2009. The operating hours were Supply of Alcohol Sun 10:00 -22:30 and Mon to Friday 08:00 - 23:00

3.0 The Application

- 3.1 The applicant is KASA Crossgates Ltd,
- 3.2 The location of the premises can be found on the map attached as Appendix A.
- 3.3 A copy of the application and operating schedule are attached as Appendix B to this report. For the assistance of members, the Operating Schedule shows:

3.4 Proposed licensable activities

Sale by retail of alcohol

3.5 Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Sale by retail of alcohol	
Every Day	07:00 - 23:30

3.6 Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours

Everyday	07:00 - 23:30
----------	---------------

3.7 Steps to promote the licensing objectives

The applicant proposes to take specific steps to promote the licencing objectives identified in the Pro-Forma Risk Assessment; a copy of which is attached as Appendix C of this report.

4.0 Relevant Representations

- 4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Representations have been received from interested parties. Members are invited to consider Appendix D of this report.

5.0 Matters Relevant to the Application

5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

5.2 In the making of their decision Members are obliged to have regard to the national guidance and the council's licensing policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

6.0 Options available to members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Refuse to specify the said person as the Designated Premises Supervisor.
- Reject the whole or part of the application.

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it *considers it desirable to do so*. It must actually be necessary in order to promote the licensing objectives.

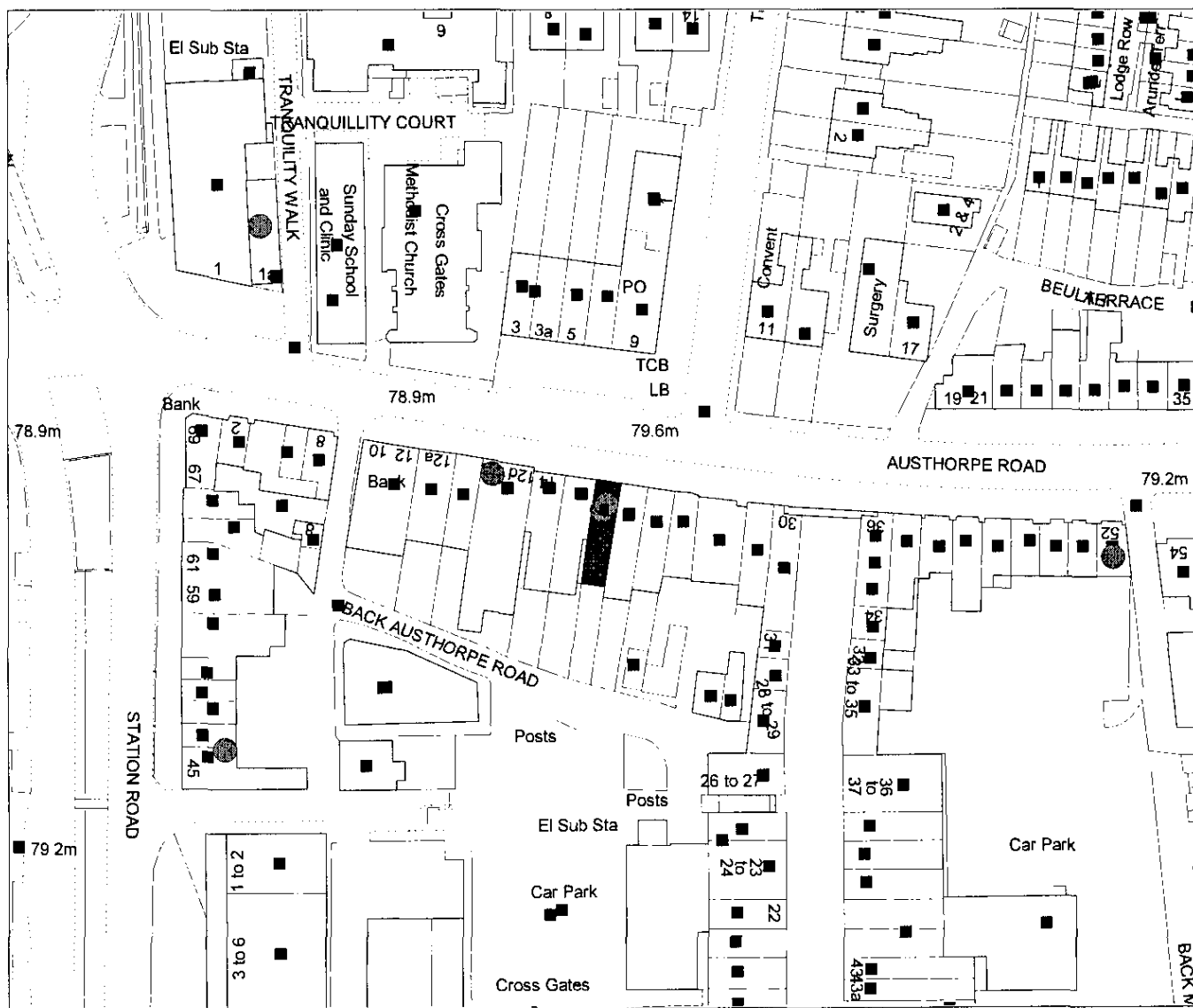
Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy



PREM/02949

KASA, Ground Floor Premises, 18 Austhorpe Road, LS15 8DX



Km 0.02 0.04 0.06 0.08 0.1 0.12 0.14 0.16 0.18 0.2

This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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Date:	26 October 2010
Scale:	1:1250

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

Application for a premises licence to be granted under the Licensing Act 2003

EW
21 SEP 2010

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We KASA Crossgate Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

ENTERTAINMENT LICENSING
21 SEP 2010
RECEIVED

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
<p><i>Ground Floor Premises</i> <i>18 Austhorpe Road,</i> <i>Crossgate,</i></p>	
Post Town <i>Leeds</i>	Postcode <i>LS15 8DX</i>

Telephone number at premises (if any)

None

Non-domestic rateable value of premises

£22,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick Yes

- | | |
|---|---|
| a) An individual or individuals* | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | <input checked="" type="checkbox"/> please complete section (B) |
| i) as a limited company | <input type="checkbox"/> please complete section (B) |
| ii) as a partnership | <input type="checkbox"/> please complete section (B) |
| iii) an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv) other (for example, a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |

- f) a health service body please complete section (B)
- g) a person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an Independent hospital please complete section (B)
- h) the chief officer of a police force in England & Wales please complete section (B)

*If you are applying as a person described in (a) or (b), please confirm:

- I am carrying on or proposing to carry on a business which involves the premise for licensable activities, or:
- I am making the application pursuant to a
 - statutory function or Please tick Yes
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title
(Rev, Dr, etc)

Surname:

First Name:

I am 18 years old or over.

Please tick Yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr

Mrs

Miss

Ms

Other title
Rev, Dr, etc)

Surname:

First Name:

Please tick Yes

I am 18 years old or over.

Current postal
address if different
from premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate, please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name:	KASA Crossgate Ltd
Address:	Registered office 10 Church Street Paddock Huddersfield HD1 4TR
Registered number (where applicable)	7326284
Description of applicant (for example partnership, company, unincorporated association etc)	Limited Company
Telephone number (if any)	
Email address (optional)	info@kasa-ds.com

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
1	5	1	0	2	0	1	0

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			

If more than 5000 people are expected to attend the premises at any one time, please state the number expected to attend.

--

Please give a general description of the premises (please read guidance note 1)

Shop is situated on a parade of shop properties located on Austhorpe Road which forms part of the Crossgates shopping centre. Previously the shop operated as an off-license premise operated by Wine rack.

The shop consists of ground floor with 65 msqr of sales area and 15 msqr of storage with a single customer entrance at the front and Goods entrance at the rear of the property.

The application is for supply of alcohol and consumption off site only.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment:

- | | Please tick <input type="checkbox"/> Yes |
|--|--|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities for:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)(if ticking yes, fill in box K) | <input type="checkbox"/> |

L) Provision of late night refreshment (if ticking yes, fill in box L)

M) Supply of alcohol (if ticking yes, fill in box M)

In all cases, complete boxes N, O, and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>	
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thurs						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>	
Tue						
Wed				State any seasonal variations for the exhibition of films please read guidance note 4)		
Thurs						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or out doors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue					
Wed					
Thurs					
Fri					
Sat					
Sun					

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or out doors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue					
Wed					
Thurs					
Fri					
Sat					
Sun					

E

Live Music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input type="checkbox"/>
Day	Start	Finish	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)	
Thurs				
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input type="checkbox"/>
Mon			Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Thurs				
Fri			Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sat				
Sun				

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thurs			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).		Indoors <input type="checkbox"/>
Day	Start	Finish			Outdoors <input type="checkbox"/>
Mon					Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing		
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thurs			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Mon					Outdoors
			Both		<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thurs			State any seasonal variations for the Provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the Provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick [Y] (Please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
				Please give further details here (please read guidance note 3)	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick Y) Please read guidance note 7).	On the premises <input type="checkbox"/> Off the premises Y <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol! (please read guidance note 4) 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).	
Mon	07:00	23:30		
Tue	07:00	23:30		
Wed	07:00	23:30		
Thurs	07:00	23:30		
Fri	07:00	23:30		
Sat	07:00	23:30		
Sun	07:00	23:30		

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

Name Shakil Bashir

Address 83 Crossflatts Avenue, Beeston, Leeds

Postcode LS11 7BH

Personal Licensing Number (if known) LEEDS/PERL/00126/05

Issue Licensing Authority (if known) Leeds

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	23:00 23:30	Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5).
Tue	07:00	23:00 23:30	
Wed	07:00	23:00 23:30	
Thurs	07:00	23:00 23:30	
Fri	07:00	23:00 23:30	
Sat	07:00	23:00 23:30	
Sun	07:00	23:00 23:30	

EUBS
changed
agreed
with applicants

P

Describe the steps you intend to take to promote all four licensing objectives:

a) General--all four licensing objectives (b, c, d, e) (please read guidance note 9)

4PF001, 4PF002, 4PF003, 4PF004, 4PF005, 4PF006, 4PF024, 4PF025, 4PF044, 4PF045, 4PF049

b) The prevention of crime & disorder

4PF001, 4PF002, 4PF003, 4PF004, 4PF005, 4PF006, 4PF024, 4PF025

c) Public safety

, 4PF044, 4PF045, 4PF049

d) The prevention of public nuisance

Not Applicable

e) The protection of children from harm

Not Applicable

- Please tick Yes
- I have made or enclosed payment of the fee
 - I have enclosed the plans of the premises
 - I have sent you copies of this application, and the plan to responsible authorities and others where applicable
 - I have enclosed the consent form produced by the individual I wish to be premises supervisor, if applicable
 - I understand that I must now advertise my application
 - I understand that if I do not comply with the above requirements, my application will be rejected.

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE OF UP TO LEVEL 5 ON THE STANDARD SCALE [£5000], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4--Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature: A. Bashir

Date: 20 September 2010

Capacity: Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12) If signing on behalf of the applicant, please state in what capacity.

Signature: _____

Date: _____

Capacity: _____

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

**Adeel Bashir
334 Dewsbury Road,
Beeston**

**Post Town
Leeds**

**Postcode
LS11 7DJ**

**Telephone number (if any)
0786 780 7039**

**E-mail address (optional)
adeel@kasa-ds.com**

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or un-amplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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

Consent of individual to being specified as premises supervisor

I [.....*Shakil Bashir*.....] of
full name of prospective premises supervisor

[.....*83 Crossflatts Ave, Leeds, LS11 7BH*.....]
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

[.....*Off licence*.....] by [.....*Kasa Cross gates*.....]
type of application *name of applicant*

relating to a premises licence [.....*N/A*.....] for
number of existing licence, if any

[.....*18 Austhorpe road Crossgates, Leeds, LS15 8DX*.....] and any
name and address of premises to which the application relates
premises licence to be granted or varied in respect of this application made by

[*Shakil Bashir*.....] concerning the supply of alcohol at
name of applicant

[.....*18 Austhorpe road Crossgates, Leeds, LS15 8DX*.....]. I also
name and address of premises to which application relates
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 [.....*LEEDS/PERL/00126/05*.....]
insert personal licence number, if any

Personal licence issuing authority

[.....*Leeds city council, Civic Hall, Leeds LS1 1UR – Tel 0113 2474095*.....]
insert name and address and telephone number of personal licence issuing authority, if any


.....signed

Shakil Bashir.....name (please print)

20 September 2010.....dated



Licensing Act 2003

Proforma Risk Assessment V4

Please complete the details below:

Applicant name: KASA Crossgate Ltd
Business name: KASA Crossgate Ltd
Business address: Ground Floor 18 Austhorpe Road Crossgates Leeds
Postcode: LS15 8DX

Guidance about this document

1. The Licensing Authority recommends that you complete this specially designed pro forma risk assessment to help you decide what should be entered in your operating schedule to show how you will promote the four licensing objectives.
2. Whilst the Licensing Authority cannot insist you use this document it takes the view that it assists responsible authorities in assessing the operating schedule, promotes discussions and partnership working and will reduce the number of representations and hearings.
3. If you do not use this risk assessment pro forma then you will need to demonstrate how you will meet the licensing objectives by providing other supporting evidence via your operating schedule.

How to use this document

1. This document has four sections which correspond with the four licensing objectives and appendix 1 of our Licensing Policy. In each section you will find information on potential control measures (each with an individual code) which we suggest may help you meet the four licensing objectives.
2. Run through the questions in the grey sections and consider the potential control measures listed in the columns beneath.
3. If you are happy to volunteer the control measures as part of your application place a tick in the relevant box in the right hand column. You can then enter the corresponding codes in page 14 of your application form in the boxes which match up with the licensing objectives or simply write "see pro forma risk assessment". These measures will then appear on your licence.

Crime and Disorder

CCTV

Does the premises have CCTV?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
Was the siting and standard agreed with West Yorkshire Police (WYP)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with WYP?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If NO:	
Have you consulted WYP about whether CCTV should be installed?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
(NB unless WYP have agreed CCTV is not required, a representation is likely)	

Suggested condition	Code	✓
A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out	4PF001	✓
The siting and standard of the CCTV system will be agreed with WYP prior to installation and will comply with that agreement at all times.	4PF002	✓
Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police	4PF003	✓
CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of WYP.	4PF004	✓

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the DPS contactable in emergency?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Supervisor's Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

Suggested condition	Code	✓
A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.	4PF005	✓
The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.	4PF006	✓

Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Are they Security Industry Authority (SIA) registered?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you specify a minimum number of door supervisors?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES, state the number of staff _____	
Days (and times) employed _____	
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a policy with the door supervisor or security company which covers:	
<ul style="list-style-type: none"> • Vetting customers entering the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Is there a prominently displayed written search policy on the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Controlling customers entering, within or leaving the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Safeguarding the public within and immediately outside the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Notifying WYP at the earliest opportunity of any problems or incidents? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Exclusion of persons who have had too much to drink or appear inclined to disorder? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Daily Record Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Can you identify who was on duty at any particular time?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have an Incident Report Register?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Incident Report Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>

Suggested condition	Code	✓
The minimum number of door supervisors for the premises is _____ Please specify days and hours door supervisors operate on the premises.	4PF007	
The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.	4PF008	
The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).	4PF009	
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	4PF010	

Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	4PF011	
The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.	4PF012	
The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.	4PF013	
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	4PF014	

Drugs and Offensive Weapons

Do you have a policy and procedure to prevent use of illegal drugs or weapons (e.g. a search policy)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Does the policy include:	
• recording any search	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• informing the police of any search and seizure	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested condition	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	4PF015	
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	4PF016	
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.	4PF017	

<p>Notices will be prominently displayed at the entrances of the premises which state:</p> <ul style="list-style-type: none"> • a search will be conducted as a condition of entry to premises; • Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register. • Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. • entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances 	4PF018	
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Communication

Do you subscribe to Nite Net or a similar form of communication (radio/text/pager system)	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested condition	Code	✓
There will be a communication link to the WYP* and or* other relevant venues in the locality by means of (specify method) * delete as appropriate	4PF019	
Such communication link will be kept in working order at all times when licensable activities are taking place	4PF020	
The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	4PF021	
Any police instructions or directions given via the link will be complied with whenever given.	4PF022	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	4PF023	

Responsible Sale of Alcohol

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Alcohol Designated Public Places Orders

If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises. Or	4PF024	✓
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises.	4PF025	✓
Glass and Bottles Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.	4PF026	
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	4PF027	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	4PF028	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by West Yorkshire Police / British Transport Police (e.g. football match days)	4PF029	
Alcohol Designated Public Places Orders Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	4PF030	

Responsible Sale of Alcohol

Membership of a Recognised Body YES NO N/A
Do you belong to a Licensees Association/Body

If YES, please state which body YES NO N/A

Exclusion from Premises YES NO N/A
Do you operate a system of excluding customers who are known to cause problems?

If YES: YES NO N/A

- is this your own system or
- a system run by a local licensees body

YES NO N/A

Dispersal Policy YES NO N/A
Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour)

If YES:

- Was this agreed with WYP (and BTP where applicable)? YES NO N/A
- Are all bar and door staff trained on the policy? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives	4PF031	
The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The PLH/DPS will ensure that staff receive training on the policy.	4PF032	

Entertainment of an Adult Nature e.g. Strip Tease Dancing or Nude Dancing

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation? YES NO N/A

Suggested condition	Code	✓
Each area shall be supervised and shall display signs advising clients of the rules and conditions of licence regarding improper performances.	4PF033	
Performers shall be aged not less than 18 years.	4PF034	
Nothing shall be done, recited, sung, exhibited, or performed which is likely to cause a breach of the peace.	4PF035	
Whilst performing, the performer must at all times wear at least a G-string (female)/ pouch (male), covering the genitalia. This item of clothing must be worn at the commencement of the performance and may be removed during the performance but must be replaced at the conclusion.	4PF036	
During any performance of lap dancing, striptease or nude dancing (including performances usually termed 'private dances') there must not be any physical contact, by the performer, with any person in the viewing audience except: a) Leading a patron hand in hand to and from a chair or private room. b) Simple handshake greeting at the beginning and/or end of the performance. c) The placing of monetary notes or dance vouchers in the hand or garter worn by the performer. d) Pecking the cheek of a patron at the conclusion of the performance.	4PF037	
No performance shall include any sex act with any other performers, persons in the audience or with the use of any objects.	4PF038	
A price list must be displayed in a prominent position on the premises giving the price and time allowed for the dance routine.	4PF039	
Performers/dancers not performing must not be present in the licensed area in a state of nudity.	4PF040	

CCTV to be installed and maintained in the premises to the satisfaction of the West Yorkshire Police.	4PF041	
The recordings will be produced to a police constable or authorised officer of the Council, on request, and must be retained for a minimum of 31 days.	4PF042	
Booths, private rooms and areas must be visible to supervision and must not have closing doors or curtains that prevent the performance being observed.	4PF043	

Public Safety

Management Arrangements

Suggested condition	Code	✓
Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.	4PF044	✓
Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.	4PF045	✓
During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.	4PF046	
A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.	4PF047	
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	4PF048	
Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept and made available at the request of an authorised officer. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.	4PF049	✓
<p>One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:</p> <p>a) Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA, or</p> <p>b) Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</p> <p>The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>	4PF050	

General Housekeeping

Do you have written procedures for the inspection of:

- Furnishings and fabrics YES NO N/A
- Suspended decorations/lights/amplification systems YES NO N/A
- Guarding to stairs/balconies/landings/ramps YES NO N/A
- Condition of floor surfaces YES NO N/A
- Provision of safety glazing YES NO N/A
- Guardings to fires or open flames YES NO N/A

Suggested condition	Code	✓
Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	4PF051	
Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.	4PF052	
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.	4PF053	

Refreshments

Do you prepare hot food / drinks in proximity to the public? YES NO N/A

If YES:
Has the risk of scalding or burns been assessed? YES NO N/A

Suggested condition	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	4PF054	

First Aid

Do you have staff trained in First Aid?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES, please state numbers _____	
Do you provide facilities for treatment of minor injuries (e.g. First Aid box)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested condition	Code	✓
A suitably trained First Aider or appointed person will be provided at all times when the premises are open.	4PF055	
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	4PF056	
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times.	4PF057	
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.	4PF058	
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.	4PF059	

Special Effects

Do you use special effects on the premises, e.g. strobes, lasers, smoke machines or fireworks?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If yes, please give details :	

Suggested condition	Code	✓
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be appropriately trained.	4PF060	
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.	4PF061	

Public Nuisance

Noise and Vibration

Noise and vibration

Identify the potential sources of noise and vibration which apply to your premises:

- Amplified music
- Unamplified music
- Singing and speech
- Waste disposal, including bottle bins
- Plant and machinery, including extraction systems
- Food preparation
- Cleaning

Identify where sources of noise may occur outside your premises:

- Beer garden
- Play area
- Car park
- Temporary structure
- Plant and equipment

Identify which measures are in place/proposed:

- Soundproofing
- Air conditioning to allow windows to be kept closed
- Sound limiters
- Use of lobby doors
- Cooling down period with reduced music volume
- Fixed and appropriate times for collection of waste
- Restricted use of outdoor areas
- No external loud speakers

Are the premises located near noise sensitive properties, e.g. residential areas, residential homes, hospitals? YES NO N/A

Applicants should refer to the Clean Neighbourhoods and Environment Act 2005 which has amended the Noise Act 1996 to introduce "night noise offences" for licensed premises in completing this section.

Suggested condition	Code	✓
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	4PF062	
Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises after 23.00 hours and at all times if entertainment takes place on more than 30 occasions per year	4PF063	
There shall be no external loudspeakers	4PF064	
Bottles will not be placed in any external receptacle after 23.00 hours to	4PF065	

minimise noise disturbance to neighbouring properties		
Noise from plant or machinery shall be inaudible 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.	4PF066	
The PLH/DPS will ensure patrons use beer gardens, 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 21:00/22:00/23:00* *Please delete as appropriate.	4PF067	
The activities of persons using the external areas shall be monitored after 23:00hrs 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,	4PF068	
The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.	4PF069	

Litter

Does the premises sell takeaway food, drinks or other produce/packaging which may generate litter/waste? YES NO N/A

If YES, please identify the steps taken to prevent nuisance caused by litter:

.....

.....

- Provision of litter bins
- Display of notices to customers
- Warnings/advice on packaging
- Instructions to staff to periodically clear litter from the street around the premises
- Other (please specify)

Suggested condition	Code	✓
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	4PF070	

Transport/Pedestrian Movement

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises? YES NO N/A

If YES:

What steps do you take to ensure that the procedure(s) works?

Suggested condition	Code	✓
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.	4PF071	
SIA Registered door staff will be employed and used where queues are likely to form to manage the queues and ensure: Queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.	4PF072	
The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.	4PF073	
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.	4PF074	

Protection of Children from Harm

Entertainment of an Adult Nature

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)? YES NO N/A

If so, do you only provide the adult entertainment at certain times/days of the week? YES NO N/A

Is your premises located near to premises which are children orientated? YES NO N/A

Suggested condition	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.	4PF075	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	4PF076	
Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age checks (including staff)	4PF077	
The PLH/DPS will not display outside the premises photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.	4PF078	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	4PF079	
Any written or visual advertisement material, posters, signage, window display at or for the premises must not be of a sexually explicit and or suggestive nature, thus protecting children from moral, emotional, psychological and physical harm.	4PF080	

Under Age Sales of Alcohol

Do the premises sell or supply alcohol? YES NO N/A

Suggested condition	Code	✓
People under 18 years of age will not be admitted.	4PF081	

Gambling

Is there a strong element of gambling on the premises? YES NO N/A

Suggested condition	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	4PF082	

or		
There will be sufficient physical screening of the relevant entertainment from view of those under 18 years.	4PF083	

Performers Under 18

Do entertainment performances include performances by children and young persons under 18 years of age? YES NO N/A

NOTE The Children (Performance) Regulations 1968 as amended – continue to apply but are not conditions on the licence as that would be duplication

Suggested condition	Code	✓
The PLH/DPS will provide an adequate number of suitable adult supervisors who can provide care for the children as they move from stage to dressing room etc, and to ensure that all children can be accounted for in case of an evacuation or an emergency.	4PF084	
The venue will be suitable to accommodate safely the numbers of children intended.	4PF085	
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	4PF086	
The PLH/DPS will ensure that all special effects e.g. flashing lights, dry ice, smoke etc are suitable for the children involved in the performance.	4PF087	

Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children? YES NO N/A

If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises). YES NO N/A

Do you provide young persons discos or similar entertainment? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times.	4PF088	
For closely seated audiences, i.e. theatres and cinemas, the ratio of supervisors will be 1 per 25 children, provided that where the children are in the charge of an adult organiser such organisers will be regarded as attendants to an extent not exceeding half of the number of attendants required by the above condition 4PF088.	4PF089	
No child will be permitted to occupy the front row of any balcony gallery or tier, unless accompanied by and in the charge of a person who appears to have attained the age of 16 years.	4PF090	

Close supervision will be held when children use balconies and other raised areas.	4PF091	
Upon egress from the premises the Licensee will deploy staff on exit doors and within the vicinity of the premises to ensure the safe dispersal of children and the premises will not close until all children have left the area.	4PF092	

Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children? YES NO N/A

If YES state measures used:

Are your premises located near any adult orientated premises e.g. an adult retail sex shop or amusement arcade? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all potential staff before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.	4PF093	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	4PF094	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.	4PF095	
The PLH/DPS will liaise with any adult orientated premises close to his/her premises which the Licensee suspects are at risk of admitting underage children from his/her own premises.	4PF096	

White, Emma

From: ej_judge@hotmail.com
 Sent: 08 October 2010 11:34
 To: White, Emma
 Cc: Armitage, Suzi
 Subject: RE: KASA Crossgates

Dear Ms White

Many thanks for your swift reply. I live about three-four minutes walk from 18AR, maybe less. My address is 1, The Drive, and I am in the telephone directory.

Yours

LSIS 8ER .

Eamonn Judge

> From: Emma.White@leeds.gov.uk
 > To: ej_judge@hotmail.com
 > CC: Suzi.Armitage@leeds.gov.uk
 > Date: Fri, 8 Oct 2010 10:26:28 +0100
 > Subject: KASA Crossgates

>
 >
 > Good Morning

>
 > Further to your email regarding KASA Crossgates Ltd, please could you
 > provide your full postal address so that I can check u are situated
 > within the vicinity.

>
 > KASA Crossgates LTD did submitted the application with the company
 > number and address in Huddersfield, this address was checked and
 > verified before the application could progress. I am unsure and are
 > unable to make any comments on Uk data lists as this is a process we
 > are not familiar with as we use companies house to check all company
 > numbers provided are active. Mr Bashir is the agent who has submitted
 > the application on the behalf of KASA Crossgates, with regards to the
 > brass plaque again we wouldn't be able to comment on this as he is
 > only an agent and we do not check further into the agent address supplied.

>
 > I am unable to take the comments regarding that KASA Crossgates is an
 > unknown, untried company and lack of knowledge as part of the
 > objection as this does not come under the four licensing objectives.
 > However providing that you are situated within the vicinity of these
 > premises I can accept the comments regarding the application could
 > potentially bring extra crime, disorder and public nuisance

>
 > Should you require any further information please do not hesitate to
 > contact the office on the number below

>
 > Emma White

> Licensing Officer

> Entertainment Licensing

I shall

object on the grounds that KASA Crossgates Ltd is an unknown, untried company, located 30 miles away from the intended premises (18, Austhorpe Road): lack of knowledge of local conditions, customers, etc., and lack of commitment to the area, all of which are required for this sort of business.

I shall

also object on grounds relating to the four areas that the Licensing Sub-Committee is required by law to consider:

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm.

The

premises will remain open half-an-hour after 'last orders' at local hostelrys and will invite already inebriated persons to consume more alcohol on the street with all the problems that that brings (petty crime, disorder, public nuisance and a perceived lack of safety from members of the public in the area at the time). It may also invite groups of minors earlier in the evening who may be inclined to fool about on the footpath in front of the premises alongside a busy road, causing danger to themselves and others. It is not clear why the premises need to open so early in the morning, unless this is to serve 'winos' desperate for their first 'fix' of the day!" We have a long history of disturbances from alcohol sodden people on Austhorpe Road. This led me and other members to question the proposed opening hours, though not the general principle of the license. However, this member brings to my attention what seems to be a wholly relevant consideration in relation to the granting of a license, namely the suitability of the applicant. The information provided gives me some cause for worry: if it is true I would have to record an objection to this application, though no doubt you have procedures for checking on these issues. I shall circulate this email to members near the site to bring this additional information to their attention, and give them the opportunity of objecting should they so wish to do.

If this email does not constitute the basis of an objection, should i send you a hard copy?

Yours

Eamonn JudgeChair, Cross Gates Watch Residents Association I,T

> From: Emma.White@leeds.gov.uk
> To: ej_judge@hotmail.com
> CC: Suzi.Armitage@leeds.gov.uk
> Date: Thu, 7 Oct 2010 12:39:34 +0100
> Subject: RE: Licensing Application at 18 Austhorpe Road, Leeds 15

>
> Good Afternoon

>
> Further to your email below regarding the premises application for 18 Austhorpe Road, Ls15 I will place a copy on the file. Under the Licensing Act 2003 there are no restrictions on applicants applying for alcohol or their opening hours they can apply for any hours they wish to. However, any residents who live within the vicinity of the premises have a right to object to the application as long as it covers at least one of the four licensing objectives. I have attached some guidance to this email which explains how to make a representation.

>
> Should you require anymore help or information please do not hesitate
> to contact the office on the number below

>
> Kind Regards

>
> Emma White

>
> Licensing Officer

>
> Entertainment Licensing
>
> Leeds City Council
>
> Tel: 0113 2474095
>
> Fax: 0113 2243885
>
> email: emma.white@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.
>
>
>
>

> -----Original Message-----

> From: ej_judge@hotmail.com
> Sent: 06 October 2010 20:42
> To: White, Emma; Entertainment Licensing
> Cc: Armitage, Suzi; gillian.jones10@ntlworld.com;
> janhow84@tiscali.co.uk; phillyfish@hotmail.com;
> stevethompson@nasuwt.net; carolinemaywain@yahoo.co.uk;
> aj.heywood@orange.net; s_rayner@yahoo.co.uk;
> invisibilityuk@yahoo.co.uk; graham.jefferies@ntlworld.com;
> blue.skies.uk@googlemail.com; thejacobs@ntlworld.com;
> hannahlmfox@hotmail.com; ruthcheshire@fsmail.net; cjmm@ntlworld.com;
> ilonaanddave@ntlworld.com; andrew.peirson@tiscali.co.uk;
> keithdunderdale@hotmail.com; david.bowcock@btinternet.com;
> janetschofield@ntlworld.com; hml1066@hotmail.com;
> deb.welch@btinternet.com; keith.jones73@ntlworld.com;
> tony.ryan2@btinternet.com; nicelviss@hotmail.com;
> graham.jefferies9@sky.com; bblackwell65@gmail.com;
> pauline.armitage1@tesco.net; g5fan@yahoo.com; shazfrancis@hotmail.com;
> lduggleby@altofts.wakefield.sch.uk; lesleywarriner@hotmail.com;
> janetnotmary@gmail.com; treen@ntlworld.com;
> amanda.franklin@leedsth.nhs.uk; ivan.dunne@sky.com;
> richard.norbury@btinternet.com; maryp44@sky.com; joneskh@lineone.net;
> richardburgon@hotmail.com; saraclarke_1@yahoo.co.uk; dyjanet@aol.com;
> fcaldwell7@aol.com; joandbob07@btinternet.com;
> hallamsfamily@gmail.com; Crofton, Pelagie;
> manstonpickles@tiscali.co.uk; thelmar21@yahoo.co.uk;
> archer680@btinternet.com; k4urg@hotmail.com; hilary.affleck@tesco.net;
> emysani@hotmail.com; ej_judge@hotmail.com
> Subject: Licensing Application at 18 Austhorpe Road, Leeds 15
>
>
>
>

> Dear Ms White
>

> I have circulated members from streets on both sides of Austhorpe Road, and no one
> has made any general objection to this license being granted on the basis of
> experience with the previous license holder. However, some have asked whether it is
> appropriate to be selling alcohol so early in the morning, while others are worried
> about a closing time of 23.30, as this will allow people coming out of pubs to top up
> on the way home, or to go to Manston Park to continue the evening, as we know from
> previous experience.
>

> Yours

> Eamonn Judge
> Chair, Cross Gates Watch Residents Association
>
>
>
>
>

>
> The information in this email (and any attachment) may be for the
> intended recipient only. If you know you are not the intended
> recipient, please do not use or disclose the information in any way
> and please delete this email (and any attachment) from your system.

>
> The Council does not accept service of legal documents by e-mail.

>
> —

Filed
on 18-08-2010●

APPOINTMENT
TERMINATED

Filed
on 18-08-2010●

APPOINTMENT
TERMINATED

Filed
on 18-08-2010●

DIRECTOR
APPOINTED

It's not clear what the above indicates but each file costs £18+VAT to purchase so I haven't pursued it.

KASA Crossgates Ltd submitted its licensing application through an agent, Mr. Adeel Bashir, 334, Dewsbury Road, Beeston, Leeds, LS11 7DJ. This is the address of Kasa Stores Ltd (shopfront sign says "Kasa Convenience Store"), Company No. 06254925, whose registered office is at 260, Cross Flatts Grove, Leeds, LS11 7BS (a house, not a business premises, but no sign of brass plaque or similar which I think is required by law for a registered office although the Google Maps street view photograph may be out-of-date, of course).

**
↑ Not address applied for.
Company number different.**

UK Data has one file for Kasa Stores Ltd:

Filed
on 18-08-2010●

APPOINTMENT
TERMINATED

Not sure
what this means.

White, Emma

From: ej_judge@hotmail.com
Sent: 07 October 2010 21:10
To: White, Emma
Cc: Armitage, Suzi
Subject: RE: Licensing Application at 18 Austhorpe Road, Leeds 15

Dear Ms White

Many thanks for this speedy response. I am adding information about this application which has been brought to my attention by a member.

"Licensing
Application Reference: PREM/02949

by

KASA Crossgates Ltd

for sale by retail of alcohol, every day, including Saturday and Sunday, 07:00 - 23:30

at

18, Austhorpe Road, Cross Gates, Leeds, LS15 8DX.

KASA Crossgates Ltd is a new company formed on 26th July, 2010. It is a private company, with registered office at 10, Church Street, Paddock, Huddersfield, HD1 4TR. The company does not have a telephone number or web address. The small shop-type premises at 10, Church Street are occupied by Aleem & Company, Chartered Certified Accountants (one director: Mr. Aleem Ahmed).

Directorship of KASA Crossgates Ltd (Company No. 07326284) is unclear. UK Data lists four company documents:

Filed
on 26-07-2010●

New
Incorporation documents.

White, Emma

From: White, Emma
Sent: 08 October 2010 12:03
To: ej_judge@hotmail.com
Subject: RE: KASA Crossgates

Attachments: REPRESENTATION LEAFLET.doc



REPRESENTATION
LEAFLET.doc (33...

Dear Sir/Madam

Licensing Act 2003 - Application for a Premises Licence for:
Premises: KASA Crossgates, Ground Floor Premises , 18 Austhorpe Road, Cross Gates,
Leeds, LS15 8DX Premises Licence Number: PREM/02949

I acknowledge receipt of your representation to the above application.

The application for the grant of the premise licence has now been listed for hearing before the licensing sub-committee and you will shortly receive a Notice of Hearing, setting out the date, time of hearing and the procedure to be followed at the hearing.

In the meantime I would like to draw your attention to the enclosed pamphlet. This sets out the process that we will apply to your representation should you wish to proceed with it.

Importantly you should note that a full copy of your representation (including your name and address) will be sent to the applicant.

Should this cause you any concern then it is important that you contact the Licensing Section upon receipt of this letter, but essentially no later than the 19th October 2010 to ask for your representation to be withdrawn.

After this date a copy of your representation will be despatched to the applicant.

Please do not hesitate to contact the Licensing Section should you require any further assistance.

Yours faithfully

Emma White

Licensing Officer

Entertainment Licensing

Leeds City Council

Tel: 0113 2474095

Fax: 0113 2243885

email: emma.white@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.

-----Original Message-----
From: ej_judge@hotmail.com
Sent: 08 October 2010 11:34
To: White, Emma
Cc: Armitage, Suzi
Subject: RE: KASA Crossgates

Dear Ms White

Many thanks for your swift reply. I live about three-four minutes walk from 18AR, maybe less. My address is 1, The Drive, and I am in the telephone directory.

Yours

Eamonn Judge

> From: Emma.White@leeds.gov.uk
> To: ej_judge@hotmail.com
> CC: Suzi.Armitage@leeds.gov.uk
> Date: Fri, 8 Oct 2010 10:26:28 +0100
> Subject: KASA Crossgates
>
>
> Good Morning
>
>
>
> Further to your email regarding KASA Crossgates Ltd, please could you
> provide your full postal address so that I can check u are situated
> within the vicinity.
>
>
>
> KASA Crossgates LTD did submitted the application with the company
> number and address in Huddersfield, this address was checked and
> verified before the application could progress. I am unsure and are
> unable to make any comments on Uk data lists as this is a process we
> are not familiar with as we use companies house to check all company
> numbers provided are active. Mr Bashir is the agent who has submitted
> the application on the behalf of KASA Crossgates, with regards to the
> brass plaque again we wouldn't be able to comment on this as he is only
> an agent and we do not check further into the agent address supplied.
>
>
>
> I am unable to take the comments regarding that KASA Crossgates is an
> unknown, untried company and lack of knowledge as part of the objection
> as this does not come under the four licensing objectives. However
> providing that you are situated within the vicinity of these premises I
> can accept the comments regarding the application could potentially
> bring extra crime, disorder and public nuisance
>
>
>
> Should you require any further information please do not hesitate to
> contact the office on the number below
>
>
>
> Emma White
>
> Licensing Officer
>
> Entertainment Licensing
>
> Leeds City Council
>

> Tel: 0113 2474095
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> Fax: 0113 2243885
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> email: emma.white@leeds.gov.uk
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> www.leeds.gov.uk
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> If you would like to offer feedback to Entertainment Licensing on the
> service you have received please visit our customer feedback
> form.

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>
> The information in this email (and any attachment) may be for the
> intended recipient only. If you know you are not the intended recipient,
> please do not use or disclose the information in any way and please
> delete this email (and any attachment) from your system.
>
> The Council does not accept service of legal documents by e-mail.
>
>



152 Austhorpe Road
Cross Gates
Leeds
LS15 8EF

11th October 2010

ew
2949

Ms. Emma White, Licensing Officer,
Entertainment Licensing,
Leeds City Council,
The Civic Hall,
Leeds,
LS1 1UR.

13 OCT 2010

Dear Ms. White,

Premises Licence Application: PREM/02949
KASA Crossgates Ltd.
Ground floor, 18, Austhorpe Road, Cross Gates, Leeds, LS15 8DX.
Sale by Retail of Alcohol, Every Day, 07:00 - 23:30.

I wish to object to the above application.

Context

The area has experienced substantial instances and episodes of alcohol-related crime, disorder and public nuisance.

For example, matters presented by West Yorkshire Police at the licence review of The Manston (now The Bambow) public house, Austhorpe Road, 30th June, 2006, included a history of crime, disorder and violent disorder which afflicted not only the premises but the neighbourhood.

Incidents reported to Cross Gates Watch Residents Association include (i) groups of teenagers and younger persons hanging around 2, Manston Approach, after the sale there (with or without licence) of alcohol and being abusive to passers-by (ii) alcohol cans thrown into gardens on either side of Austhorpe Road (iii) a pool ball thrown at and smashing an upstairs window on Austhorpe Road late (11.10 pm) at night (iv) vomiting and urination on footpaths and against garden walls on Austhorpe Road (v) generally noisy, threatening and anti-social, alcohol-fuelled behaviour by groups of young people.

In July, 2009, WYP Neighbourhood Policing Team designated as priorities:

- anti-social behaviour and youth nuisance outside the parade of shops (Drinks Plus) on Station Road, Cross Gates, each evening of the week;
- anti-social behaviour and youth nuisance in Manston Park, Austhorpe Road, especially Thursday to Sunday evenings, and on adjacent streets: Church Lane, Manston Gardens, Sandbed Lane, Kelmscott Lane.

Websites such as www.beatcrime.info consistently show youth nuisance and anti-social behaviour in the area to be very considerably higher than for West Yorkshire as a whole.

The fact that the application is from a one-person organisation 30 miles away, unlikely to be aware of, or have consideration for, local circumstances is pertinent in the case of an application such as this.

Prevention of Crime and Disorder

The area has experienced serious crime, e.g., drug-dealing and the illegal use of firearms, at, or linked

to, licensed premises in the area (WYP).

The area does not need another licensed premises: local stores such as Marks & Spencer Simply Food are open until 7.30 pm, local public houses are licensed to serve alcohol until 11.00 pm and there are three 24-hour supermarkets (Asda, Sainsbury, Tesco) within 1.5 miles.

Licensing premises at 18, Austhorpe Road, is likely to lead to greater crime and disorder in the area.

Public safety

Rowdy groups, or even inebriated individuals, outside the premises in the evening are likely to constitute a threat to public safety, not only on the footpath and area in front of, and near to, the premises but also, if they step out into the roadway, to road-users as well. Drivers often pull up at the kerb outside the bank at 10, Austhorpe Road (four doors away) to use the ATMs there.

Those coming home from Leeds by public transport at this time of night could well feel intimidated by groups or individuals behaving in a threatening or uncontrolled manner in the vicinity of the premises or, indeed, the whole length of Austhorpe Road.

Prevention of public nuisance

The compact nature of Cross Gates, with close proximity of a densely-packed set of shops to concentrated residential accommodation, is significant here.

Public nuisance easily affects those living near licensed premises, as residents on Austhorpe Road and roads off will testify.

The sale of alcohol up to 11.30 pm seems specifically designed to attract drinkers from The Station, The Red Lion, The Barnbow and The Devon: not responsible drinkers but those intent on getting fully "tanked up" (and more) as long into the night as possible and then - whether original intended or not - causing damage and nuisance.

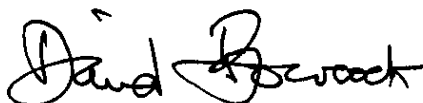
Protection of children from harm

As indicated above, the area is not free from binge-drinking by minors on Station Road, Church Lane, in Manston Park, and elsewhere, led on by slightly older groups of young people (male and female).

Vulnerable children so engaged are likely to suffer damage to their health, education, well-being and long-term future.

Rather than additional licensed premises, Cross Gates requires a diminution of existing alcohol-related problems and the creation of a "no on-street alcohol" area with a complete ban on the drinking of alcohol in streets and public places, as exists elsewhere within the Leeds area.

Yours sincerely,



David Bowcock.

[Hard copy of objection submitted online, 10th October, 2010, at 21:54:44.]

2.

Archibald, Janice

From: publicaccess@leeds.gov.uk
Sent: 10 October 2010 21:55
To: Entertainment Licensing
Subject: PublicAccess for Licensing - Application Comments (PREM/02949)

PublicAccess for Licensing - Application Comments (PREM/02949)

David Bowcock has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 10/10/2010 21:54:44 from IP 192.168.13.86.

Application Summary

Application Number:
PREM/02949

Address:
Ground Floor Premises
18 Austhorpe Road
Cross Gates
Leeds
LS15 8DX

Licence Description:

Case Officer:

Customer Details

Name:
David Bowcock

Address:
152, Austhorpe Road,
Cross Gates,
Leeds,

Postcode:
LS15 8EF

Email:
david.bowcock@btinternet.com

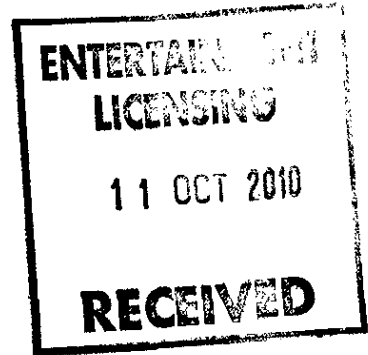
Phone Number:
01132640618

Comments

Representation Type:
Neighbour

Objection Type:
All

Comments:
CONTEXT



The area has experienced substantial instances and episodes of alcohol-related crime, disorder and public nuisance.

For example, matters presented by West Yorkshire Police at the licence review of The Manston (now The Barnbow) public house, Austhorpe Road, 30th June, 2006, included a history of crime, disorder and violent disorder which afflicted not only the premises but the neighbourhood.

Incidents reported to Cross Gates Watch Residents Association include (i) groups of teenagers and younger persons hanging around 2, Manston Approach, after the sale there (with or without licence) of alcohol and being abusive to passers-by (ii) alcohol cans thrown into gardens on either side of Austhorpe Road (iii) a pool ball thrown at and smashing an upstairs window on Austhorpe Road late (11.10 pm) at night (iv) vomiting and urination on footpaths and against garden walls on Austhorpe Road (v) generally noisy, threatening and anti-social, alcohol-fuelled behaviour by groups of young people.

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anti-social behaviour and youth nuisance outside the parade of shops (Drinks Plus) on Station Road, Cross Gates, each evening of the week;
anti-social behaviour and youth nuisance in Manston Park, Austhorpe Road, especially Thursday to Sunday evenings, and on adjacent streets: Church Lane, Manston Gardens, Sandbed Lane, Kelmscott Lane.

Websites such as www.beatcrime.info consistently show youth nuisance and anti-social behaviour in the area to be very considerably higher than for West Yorkshire as a whole.

The fact that the application is from a one-person organisation 30 miles away, unlikely to be aware of, or have consideration for, local circumstances is pertinent in the case of an application such as this.

PREVENTION OF CRIME AND DISORDER

The area has experienced serious crime, e.g., drug-dealing and the illegal use of firearms, at, or linked to, licensed premises in the area (WYP).

The area does not need another licensed premises: local stores such as Marks & Spencer Simply Food are open until 7.30 pm, local public houses are licensed to serve alcohol until 11.00 pm and there are three 24-hour supermarkets (Asda, Sainsbury, Tesco) within 1.5 miles.

Licensing premises at 18, Austhorpe Road, is likely to lead to greater crime and disorder in the area.

PUBLIC SAFETY

Rowdy groups, or even inebriated individuals, outside the premises in the evening are likely to constitute a threat to public safety, not only on the footpath and area in front of, and near to, the premises but also, if they step out into the roadway, to road-users as well. Drivers often pull up at the kerb outside the bank at 10, Austhorpe Road (four doors away) to use the ATMs there.

Those coming home from Leeds by public transport at this time of night could well feel intimidated by groups or individuals behaving in a threatening or uncontrolled manner in the vicinity of the premises or, indeed, the whole length of Austhorpe Road.

PREVENTION OF PUBLIC NUISANCE

The compact nature of Cross Gates, with close proximity of a densely-packed set of shops to concentrated residential accommodation, is significant here.

Public nuisance easily affects those living near licensed premises, as residents on Austhorpe Road and roads off will testify.

The sale of alcohol up to 11.30 pm seems specifically designed to attract drinkers from The Station, The Red Lion, The Barnbow and The Devon: not responsible drinkers but those

intent on getting fully "tanked up" (and more) as long into the night as possible and then - whether original intended or not - causing damage and nuisance.

PROTECTION OF CHILDREN FROM HARM

As indicated above, the area is not free from binge-drinking by minors on Station Road, Church Lane, in Manston Park, and elsewhere, led on by slightly older groups of young people (male and female).

Vulnerable children so engaged are likely to suffer damage to their health, education, well-being and long-term future.

Rather than additional licensed premises, Cross Gates requires a diminution of existing alcohol-related problems and the creation of a "no on-street alcohol" area with a complete ban on the drinking of alcohol in streets and public places, as exists elsewhere within the Leeds area.

PublicAccess for Licensing. (c) CAPS Solutions Ltd.

Mr H Rhodes,
50 Manston Crescent,
Cross gates,
Leeds 15
LS15 8QZ
15/10/2010

Dear Cllr Armitage

I have grave concerns about the proposed sale of alcohol from 7-00 to 23-30 by KASA . 7-00 to 23-30 seems more than excessive to me and to many of the residents of Cross gates who I have spoken to. Who would want to, other than any one with a drink problem, buy alcohol at that time of morning? I read the other day that in some area of Rochdale you could buy a breakfast and a tin of Stella larger was in with the price, do we want that in Cross gates I think not. The proposed opening and closing time would increase the anti social behaviour in the area due to the availability of access to alcohol. The police under Inspector Tom Harrison and his NPT Team have done a sterling job in reducing anti social behaviour and these proposed opening hours would undermined their efforts, giving the right set of circumstances for an increase in drunkenness and all that goes with it.

I am not sure we need any further outlets for the sale of alcohol in Crossgates but if it happens then the opening and closing times need to be a great deal shorter than these proposals.

Yours sincerely



H Rhodes



4



LEEDS
CITY COUNCIL

CROSSGATES & WHINMOOR LABOUR COUNCILLORS
Councillor Suzi Armitage
Councillor Pauleen Grahame
Councillor Peter Gruen

Civic Hall
LEEDS
LS1 1UR

Email: suzi.armitage@leeds.gov.uk

Tel: Civic Hall (0113) 247 6922

Our Ref PJG/PG/SANVK

Emma White
Entertainment Licensing
Civic Hall
Leeds
LS1 1UR

Date 15th October 2010



Dear Ms White

Licence Application: KASA, 18 AUSTHORPE ROAD, LS15 8DK

We refer to the above application for a Premises Licence in our ward and write to submit our official objection on the following grounds:

Opening Hours – the sale of alcohol at these times would, in our opinion, lead to an increase in crime and disorder and cause a public nuisance.

It is with these concerns in mind that we are unable to support the application. We hope that our comments will be taken into account when considering this licence, but if you require further information please contact us on the numbers provided.

Yours sincerely

Councillor Peter Gruen

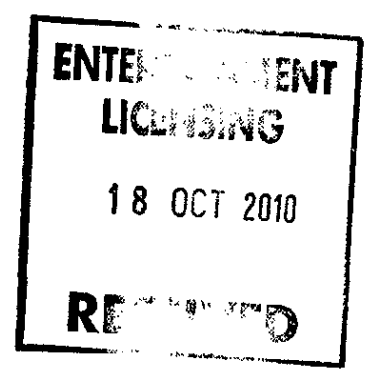
Councillor Pauleen Grahame

Councillor Suzi Armitage

O'Brien, Victoria

2949 EW

From: mariakewley@aol.com
Sent: 18 October 2010 15:03
To: Entertainment Licensing
Subject: Fwd: sale of alcohol between hours of 7am-23.30pm @ austhorpe road



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

From: mariakewley@aol.com
To: entertainment.licensing@leeds.gov.uk
Sent: Mon, 18 Oct 2010 14:58
Subject: sale of alcohol between hours of 7am-23.30pm @ austhorpe road

We would like to register our objection to the above proposal to sell alcohol at 18 austhorpe road crossgates, we think it is ridiculous to want a shop to sell drink from 7am to 23.30, we have enough problems with under age drinking around this area. we have a ginnel which runs at the back of our house where quite often teenagers gather to drink there are enough places eg supermarkets, drinks stop, bar at home on church lane where alcohol can be purchased we do not need another.

Thank you
MR & MRS Kewley
56 Manston Crescent
LS15 8BN

28, Marshall Street,
Crossgates,
LEEDS

10
2014

19 OCT 2010

ENTERTAINMENT
LICENSING

19 OCT 2010

RECEIVED

LS15 8DY

17/10/2010

Dear Sir / Madam

Re:- License Application FASA Crossgates, 18, Aulthorpe
Road, Leeds, LS15 8DK

I wish to comment on this application. whilst I do not have any general objection to the application, I am objecting and have concerns to the hours that the premise is applying to retail alcohol.

The previous license held at these premises operated - Sunday, 10-00 to 22-30 and Monday - Saturday 8-00 to 23-00.

There were no problems, to my knowledge with the premises selling alcohol during these hours.

I am concerned that the present application is to operate from 7-00 a.m., will this encourage alcohol misuse?

I am more concerned that the application will allow the sale of alcohol until 23-30 hours, after some other local licensed premises have closed.

This could encourage people coming out of pubs to buy more alcohol, which could contribute to crime

and disorder in the area, leading to a public nuisance and contribute to concerns over public safety.

I trust that these comments will be considered.

Yours faithfully.

S. Thompson
MR. S. Thompson



Originator: Miss Janice Archibald
Tel: 0113 2474095

Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: 8th November 2010

Subject: Application for the Grant of a Premises Licence for Fazenda Rodizio Bar & Grill, Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds, LS1 4GL

Electoral Wards Affected:

City & Hunslet

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the grant of a Premises Licence for premises situated at Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds, LS1 4GL, trading as Fazenda Rodizio Bar & Grill.

The premises intends to operate as a Steakhouse restaurant offering a buffet and table menu service and intends on having a seated capacity of 125 diners and a 24 seat bar for diners to enjoy a pre dinner drink. The premises are situated on the ground floor of an apartment block in Leeds city Centre.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

1.0 Purpose of this Report

1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of the above mentioned premises.

1.2 Members are required to consider this application due to the receipt to representations.

2.0 History of Premises

2.1 This is the first application for a premises licence. It is proposed that the premise is used predominantly as a restaurant.

3.0 The Application

3.1 The applicant is City District Limited

3.2 The location of the premises can be found on the map attached as Appendix A.

3.3 A copy of the application and operating schedule are attached as Appendix B to this report. For the assistance of members, the Operating Schedule shows:

3.4 Proposed licensable activities

Sale by retail of alcohol
Provision of late night refreshment
Performance of recorded Music

3.5 Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Sale by retail of alcohol Every Day	10:00 - 00:00
--	---------------

Provision of late night refreshment Every Day	23:00 - 00:00
--	---------------

Performance of recorded Music Every Day	10:00 - 00:00
--	---------------

3.6 Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours

Everyday	08:00 - 00:30
----------	---------------

3.7 Steps to promote the licensing objectives

The applicant proposes to take specific steps to promote the licensing objectives identified in the annex submitted with the application; a copy of which is attached as Appendix C of this report.

4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Representations have been received from the following Responsible Authorities:

West Yorkshire Police

Members are invited to consider Appendix D of this report.

Environmental Protection Team

Members are invited to consider Appendix E of this report.

Health And Safety Services

Members are invited to consider Appendix F of this report.

4.3 Representations have been received from interested parties. Members are invited to consider Appendix G of this report.

4.4 Any representations submitted may be agreed prior to a hearing. In this instance the operating schedule has been amended to include agreed measures with the following Responsible Authorities:

West Yorkshire Police

Members are invited to consider Appendix H of this report.

Environmental Protection Team

Members are invited to consider Appendix I of this report.

Health And Safety Services

Members are invited to consider Appendix J of this report.

5.0 Matters Relevant to the Application

5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

5.2 In the making of their decision Members are obliged to have regard to the national guidance and the council's licensing policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

6.0 Options available to members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application as requested.

- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Refuse to specify the said person as the Designated Premises Supervisor.
- Reject the whole or part of the application.

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Background Papers

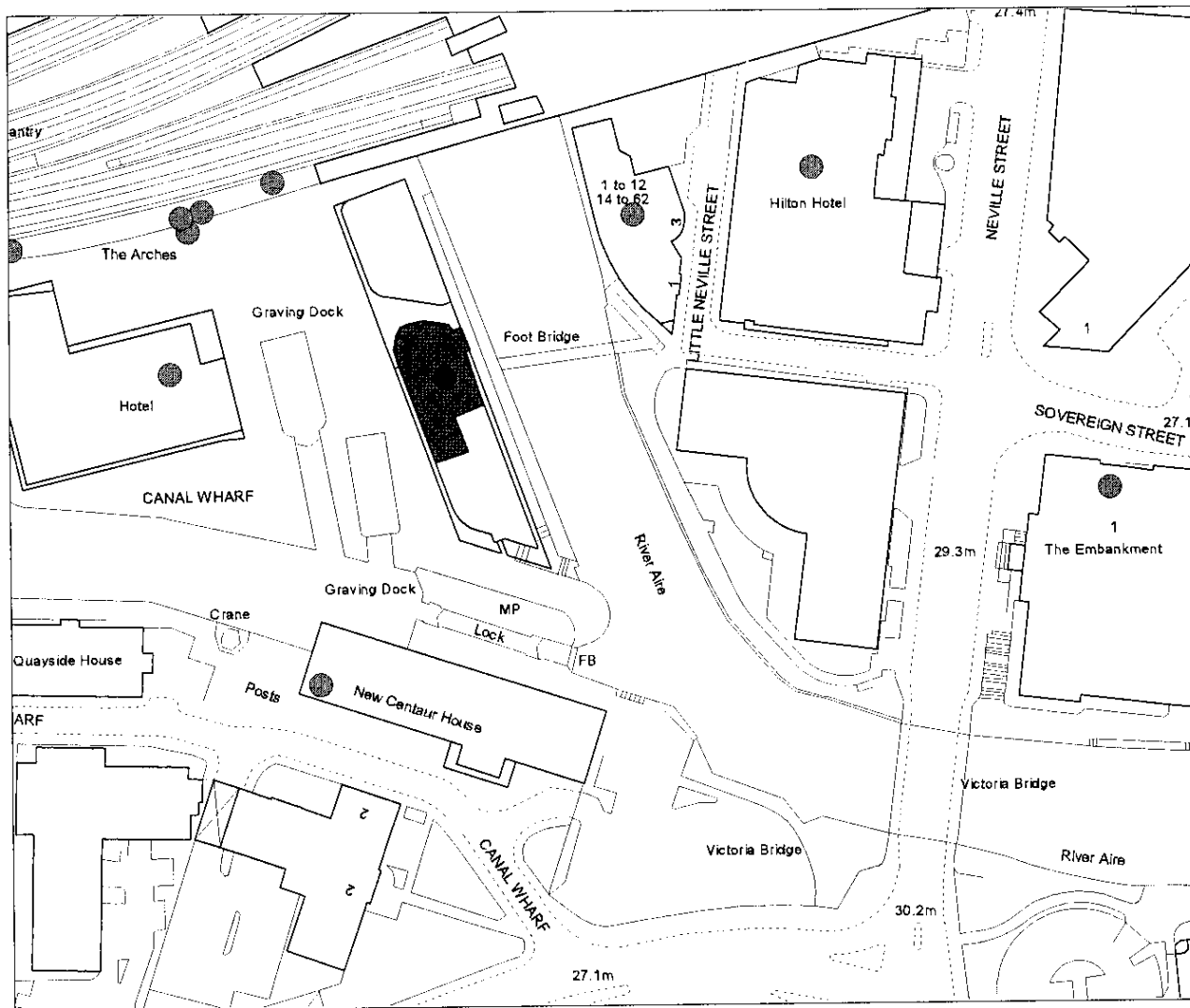
- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy



Leeds City Council
Entertainment Licensing

Fazenda Rodizio Bar & Grill

Unit B-K, Watermans Place, 3 Wharf Place, Leeds, LS1 4GL



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

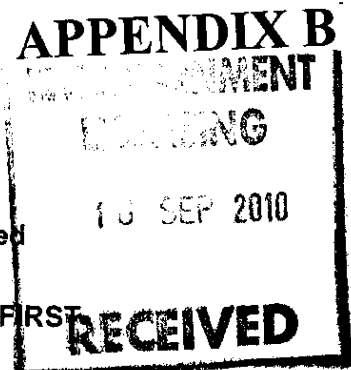
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Date:	22 October 2010
Scale:	1:1400

SCANNED

PREM/02945



Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We City District Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Fazenda Rodizio Bar and Grill Units B-K Waterman's Place 3 Wharf Approach Holbeck	
Post town	Leeds
Post code	LS14 4G
Telephone number at premises (if any)	0333 4567980
Non-domestic rateable value of premises	£ IN CONSTRUCTION (BAND C)

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name City District Limited	Active
Address 17 Old Leeds Road Huddersfield West Yorkshire HD1 1SG	
Registered number (where applicable) 07320442	✓ JA
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company	
Telephone number (if any) 01484 429429	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	1	112010

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)

The premises intends to operate as a Steakhouse restaurant offering a buffet and table menu service. The premises intends on having a seated capacity of 125 for diners and a 24 seat bar for diners to enjoy a pre dinner drink.

The premises are situated on the ground floor of an apartment block in Leeds City Center. The premises are opposite City Inn Hotel and near The Wasabi Restaurant, The Hops Public House, The Hilton, The Olive Press Restaurant and The Golf Café Bar who all benefit from a Premises Licence.

A plan of the premises is attached together with a plan of the outside area. The outside area of the premises needs to be included in the Premises Licence as patrons will be permitted to consume alcohol on the outside area. There will also be ambient background music.

It is proposed that the premises is predominantly used as a restaurant.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)



In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 4)	
Thur				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) None			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) There will be recorded music at the premises for diners to enjoy. It is intended that the music take the form of ambient background music. No recorded music will be played outdoors at the premises after 10pm to show respect to the residential apartments above the premises.		
Mon	10.00	00.00			
Tue	10.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4) None		
Wed	10.00	00.00			
Thur	10.00	00.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) None		
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	10.00	00.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>	
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>	
Wed				
Thur				
Fri			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>	
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>	
Sun				

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun		0		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			Please give a description of the facilities for dancing you will be providing		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23.00	00.00	<u>Please give further details here</u> (please read guidance note 3) Food may be served after 11pm for consumption on the premises only. The premises intends on operating as a restaurant with a buffet and table menu service. Food may not be consumed outside at the premises after 10pm.		
Tue	23.00	00.00			
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) None		
Thur	23.00	00.00			
Fri	23.00	00.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) None		
Sat	23.00	00.00			
Sun	23.00	00.00			

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) None		
Mon	10.00	00.00			
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	00.00			
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	10.00	00.00			
			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) None		

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

Name Robert Melman	
Address 1 Lytham Way, Lindley, Huddersfield	
Postcode	HD3 3WG
Personal Licence number (if known) KMCPL0853	
Issuing licensing authority (if known) Kirklees Metropolitan Council	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) None
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) None
Mon	08.00	00.30	
Tue	08.00	00.30	
Wed	08.00	00.30	
Thur	08.00	00.30	
Fri	08.00	00.30	
Sat	08.00	00.30	
Sun	08.00	00.30	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

See annex attached

b) The prevention of crime and disorder

See annex attached

c) Public safety

See annex attached

d) The prevention of public nuisance

See annex attached

e) The protection of children from harm

See annex attached

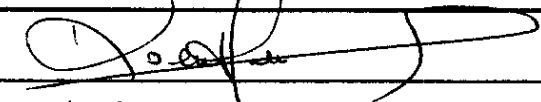
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	15 th September 2010
Capacity	Director

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Jodie Hindle, Ramsdens Solicitors LLP, Oakley House, 1 Hungerford Road, Edgerton			
Post town	Huddersfield	Post code	HD3 3AL
Telephone number (if any)	01484 558054		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) jodie.hindle@ramsdens.co.uk			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Operating Schedule

A) GENERAL

The Premises will comply with the four licensing objectives being the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children of harm.

The Applicant is prepared to work closely with Leeds City Council regarding the development of the Premises.

B) THE PREVENTION OF CRIME AND DISORDER

The Applicant will have regard to the Crime and Disorder Act 1998.

The staff will be fully briefed to be vigilant for signs of drunkenness, the use or attempt to use or supply drugs and any signs of abuse or violence. Staff will have a good knowledge of the procedures to deal with violence and antisocial behaviour

The premises intends on operating as a restaurant and therefore there will be no irresponsible drinks promotions.

The premises will raise awareness of safer travel by displaying numbers of licensed taxi firms at the premises.

There will be a clear policy in place to prevent under age sales by request of proof of age cards.

The premises will provide the appropriate ratio of tables and chairs to customers based on the capacity of the premises in order to prevent high volume vertical drinking and reduce over consumption of alcohol and aggressive behaviour.

The Designated Premises Supervisor will generally be on site but if he isn't, he will be contactable by mobile telephone.

C) PUBLIC SAFETY

Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.

Written records of all accidents and safety incidents involving members of the public will be kept and will be made available at the request of an authorised officer.

All electrical appliances within the Premises will carry Electrical Safety Certificates and will be inspected on a periodic basis by a suitably qualified and competent person. .

A fire risk assessment of the Premises will be carried out regularly. All alarm systems will be serviced regularly and all fire extinguishers will be tested and certified. All fire doors at the Premises will be easily opened and accessible at all times. Fire doors will be checked on a regular basis to ensure they function satisfactorily. There will be clear fire exit signs at the Premises and detailed notices detailing action to be taken in a fire and all staff will be trained on emergence escapes.

There will be adequate first aid material on the premises together with a trained first aider.

D) THE PREVENTION OF PUBLIC NUISANCE

Customers will be encouraged to leave the Premises with respect to the local area and there will be signs to this effect at the exits.

It is not anticipated that there will be any rubbish collections at antisocial times and any deliveries from suppliers will be scheduled during the day. There is a designated area 150 yards away from the premises where deliveries take place and where taxis can collect patrons in order not to disturb residents in the apartments above.

Taxis can be arranged by staff should customers require it and rather than sounding horns the drivers will be encouraged to enter the premises to announce their arrival.

E) THE PROTECTION OF CHILDREN FROM HARM

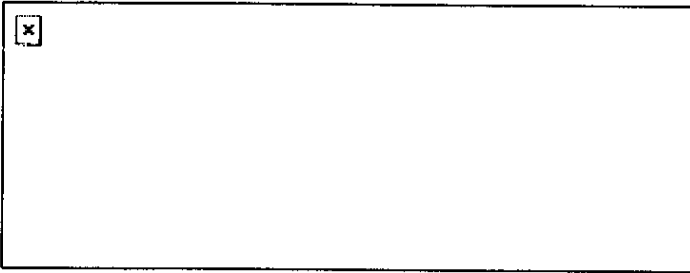
The premises intends on operating as a family orientated restaurant. Children under the age of 16 years must be accompanied by an adult. Staff are to be briefed to be extra vigilant when children are on the Premises.

If bookings are taken for groups under the age of 18 years, they will be emailed or sent a letter advising them of the strict policy of no under age alcohol consumption.

The operating procedures ensure that if any doubt exists all staff are required to ask for proof of age. No alcohol will be served to those under the age of 18 years.

The premises intends on operating the "If you look under 25 be prepared to show ID" policy.

NOT PROTECTIVELY MARKED



Leeds District Licensing Department

Licensing Department
 Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

Tel: 0113-2413072

Fax: 0113-2413123

Email:

catherine.arkle@westyorkshire.pnn.police.uk

Website:

Your ref:

Our ref:

14th October 2010

Jodie Hindle
Ramsdens Solicitors LLP
Oakley House
1, Hungerford Road
Edgerton
Huddersfield
HD3 3AL



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

RE: FAZENDA RODIZIO BAR AND GRILL, WATERMAN'S PLACE, 3, WHARF APPROACH, LEEDS, LS1 4GL

NEW PREMISES LICENCE – LICENSING ACT 2003:

POLICE – LETTER OF REPRESENTATION – 'QUALIFIED' OBJECTION:

Thank you for submitting your application for the above premises, received at the address above on 17th September 2010.

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 as conditions, 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.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

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. 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 as conditions. 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.

PART 1 - to be completed by the Responsible Authority:

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

**FAZENDA RODIZIO BAR AND GRILL
WATERMAN'S PLACE
3, WHARF APPROACH
LEEDS
LS1 4GL**

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

Measures / Additional measures proposed:

- **A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out.**
- **The siting and standard of the CCTV system will be agreed with WYP prior to installation and will comply with that agreement at all times.**
- **CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of WYP.**
- **At all times that licensable activities are taking place there shall be a member of staff on duty who is able to operate the CCTV system and who can download footage immediately on request of a responsible authority**
- **A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.**
- **The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer;**
- **The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.**
- **The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any**

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

- The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.
- The PLH/DPS and all members of staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.
- Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.
- A number of covers to be agreed with West Yorkshire Police shall be maintained on the premises.

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 as conditions 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.

Cath Arkle
Divisional Licensing Officer
City & Holbeck

Date:

NOT PROTECTIVELY MARKED

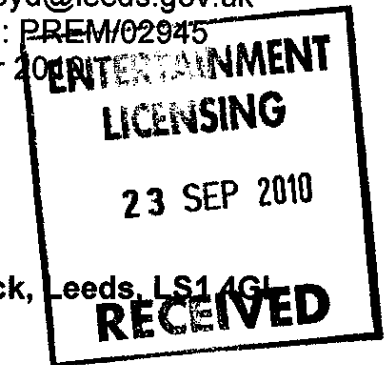
SCANNED



Ms Jodie Hindle
 Ramsdens Solicitors LLP
 Oakley House
 1 Hungerford Road
 Edgerton
 HD3 3AL

Environmental Protection Team
 Leeds City Council
 Kent Road
 Pudsey
 Leeds
 LS28 9BN

Contact: Mrs. Vanessa Holroyd
 Tel: 0113 2146251
 Fax: 0113 2146250
 Vanessa.holroyd@leeds.gov.uk
 Our reference: PREM/02945
 22 September 2010



Dear Madam

Licensing Act 2003

Name of Premises: Fazenda Rodizio Bar & Grill

Address: Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds, LS1 4GL

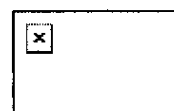
Thank you for submitting your application for the above premises.

Leeds City Council's health and environmental action service (HEAS) is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

However you could meet this objective by incorporating certain identified measures within your operating schedule. Therefore, please find enclosed a document which at part 1 contains the suggested measures which we consider are proportionate and appropriate to the nature of your application.

If you are in agreement with the suggested measures then please complete and sign part 2 of the enclosed form and return the complete document to me as soon as possible. Once we receive this it will be taken that you wish the licensing authority to amend your operating schedule to incorporate the proposed measures. If you have any questions please do not hesitate to contact me.

If you disagree with the suggested measures, then please complete part 3 and return the complete document to me as soon as possible.



SCANNED

If the opening hours as proposed under this application are different to those on the current planning approval, then you should also make an application for variation of hours to planning services. If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours faithfully

Mrs. Vanessa Holroyd
Senior Environmental Health Officer

)
Encs

SCANNED

PART 1

To be completed by the responsible authority

**Leeds City Council's Health and Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003**

Name of Premises: Fazenda Rodizio Bar & Grill

Address: Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds, LS1 4GL

The application premise is for a large restaurant in one of the commercial units on the ground floor of Watermans Place. The opening hours applied for are from 08:00 to 00:30 hours with recorded music indoors and outdoors from 10:00 to 00:00 hours. As the restaurant is directly below a high rise block of residential apartments there is potential for public nuisance especially from the outside area. This department has recently received complaints from residents at these apartments concerning noise nuisance from music and people outside other adjacent establishments.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's health and environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

- Prevention of public nuisance

Noise and Vibration

1. Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises after 23:00 hours.
2. There shall be no external loudspeakers.
3. Bottles will not be placed in any external receptacle between 23:00 and 07:00 hours to minimise noise disturbance to neighbouring properties.
4. Noise from plant or machinery shall be inaudible 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.
5. The PLH/DPS will ensure patrons use external areas of the premises in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas between 21:00 and 08:00 hours.
6. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.

SCANNED



Ramsdens Solicitors
 Oakley House
 1 Hungerford Road
 Edgerton
 HD3 3AL

Health and Safety Services
 Leeds City Council
 Millshaw Park Way
 Churwell
 Leeds
 LS11 0LS

Jodie.hindle@ramsdens.co.uk

Contact: MS C A Copley
 Tel: 0113 3950686
 Fax: 0113 247 6282
 Claire.copley@leeds.gov.uk
 Your reference: jsk/jlm/839301-1
 Our reference:
 16 September 2010



Dear Sir/Madam

RECEIVED

LICENSING ACT 2003

PREMISES : *Fazenda Rodizio Bar & Grill Unit B-K, Watermans Place, 3 Wharf Approach
 Holbeck, Leeds LS1 4GL*

Thank your for submitting your client's application for the above premises.

Health and Safety Services are of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives.

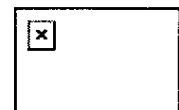
We therefore confirm that we are submitting a formal representation against your application on the grounds of Public Safety. However, Health and Safety Services are of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating 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 **10 October 2010**.

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.



SCANNED

Transport / Pedestrian Movement

7. 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.
8. SIA registered door staff will be employed and used where queues are likely to form to manage the queues and ensure that queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.

Signed:

Dated:

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 : *Fazenda Rodizio Bar & Grill Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds LS1 4GL*

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 following licensing objective/s:

- Public safety

Measures proposed:

No	Potential Control Measures
	Management Arrangements
1	Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
2	A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
	Fire/Electrical Safety
3	Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
4	<p>One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:</p> <p>a) Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA.</p> <p>or</p> <p>b) Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</p> <p>The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>
	General Housekeeping
5	A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner
	Special Effects
6	Where strobes, lasers, smoke machines or any other special effects equipment may be used, a written health and safety policy covering all aspects of their use will be provided, and staff will be appropriately trained.
7	No strobes, lasers, smoke machines or any other special effects, will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

SCANNED

Further Advice:

Following submission of your client's application for Licensing the above premises, I wish to advise them of a number of workplace health and safety related matters for your information and consideration.

The application plans show that the premises are under construction. As such, your client will have health and safety responsibilities to consider before starting work. Clients, designers, contractors and others involved with such construction work all have duties under the Construction (Design and Management) Regulations 2007, including:

1. Certain construction work must be notified to the Health and Safety Executive (HSE). i.e. if the construction phase is expected to last more than 30 days or 500 person days of construction work.
2. You need consider the health and safety of employees, customers and contractors during the works. You also need to consider how the construction and design of the finished premises will affect the health and safety of employees and others working there.
3. It is your duty to ensure that the refurbishment eliminates hazards and reduces risks at the premises, thereby enabling you to fulfil your duties under the Workplace (Health, Safety and Welfare) Regulations 1992. You should consider matters such as:
 - a) presence of asbestos (to be addressed before any work commences)
 - b) slips and trips – e.g. appropriate floor coverings, no trip hazards
 - c) handling of stock at delivery, storage, preparation and service stages – e.g. food and drinks
 - d) safe access and movement of vehicles – e.g. deliveries
 - e) working at heights – e.g. safe high level maintenance and storage
 - f) noise, light, temperature
 - g) electrical safety
 - h) employee welfare facilities – e.g. rest/eating/changing facilities, toilets etc

at an early stage in the design and planning process.

By addressing any omissions at an early stage, you could avoid the need to carry out potentially costly alterations later.

I enclose information for your guidance but please do not hesitate to contact me if you wish to discuss this matter further, or see: www.hse.gov.uk/cdm

Also enclosed is a food registration form which your client should return to the food and health team.

PART 3 – Disagreement with Proposed Measures

to be completed by the applicant or applicant's representative

Proposed controlled measures under the Licensing Act 2003

Name & Address of Premises : *Fazenda Rodizio Bar & Grill Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds LS1 4GL*

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 Health and Safety Service.

In this instance we understand that the Health and Safety 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:

**Ms C Copley
Health & Safety Services
Leeds City Council
Millshaw Park Way
Churwell
Leeds
LS11 0LS
Fax: 0113 247 6282**

SCANNED

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: *CA Copley*

Dated : 16 September 2010

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 : *Fazenda Rodizio Bar & Grill Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds LS1 4GL*

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 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 :

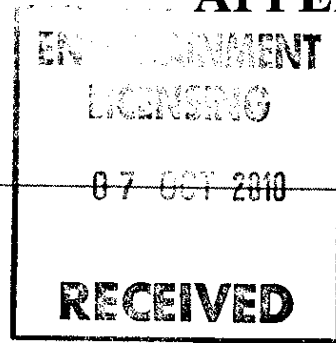
Dated :

Please return this document to:

**Ms C Copley
Health & Safety Services
Leeds City Council
Millshaw Park Way
Churwell
Leeds LS11 0LS
Fax: 0113 247 6282**

SCANNED

APPENDIX G



Archibald, Janice

From: colin workman [colinmworkman@yahoo.co.uk]
Sent: 06 October 2010 21:08
To: Archibald, Janice
Subject: Entertainment Licensing - Premises License application - Fazenda Rodizio Bar & Grill, Waterman's Place, Leeds

Dear Sirs,

Premises License Application- Fazenda Rodizio Bar and Grill, Waterman's Place Leeds

My wife and I are writing to lodge an objection as residents of 231 Waterman's Place Granary Wharf Leeds LS1 4GQ in relation to the above application. This restaurant will be opening below our apartment where my wife and I reside and therefore we have significant concerns.

-) The area around Granary Wharf is predominantly a residential area, incorporating a large number of apartments in both Waterman's place and Candle House. When we purchased our property we were informed that there would be a "select" number of small outlets around the courtyard mainly coffee shops or delis etc - certainly not a large restaurant drawing in large numbers of customers, which would be open for business until the early hours of the morning.

We already have "The Hop", a recently opened new venue located under the arches, which provides live music and we have suffered large numbers of customers talking and laughing into the night, throughout the summer, below the apartment within the courtyard. The only saving grace here is that the entertainment ceases around 11.30 and is mainly confined to Friday and Saturday nights. We understand that the EHO is already involved with the investigation into complaints from residents within Waterman's Place.

- Opening a further venue that is seeking permission for a premises license for alcohol and regulated entertainment from 10am to midnight 7 days a week, but this time directly beneath occupied apartments, can surely only be a recipe for disaster for the residents. This potentially will be more problematic than the The Hop, in terms of noise, smells and public disorder. We already have a restaurant "Wasibi" approx 150 meters away from which cooking smells emanate. Bearing in mind
) the number of tables the new bar/restaurant will have both indoor and more worryingly outdoor it will most certainly attract both hen and stag parties, particularly having the added convenience of low cost weekend accommodation available from the City Inn just a stones throw away

The area around Granary Wharf is lovely and it is to be expected that to regenerate our inner cities into something to be proud of we have to attract people in. But there is a time where a fine line has to be drawn and the residents of this area, who also pay substantial rates have to have their interests also taken into account. These apartments are very expensive because of the unique location and unusually we have very few rented apartments, the majority being owner occupied and we believe having this large bar/restaurant with the large number of customers it would draw with the inevitable queuing outside below the apartments (as with the new restaurant Jamie's in the city centre) would be detrimental to the property values.

Additionally the development at Waterman's Place was completed last October and the Candle Building only a few months ago and so the buildings are not yet fully occupied. This new venue could be off putting to potential new residents but as the apartments do sell will inevitably affect more residents and the problem is going to increase.

My wife and I are professional people who hold positions in companies where it is important that

we are functioning properly. We need a good night's sleep which is something that is becoming more rare as we live within Granary Wharf and experience noise from the railway station from before 5.00am and customers from the "Hop", City Inn and Wasabi, at night time all contributing, it would seem that opening a further large restaurant with entertainment and late dining will add significantly to the noise problem.

Specifically our concerns are :

Relating to the licensing objectives of prevention of crime and disorder and public nuisance.

- **Noise nuisance from music, rowdy customers, deliveries and collection . We already suffer from late night music and revelers. Will deliveries and waste disposal effect the residents? Bearing in mind we live near the river waste disposal has to be organized in such a way to discourage the rats.**
- **Nuisance from smells emanating from the premises. Where will the premises be "vented". Will it have its own ventilation system separate from the one already in use through out the apartments. Will it be regulated to confirm it will be fit for purpose. I do not want my apartment filling up with food smells, garlic, flame grilled steak etc**
- **What is the area of the premises given over to the restaurant as against the bar area? Will large numbers of drinkers be encouraged who will not be eating.**
- **Outside areas - is it proposed there will be a delineated outside area? Where will smokers go - directly below occupied apartments? Will there be tables and chairs outside?How can/will noise from customers be regulated**
- **Will there be security after 9pm? This is 15m from the only entrance into our flats. We already have the problem of tailgating. Will we have to contribute to the overall estate charges for this provision**
- **Are there are any relevant planning restrictions to be taken into account?**

In anticipation that our concerns will be addressed,

Regards

*Colin and Janette Workman
231 Waterman's Place
3 Wharf Approach
LEEDS. LS1 4GQ*

SCANNED

Glover, Barry

J.A Prem 02945

From: publicaccess@leeds.gov.uk
Sent: 18 September 2010 14:47
To: Entertainment Licensing
Subject: PublicAccess for Licensing - Application Comments (PREM/02945)

PublicAccess for Licensing - Application Comments (PREM/02945)

Matthew Parker has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 18/09/2010 14:47:18 from IP 192.168.13.86.

Application Summary

Application Number:
PREM/02945

Address:
Unit B-K
Watermans Place
3 Wharf Approach
Holbeck
Leeds
LS1 4GL

Licence Description:

Case Officer:

Customer Details

Name:
Matthew Parker

Address:
Flat 244 Watermans Place
3 Wharf Approach
Leeds

Postcode:
LS1 4GQ

Email:
mattparker.reddevil@hotmail.co.uk

Phone Number:
0113 2438060

Comments

Representation Type:
Neighbour

Objection Type:
Opening Hours

Comments:
I am a resident in Watermans Place and I object to the opening hours of the above restaurant. They are excessive and will cause noise levels to increase significantly. My objection is that it is a residential area and we deserve a peaceful nights sleep

SCANNED

Glover, Barry

J.A Prem 2045

From: publicaccess@leeds.gov.uk
Sent: 18 September 2010 14:45
To: Entertainment Licensing
Subject: PublicAccess for Licensing - Application Comments (PREM/02945)

PublicAccess for Licensing - Application Comments (PREM/02945)

Lesley Nevett has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 18/09/2010 14:45:17 from IP 192.168.13.86.

Application Summary

Application Number:
PREM/02945

Address:
Unit B-K
Watermans Place
3 Wharf Approach
Holbeck
Leeds
LS1 4GL

Licence Description:

Case Officer:

Customer Details

Name:
Lesley Nevett

Address:
Flat 244 Watermans Place
3 Wharf Approach
Leeds

Postcode:
LS1 4GQ

Email:
kitten240@hotmail.com

Phone Number:
0113 2438060

Comments

Representation Type:
Neighbour

Objection Type:
Opening Hours

Comments:
I am a resident in Watermans Place and I object to the opening hours of the above restaurant. They are excessive and will cause noise levels to increase significantly. My objection is that it is a residential area and we deserve a peaceful nights sleep without being disturbed by those leaving the restaurant after quiet hours.



SCANNED

Glover, Barry

J. A. Prem 2010

From: Elliott Hutchins [ell.hutchins@gmail.com]
Sent: 18 September 2010 13:18
To: Entertainment Licensing
Subject: Rodizio Bar and Grill and Granary Wharf

Hi There,

I currently live in Waterman's Place in Granary Wharf and almost directly above the new Rodizio Bar and Grill that is currently being built. Currently the noise that is being made while they are building it is incredible and it vibrates throughout the whole building. They start at half 7 every morning and dont finish until well after 6 at night even on a Saturday and Sunday.

I've been made aware that we need to get our objections in by 19th September so Im sending you mine now.

If the noise we are getting now is bad then what is it going to be like at 2am during the week with drunken people leaving and music and dancing and plates and everything. I think its completely unreasonable for the place to expect to be able to be open till 2am every night without the residents complaining. I am not looking forward to the restaurant opening in November as I am certain that we will not get any sleep from then on. This coupled already with the noise from The Hop (which opened after we moved in), the train station and the bin/recycling lorries that come to take the rubbish from the City Inn at 5am and the light from the hotel as well.

Please could you reconsider the licensing for this bar as it will make an already uncomfortable place to live unbearable and almost unlivable.

Kind Regards,

Elliott Hutchins
Flat 215
Waterman's Place
3 Wharf Approach
Leeds
LS1 4GN

07876 654531

SCANNED

263 Waterman's Place
3 Wharf Approach
Leeds
LS1 4GQ

To: Licensing Authority
Leeds City Council
entertainment.licensing@leeds.gov.uk
janice.archibald@leeds.gov.uk

Date: 12th October 2010

Dear Sirs

PREM/02945, Fazenda Rodizio Bar & Grill

I wish to make a representation in respect of the above application for a new Premises License on the grounds of the licensing objectives of prevention of public nuisance and prevention of crime and disorder.

I live in Apartment 263 which is located on the 9th floor of Waterman's Place. Waterman's Place is a prestige residential development that was completed at the end of September 2009. It is located adjacent to the newly renovated canal area, situated close to the City Inn hotel. There is a sister development called the Candle House Building 200 metres away. Both developments are predominantly owner occupied, with residents in Waterman's Place moving in from the beginning of November 2009 and the Candle Building since around July 2010.

The proposed premises is located on the ground floor of Waterman's Place and so will be directly below a large number of apartments. A number of apartments have been adversely affected by noise disturbance from renovations to the premises. The proposed entrance is approximately 15 metres from the only entrance to Waterman's Place.

I am very concerned about the potential for public nuisance from noise emanating from the premises from both customers and recorded music. I am particularly concerned about the potential for noise nuisance from the outside area, which has seating for around 60 people and forms part of the licensable area. This would be of even greater concern if the premises were proposing to have outside heaters, which would encourage customers to stay outside longer and/or during winter months.

I am also concerned about noise caused by deliveries to the premises and collection of bottles etc.

I am also concerned about nuisance caused by smells from the premises – from the kitchen and from customer smoking outside of the premises.

Of significant concern is also the potential for crime and disorder caused by the concentration of licensed premises in the area – the Hop (a bar and live music venue), the Golf Bar (a bar), Wasabi (a restaurant) and the Sky Bar (a bar in the City Inn hotel).

It is unlikely that I will be able to attend the Licensing hearing due to work commitments. If I am unable to attend then I confirm that I am happy for Emma Hopkins of flat 249 Waterman's Place to speak on behalf.

Regards,


Nicola Reid



SCANNED

Glover, Barry

J.A

20145

JH

From: publicaccess@leeds.gov.uk
Sent: 19 September 2010 16:43
To: Entertainment Licensing
Subject: PublicAccess for Licensing - Application Comments (PREM/02945)

PublicAccess for Licensing - Application Comments (PREM/02945)

Sarah Maddocks has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 19/09/2010 16:43:16 from IP 192.168.13.86.

Application Summary

Application Number:
PREM/02945

Address:
Unit B-K
Watermans Place
3 Wharf Approach
Holbeck
Leeds
LS1 4GL

Licence Description:

Case Officer:

Customer Details

Name:
Sarah Maddocks

Address:
196 Watermans Place
3 Wharf Approach

Postcode:
LS1 4GN

Email:
sarah_maddocks@sky.com

Phone Number:

Comments

Representation Type:
Neighbour

Objection Type:
Noise Disturbance

Comments:
As a resident of watermans place, I have already been continually disturbed (including weekends) by the building work for said restaurant, and have been dismayed by other occupants informing me that you have applied for a 2am license everyday. As a nurse working shifts starting at 7am, noise until this time will be unacceptable, as i'm sure usual 9-5 workers will agree. Please reconsider.



SCANNED

J.A Prem 2945

Glover, Barry

From: publicaccess@leeds.gov.uk
Sent: 18 September 2010 13:22
To: Entertainment Licensing
Subject: PublicAccess for Licensing - Application Comments (PREM/02945)

PublicAccess for Licensing - Application Comments (PREM/02945)

Louise King has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 18/09/2010 13:21:58 from IP 192.168.13.86.

Application Summary

Application Number:
PREM/02945

Address:
Unit B-K
Watermans Place
3 Wharf Approach
Holbeck
Leeds
LS1 4GL

Licence Description:

Case Officer:

Customer Details

Name:
Louise King

Address:
198 Watermans Place
3 Wharf Approach

Postcode:
LS1 4GN

Email:
louise_king87@hotmail.com

Phone Number:
01132441938

Comments

Representation Type:

Objection Type:
Noise Disturbance

Comments:
I would like to raise my concerns about the proposed noise and opening hours of the application. During the 'fitting out' process I have been able to hear every drill and every hammer - and this in on the third floor. I am concerned that if there were to be live music and recorded music playing at the proposed hours that this would cause a high level of noise disturbance for most residents in the building.



SCANNED

Glover, Barry

J.A. Prem 20145

From: publicaccess@leeds.gov.uk
Sent: 17 September 2010 21:42
To: Entertainment Licensing
Subject: PublicAccess for Licensing - Application Comments (PREM/02945)

PublicAccess for Licensing - Application Comments (PREM/02945)

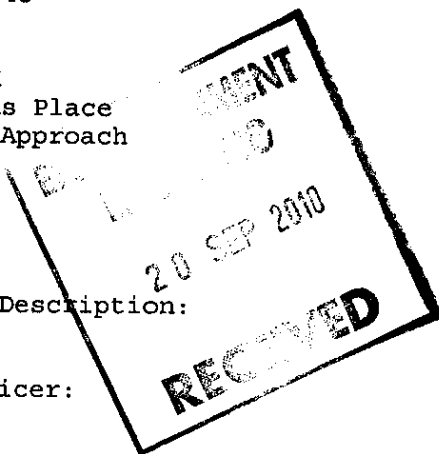
Claire Leech has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 17/09/2010 21:42:05 from IP 192.168.13.86.

Application Summary

Application Number:
PREM/02945

Address:
Unit B-K
Watermans Place
3 Wharf Approach
Holbeck
Leeds
LS1 4GL



Licence Description:

Case Officer:

Customer Details

Name:
Claire Leech

Address:
Flat 259 Waterman's Place
3 Wharf Approach
Leeds

Postcode:
LS1 4GQ

Email:
claireleech74@yahoo.co.uk

Phone Number:
0781 563 1903

Comments

Representation Type:
Neighbour

Objection Type:
All

Comments:
Dear Sir/Madam,

I wish to object to the licenses applied for by Rodizio Restaurant. We are already

SCANNED

'experiencing severe noise issues here at Watermans Place due to the Hop. I therefore wholeheartedly object to the music and alcohol licenses proposed for Rodizio. The very last thing we need at Waterman's Place is more music or more drunken people disturbing our peace. I have recently been woken early on weekend mornings by the drilling going on in the restaurant and I live on the 8th floor so I don't doubt that I would be disturbed late at night by any activity within the restaurant and outside it. Please, please do not grant this restaurant music or alcohol licenses.

Yours sincerely,

Claire Leech
259 Watermans Place

PublicAccess for Licensing. (c) CAPS Solutions Ltd.

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Page 1 of 2

2945 JJA

Nelson, Matthew

From: Emma Hopkins [emlouhop@googlemail.com]
Sent: 11 October 2010 21:47
To: Entertainment Licensing; Archibald, Janice
Subject: PREM/02945, Fazenda Rodizio Bar & Grill - representation

Flat 249 Waterman's Place

3 Wharf Approach

Leeds

LS1 4GQ

Licensing Authority

Leeds City Council

entertainment.licensing@leeds.gov.uk

janice.archibald@leeds.gov.uk

Date: 11 October 2010

Dear Sirs

PREM/02945, Fazenda Rodizio Bar & Grill

I wish to make a representation in respect of the above application for a new Premises License on the grounds of the licensing objectives of prevention of public nuisance and prevention of crime and disorder.

I live in flat 249 which is on the 7th floor of Waterman's Place. Waterman's Place is a prestige residential development that was completed at the end of September 2009. It is located adjacent to the newly renovated canal area, situated close to the City Inn hotel. There is a sister development called the Candle Building 200 metres away. Both developments are predominantly owner occupied, with residents in Waterman's Place moving in from the beginning of November 2009 and the Candle Building since around July 2010.

The proposed premises is located on the ground floor of Waterman's Place and so will be directly below a large number of flats. A number of flats have been adversely affected by noise disturbance from renovations to the premises. The proposed entrance is approximately 15 metres from the only entrance to Waterman's Place.

I am very concerned about the potential for public nuisance from noise emanating from the premises from both customers and recorded music. I am particularly about the potential for noise nuisance from the outside area, which has seating for around 60 people and forms part of the licensable area. This would be of even greater concern if the premises were proposing to have outside heaters, which would encourage customers to stay outside longer and/or during winter months.

I am also concerned about noise caused by deliveries to the premises and collection of bottles etc.

I am also concerned about nuisance caused by smells from the premises – from the kitchen and from customer smoking outside of the premises.

12/10/2010

Page 187

NO 14/10/10

2945

Richardson, Adele

From: Neil Muralee [neil@paperbomb.com]
Sent: 13 October 2010 16:34
To: Entertainment Licensing; Archibald, Janice
Subject: PREM/02945, Fazenda Rodizio Bar & Grill



Dear Sir / Madam,

PREM/02945, Fazenda Rodizio Bar & Grill

I wish to make a representation in respect of the above application for a new Premises License on the grounds of the licensing objectives of prevention of public nuisance and prevention of crime and disorder.

I live in flat 167 which is on the 1st floor of Waterman's Place. Waterman's Place is a prestige residential development that was completed at the end of September 2009. It is located adjacent to the newly renovated canal area, situated close to the City Inn hotel. There is a sister development called the Candle Building 200 metres away. Both developments are predominantly owner occupied, with residents in Waterman's Place moving in from the beginning of November 2009 and the Candle Building since around July 2010.

The proposed premises is located on the ground floor of Waterman's Place and so will be directly below a large number of flats. A number of flats have been adversely affected by noise disturbance from renovations to the premises. The proposed entrance is approximately 15 metres from the only entrance to Waterman's Place.

I am very concerned about the potential for public nuisance from noise emanating from the premises from both customers and recorded music. I am particularly about the potential for noise nuisance from the outside area, which has seating for around 60 people and forms part of the licensable area. This would be of even greater concern if the premises were proposing to have outside heaters, which would encourage customers to stay outside longer and/or during winter months.

I am also concerned about noise caused by deliveries to the premises and collection of bottles etc.

I am also concerned about nuisance caused by smells from the premises – from the kitchen and from customer smoking outside of the premises.

Of significant concern is also the potential for crime and disorder caused by the concentration of licensed premises in the area – the Hop (a bar and live music venue), the Golf Bar (a bar), Wasabi (a restaurant) and the Sky Bar (a bar in the City Inn hotel).

It is unlikely that I will be able to attend the Licensing hearing due to work commitments. If I am unable to attend then I confirm that I am happy for Emma Hopkins of Waterman's Place to speak on behalf.

Regards,
 Neil Muraleedharan
 167 Watermans Place
 3 Wharf Approach
 Leeds
 LS1 4GN

T: 07739021968

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Page 2 of 2

Of significant concern is also the potential for crime and disorder caused by the concentration of licensed premises in the area – the Hop (a bar and live music venue), the Golf Bar (a bar), Wasabi (a restaurant) and the Sky Bar (a bar in the City Inn hotel).

I intend to attend the hearing in relation to this application.

Regards,

Emma Hopkins

NOT PROTECTIVELY MARKED

RECEIVED
18 OCT 2010

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

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

Name & Address of Premises:

FAZENDA RODIZIO BAR AND GRILL
WATERMAN'S PLACE
3, WHARF APPROACH
LEEDS
LS1 4GL

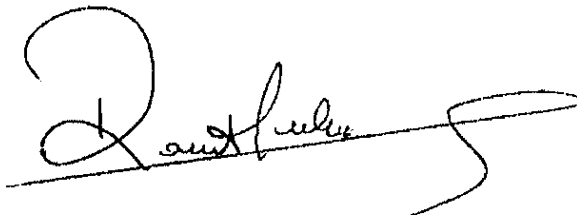
I/~~We~~ Robert Melman

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 as conditions, and furthermore,
- I / we confirm the premises will then operate in accordance with those conditions agreed to.

Signed:



Dated:

14.10.2010

NOT PROTECTIVELY MARKED

SCANNED

PART 2

To be completed by the applicant or applicant's representative

Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: Fazenda Rodizio Bar & Grill

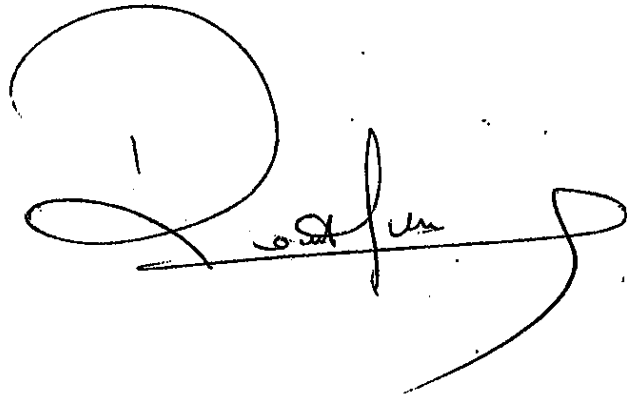
Address: Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds, LS1 4GL

I/we ROBERT MELMAN

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 health and 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:

30/9/10

Please return this document to:

Environmental protection team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN

SCANNED

2945

JA

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 : *Fazenda Rodizio Bar & Grill Unit B-K, Watermans Place, 3 Wharf Approach, Holbeck, Leeds LS1 4GL*

I/we *ROBERT MELMAN* (*The Applicant's Director*)

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 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: *[Handwritten Signature]*

Dated: *20/9/2010*

Please return this document to:

Ms C Copley
Health & Safety Services
Leeds City Council
Millshaw Park Way
Churwell
Leeds LS11 0LS
Fax: 0113 247 6282





Originator: Mr. Matthew Nelson

Tel: 0113 395 1876

Report of the Assistant Chief Executive (Corporate Governance)

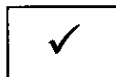
Report to the Licensing Sub Committee

Date: Monday 8th November 2010

Subject: Application for the Grant of a Premises Licence for a Chinese Takeaway at 378 Kirkstall Road, Leeds, LS4 2HQ

Electoral Wards Affected:

Kirkstall



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the grant of a Premises Licence for a premises situated at 378 Kirkstall Road, Leeds, LS4 2HQ, trading as a Chinese takeaway.

This application relates to a premises wishing to operate as a takeaway with the sole provision of Late Night Refreshment. The proposed hours of operation are noted at 3.3 of this report.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified.

1.0 Purpose of this Report

To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of a Chinese takeaway located at 378 Kirkstall Road, Leeds, LS4 2HQ. The Licensing Sub-Committee is required to consider this application due to the receipt of representations.

2.0 History of Premises

2.1 This is the first application for a Premises Licence for these premises.

3.0 The Application

3.1 The applicant is Miss. Xiao Chuan Chen.

3.2 The location and the proximity to neighboring premises can be seen on the map provided; Members attention is drawn to **Appendix A**.

3.3 A copy of the application and operating schedule are attached as **Appendix B** to this report. For the assistance of members, the Operating Schedule shows:

i) Proposed licensable activities

L Late Night Refreshment

ii) Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Late Night Refreshment

Monday to Sunday 23:00 – 03:00

iii) Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours:

Monday to Sunday 10:00 – 03:00

iv) Non-Standard Timings

Non-standard timings are not proposed in this application.

v) Steps to promote licensing objectives

The applicant proposes to take the steps identified in the Pro-Forma Risk Assessment to promote the licensing aims. Please find a copy attached at **Appendix C** of this report.

4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Responsible Authorities have made the following representations:

- **Development Department**

Member's are invited to consider **Appendix D** of this report.

5.0 Agreed Representations

5.1 In conjunction with the above, representations received from responsible authorities can be agreed prior to the hearing.

5.2 Conditions agreed with the following responsible authorities:

- **Environmental Health**

Member's are invited to consider **Appendix E** of this report.

6.0 Matters Relevant to the Application

6.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

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

6.2 In making their decision, Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

7.0 Options Available to Members

7.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule
- Reject whole or part of the application

7.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy



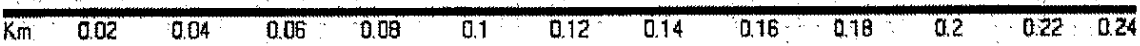
Leeds
CITY COUNCIL

Appendix A

Leeds City Council
Entertainment Licensing

PREM/02944 - Chinese Takeaway

378 Kirkstall Road, Leeds, LS4 2HQ



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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© Crown Copyright all rights reserved

Date:	21 October 2010
Scale:	1:1500

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

2944

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/WE XIAO CHUAN CHEN
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>378 KIRKSTALL RD LEEDS</u>		RECEIVED
Post Town <u>LEEDS</u>	Postcode <u>LS4 2HQ</u>	

Telephone number at premises (if any)

0113-2788334

Non-domestic rateable value of premises

£ 7,000.-

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick Yes

- | | |
|---|---|
| a) An individual or individuals* | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | <input type="checkbox"/> please complete section (B) |
| i) as a limited company | <input type="checkbox"/> please complete section (B) |
| ii) as a partnership | <input type="checkbox"/> please complete section (B) |
| iii) an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv) other (for example, a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |

- f) a health service body please complete section (B)
- g) a person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an Independent hospital please complete section (B)
- h) the chief officer of a police force in England & Wales please complete section (B)

*If you are applying as a person described in (a) or (b), please confirm:

- I am carrying on or proposing to carry on a business which involves the premise for licensable activities, or:
- I am making the application pursuant to a
 - statutory function or Please tick Yes
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(Rev, Dr, etc)

Surname:

CHEN

First Name:

XIAO CHUAN

I am 18 years old or over.

Please tick Yes

Current postal address if different from premises address

N/A

Post Town

Postcode

Daytime contact telephone number

07929178692

E-mail address (optional)

acedbb@yahoo.com.cn

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

N/A

Mr

Mrs

Miss

Ms

Other title
Rev, Dr, etc)

Surname:

First Name:

I am 18 years old or over.

Please tick Yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

N/A

Please provide name and registered address of applicant in full. Where appropriate, please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name:
Address:
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
Email address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
01	07	2010

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

N/A

If more than 5000 people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IN QUESTION IS AN OPEN-PLANNED CHINESE TAKE AWAY LOCATED ON A BUSY MAIN ROAD - KIRKSTALL ROAD IT IS RIGHT OPPOSITE TO A MCDONALD WHICH OPENS 24 HOURS A DAY ACROSS ROAD FROM THE PREMISES IS THE VUE CINEMA ~~AND~~, A LEISURE CENTRE AND MANY RESTAURANTS WHICH ALMOST ALL OPEN BEYOND 11:00 PM.

AROUND THIS AREA, THERE ARE MANY TAKEAWAY BUSINESSES INCLUDING CHINESE, INDIAN AND ITALIAN CUISINE. THEY ALL OPEN BEYOND 11:00 PM. MANY OPEN TILL 3:00 AM TO 4:00 AM.

THERE ARE LITTLE RESIDENTIAL PROPERTIES AROUND THE PREMISES SO SHOULD HAVE MINIMAL EFFECT ON LOCAL RESIDENCE.

ABOUT 5 DOOR AWAY FROM THE PREMISES THERE IS A PUB CALLED THE CARDIGAN'S WHICH OPENS BEYOND 11:00 PM, TOO.

ABOVE ALL, THE PREMISES LOCATES ON A HEAVILY COMMERCIAL AREA WHICH IS WELL ESTABLISHED. WE BELIEVE THIS PREMISES WILL FIT IN BETTER WITH OTHER BUSINESSES IN THE SAME AREA IS LATE NIGHT REFRESHMENT LICENCE IS GRANTED

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment:

Please tick Yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities for:

- l) making music (if ticking yes, fill in box l)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (l) or (j)(if ticking yes, fill in box K)

L) Provision of late night refreshment (if ticking yes, fill in box L)

M) Supply of alcohol (if ticking yes, fill in box M)

In all cases, complete boxes N, O, and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the exhibition of films please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			
			Non standard timings. Where you intend to use the premises indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5).

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place Indoors or out doors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thurs					
Fri				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sat					
Sun					

E

Live Music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 3)	Outdoors
Tue			Both		<input type="checkbox"/>
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sat					
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thurs				
Fri				
Sat			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>	Please give a description of the facilities for dancing you will be providing
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thurs				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thurs			State any seasonal variations for the Provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the Provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5).		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick [Y] (Please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
Day	Start	Finish			Outdoors <input type="checkbox"/>
Mon	10:00am	3:00am	Please give further details here (please read guidance note 3)		Both <input type="checkbox"/>
		following day			
Tue	10:00am	3am			
		following day			
Wed	10am	3am	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
		following day			
Thurs	10am	3am			
		following day			
Fri	10am	3am	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5).		
		following day			
Sat	10am	3am			
		following day			
Sun	10am	3am			
		following day			

3:00am .

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick [Y]) Please read guidance note 7).	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon				
Tue				
Wed				
Thurs				
Fri				
Sat				
Sun				
			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 _____

Address _____

Postcode _____

Personal Licensing Number (if known) _____

Issue Licensing Authority (if known) _____

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

(This area is currently blank for highlighting concerns.)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10:00 am	3:00 am	(following day)
Tue	10:00 am	3:00 am	(following day)
Wed	10:00 am	3:00 am	(following day)
Thurs	10:00 am	3:00 am	Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5). (following day)
Fri	10:00 am	3:00 am	(following day)
Sat	10:00 am	3:00 am	(following day)
Sun	10:00 am	3:00 am	(following day)

P

Describe the steps you intend to take to promote all four licensing objectives:

a) General--all four licensing objectives (b, c, d, e) (please read guidance note 9)

b) The prevention of crime & disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

- Please tick Yes
- I have made or enclosed payment of the fee
 - I have enclosed the plans of the premises
 - I have sent you copies of this application, and the plan to responsible authorities and others where applicable
 - I have enclosed the consent form produced by the individual I wish to be premises supervisor, if applicable
 - I understand that I must now advertise my application
 - I understand that if I do not comply with the above requirements, my application will be rejected.

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE OF UP TO LEVEL 5 ON THE STANDARD SCALE [£5000], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4--Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature: *Jaish*
 Date: 31/Aug/2010
 Capacity: _____

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12) If signing on behalf of the applicant, please state in what capacity.

Signature: _____
 Date: _____
 Capacity: _____

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Post Town	Postcode
Telephone number (if any)	
E-mail address (optional)	

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or un-amplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Licensing Act 2003

Proforma Risk Assessment V4

Please complete the details below:

Applicant name:	XIAO CHUAN CHEN
Business name:	TASTE (CHINESE TAKEAWAY)
Business address:	378 KIRKSTALL ROAD LEEDS
	Postcode: LS4 2HQ

Guidance about this document

1. The Licensing Authority recommends that you complete this specially designed pro forma risk assessment to help you decide what should be entered in your operating schedule to show how you will promote the four licensing objectives.
2. Whilst the Licensing Authority cannot insist you use this document it takes the view that it assists responsible authorities in assessing the operating schedule, promotes discussions and partnership working and will reduce the number of representations and hearings.
3. If you do not use this risk assessment pro forma then you will need to demonstrate how you will meet the licensing objectives by providing other supporting evidence via your operating schedule.

How to use this document

1. This document has four sections which correspond with the four licensing objectives and appendix 1 of our Licensing Policy. In each section you will find information on potential control measures (each with an individual code) which we suggest may help you meet the four licensing objectives.
2. Run through the questions in the grey sections and consider the potential control measures listed in the columns beneath.
3. If you are happy to volunteer the control measures as conditions on your licence place a tick in the relevant box in the right hand column. You can then enter the corresponding codes in page 14 of your application form in the boxes which match up with the licensing objectives or simply write "see pro forma risk assessment". These measures will then appear as conditions on your licence.

Crime and Disorder

CCTV

Does the premises have CCTV? YES NO N/A

If YES:

Was the siting and standard agreed with West Yorkshire Police (WYP)? YES NO

Have you agreed a policy on the retention and security of the footage with WYP? YES NO N/A

If NO:

Have you consulted WYP about whether CCTV should be installed? YES NO N/A

(NB unless WYP have agreed CCTV is not required, a representation is likely)

Suggested condition	Code	✓
A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out	4PF001	
The siting and standard of the CCTV system will be agreed with WYP prior to installation and will comply with that agreement at all times.	4PF002	
Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police	4PF003	
CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of WYP.	4PF004	

Designated Premises Supervisor (DPS)

Will the DPS generally be on site? YES NO N/A

Is the DPS contactable in emergency? YES NO N/A

If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence? YES NO N/A

Is the Supervisor's Register bound with consecutively numbered pages? YES NO N/A

Suggested condition	Code	✓
A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.	4PF005	
The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.	4PF006	

Door Supervisors and Other Security Staff

N/A

Do you use registered door supervisors or security staff? YES NO N/A

Are they Security Industry Authority (SIA) registered? YES NO N/A

Do you specify a minimum number of door supervisors? YES NO N/A

If YES, state the number of staff _____

Days (and times) employed _____

Has this been agreed with WYP? YES NO N/A

Do you have a policy with the door supervisor or security company which covers:

- Vetting customers entering the premises? YES NO N/A
- Is there a prominently displayed written search policy on the premises? YES NO N/A
- Controlling customers entering, within or leaving the premises? YES NO N/A
- Safeguarding the public within and immediately outside the premises? YES NO N/A
- Notifying WYP at the earliest opportunity of any problems or incidents? YES NO N/A
- Exclusion of persons who have had too much to drink or appear inclined to disorder? YES NO N/A

Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty? YES NO N/A

Is the Daily Record Register bound with consecutively numbered pages? YES NO

Can you identify who was on duty at any particular time? YES NO N/A

Do you have an Incident Report Register? YES NO N/A

Is the Incident Report Register bound with consecutively numbered pages? YES NO

Suggested condition	Code	✓
The minimum number of door supervisors for the premises is _____ Please specify days and hours door supervisors operate on the premises.	4PF007	
The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.	4PF008	
The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).	4PF009	
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	4PF010	

Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	4PF011	
The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.	4PF012	
The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.	4PF013	
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	4PF014	

Drugs and Offensive Weapons

Do you have a policy and procedure to prevent use of illegal drugs or weapons (e.g. a search policy)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has it been agreed with WYR?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the policy include:	
• recording any search	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• a purpose-made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• informing the police of any search and seizure	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested condition	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	4PF015	
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	4PF016	
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.	4PF017	

<p>Notices will be prominently displayed at the entrances of the premises which state:</p> <ul style="list-style-type: none"> • a search will be conducted as a condition of entry to premises; • Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the Incident report register. • Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. • entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances 	4PF018	
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Communication

Do you subscribe to Nite Net or a similar form of communication (radio/text/pager system)	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested condition	Code	✓
There will be a communication link to the WYP* and or* other relevant venues in the locality by means of (specify method) * delete as appropriate	4PF019	
Such communication link will be kept in working order at all times when licensable activities are taking place	4PF020	
The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	4PF021	
Any police instructions or directions given via the link will be complied with whenever given.	4PF022	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	4PF023	

Responsible Sale of Alcohol *N/A*

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Alcohol Designated Public Places Orders

If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises. Or	4PF024	
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises.	4PF025	
Glass and Bottles Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.	4PF026	
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	4PF027	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	4PF028	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by West Yorkshire Police / British Transport Police (e.g. football match days)	4PF029	
Alcohol Designated Public Places Orders Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	4PF030	

Responsible Sale of Alcohol

N/A

Membership of a Recognised Body Do you belong to a Licensees Association/Body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state which body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Exclusion from Premises Do you operate a system of excluding customers who are known to cause problems?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Is this your own system or	
• a system run by a local licensees body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Dispersal Policy Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour)	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

If YES:

- Was this agreed with WYP (and BTP where applicable)? YES NO N/A
- Are all bar and door staff trained on the policy? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives	4PF031	
The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The PLH/DPS will ensure that staff receive training on the policy.	4PF032	

Entertainment of an Adult Nature e.g. Strip Tease Dancing or Nude Dancing

N/A

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation? YES NO N/A

Suggested condition	Code	✓
Each area shall be supervised and shall display signs advising clients of the rules and conditions of licence regarding improper performances.	4PF033	
Performers shall be aged not less than 18 years.	4PF034	
Nothing shall be done, recited, sung, exhibited, or performed which is likely to cause a breach of the peace.	4PF035	
Whilst performing, the performer must at all times wear at least a G-string (female)/ pouch (male), covering the genitalia. This item of clothing must be worn at the commencement of the performance and may be removed during the performance but must be replaced at the conclusion.	4PF036	
During any performance of lap dancing, striptease or nude dancing (including performances usually termed 'private dances') there must not be any physical contact, by the performer, with any person in the viewing audience except: a) Leading a patron hand in hand to and from a chair or private room. b) Simple handshake greeting at the beginning and/or end of the performance. c) The placing of monetary notes or dance vouchers in the hand or garter worn by the performer. d) Pecking the cheek of a patron at the conclusion of the performance.	4PF037	
No performance shall include any sex act with any other performers, persons in the audience or with the use of any objects.	4PF038	
A price list must be displayed in a prominent position on the premises giving the price and time allowed for the dance routine.	4PF039	
Performers/dancers not performing must not be present in the licensed area in a state of nudity.	4PF040	

CCTV to be installed and maintained in the premises to the satisfaction of the West Yorkshire Police.	4PF041	
The recordings will be produced to a police constable or authorised officer of the Council, on request, and must be retained for a minimum of 31 days.	4PF042	
Booths, private rooms and areas must be visible to supervision and must not have closing doors or curtains that prevent the performance being observed.	4PF043	

Public Safety

Management Arrangements

Management Arrangements to be removed

Do you have procedures for the following?

• Accident / Incident reporting	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
• Routine maintenance	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
• Daily inspection of public areas	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
• Recording relevant tests / inspections	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
• Collecting glasses/bottles with particular emphasis on balcony areas	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

Suggested condition	Code	✓
Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.	4PF044	✓
Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.	4PF045	✓
During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.	4PF046	
A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.	4PF047	✓
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	4PF048	
Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept and made available at the request of an authorised officer. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.	4PF049	✓
One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models: a) Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA, or b) Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.	4PF050	

The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.

General Housekeeping

Do you have written procedures for the inspection of:

- Furnishings and fabrics YES NO N/A
- Suspended decorations/lights/amplification systems YES NO N/A
- Guarding to stairs/balconies/landings/ramps YES NO N/A
- Condition of floor surfaces YES NO N/A
- Provision of safety glazing YES NO N/A
- Guarding to fires or open flames YES NO N/A

Suggested condition	Code	✓
Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	4PF051	✓
Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.	4PF052	✓
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.	4PF053	

Refreshments

Do you prepare hot food / drinks in proximity to the public? YES NO N/A

If YES: YES NO N/A

Has the risk of scalding or burns been assessed?

Suggested condition	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	4PF054	✓

First Aid

Do you have staff trained in First Aid? YES NO N/A
 If YES, please state numbers 1
 Do you provide facilities for treatment of minor injuries (e.g. First Aid box)? YES NO N/A
 Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)? YES NO N/A

Suggested condition	Code	✓
A suitably trained First Aider or appointed person will be provided at all times when the premises are open.	4PF055	✓
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	4PF056	
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times.	4PF057	
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.	4PF058	✓
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.	4PF059	

Special Effects N/A

Do you use special effects on the premises, e.g. strobes, lasers, smoke machines or fireworks? YES NO N/A
 If yes, please give details :

Suggested condition	Code	✓
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be appropriately trained.	4PF060	
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.	4PF061	

Public Nuisance

Noise and Vibration

Noise and vibration

Identify the potential sources of noise and vibration which apply to your premises:

- Amplified music
- Unamplified music
- Singing and speech
- Waste disposal, including bottle bins
- Plant and machinery, including extraction systems
- Food preparation
- Cleaning

Identify where sources of noise may occur outside your premises: **N/A**

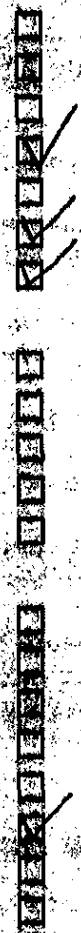
- Beer garden
- Play area
- Car park
- Temporary structure
- Plant and equipment

Identify which measures are in place/proposed:

- Soundproofing
- Air conditioning to allow windows to be kept closed
- Sound limiters
- Use of lobby doors
- Cooling down period with reduced music volume
- Fixed and appropriate times for collection of waste
- Restricted use of outdoor areas
- No external loud speakers

Are the premises located near noise sensitive properties, e.g. residential areas, residential homes, hospitals? YES NO N/A

Applicants should refer to the Clean Neighbourhoods and Environment Act 2005 which has amended the Noise Act 1996 to introduce "night noise offences" for licensed premises in completing this section.



Suggested condition	Code	✓
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	4PF062	
Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises after 23.00 hours and at all times if entertainment takes place on more than 30 occasions per year	4PF063	
There shall be no external loudspeakers	4PF064	
Bottles will not be placed in any external receptacle after 23.00 hours to	4PF065	

minimise noise disturbance to neighbouring properties		
Noise from plant or machinery shall be inaudible 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.	4PF066	
The PLH/DPS will ensure patrons use beer gardens, 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 21:00/22:00/23:00* *Please delete as appropriate.	4PF067	
The activities of persons using the external areas shall be monitored after 23:00hrs 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,	4PF068	
The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.	4PF069	

Litter

Does the premises sell takeaway food, drinks or other produce/packaging which may generate litter/waste? YES NO N/A

If YES, please identify the steps taken to prevent nuisance caused by litter:

CONTRACT WITH BIFFA BIN FOR LITTER TO BE COLLECTED WEEKLY
ALWAYS KEEP LITTER WITHIN PREMISES UNLESS IT GOES INTO
WHEELY BIN (LITTER BIN)

- Provision of litter bins
- Display of notices to customers
- Warnings/advice on packaging
- Instructions to staff to periodically clear litter from the street around the premises
- Other (please specify)

Suggested condition	Code	✓
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	4PF070	✓

Transport/Pedestrian Movement

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises? YES NO N/A

If YES:

What steps do you take to ensure that the procedure(s) works?

Suggested condition	Code	✓
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.	4PF071	
SIA Registered door staff will be employed and used where queues are likely to form to manage the queues and ensure: Queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.	4PF072	
The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.	4PF073	
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.	4PF074	

Protection of Children from Harm

Entertainment of an Adult Nature *N/A*

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)? YES NO N/A

If so, do you only provide the adult entertainment at certain times/days of the week? YES NO N/A

Is your premises located near to premises which are children orientated? YES NO N/A

Suggested condition	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.	4PF075	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	4PF076	
Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age checks (including staff)	4PF077	
The PLH/DPS will not display outside the premises photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.	4PF078	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	4PF079	
Any written or visual advertisement material, posters, signage, window display at or for the premises must not be of a sexually explicit and or suggestive nature, thus protecting children from moral, emotional, psychological and physical harm.	4PF080	

Under Age Sales of Alcohol *N/A*

Do the premises sell or supply alcohol? YES NO N/A

Suggested condition	Code	✓
People under 18 years of age will not be admitted.	4PF081	

Gambling

Is there a strong element of gambling on the premises? YES NO N/A

Suggested condition	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	4PF082	

or		
There will be sufficient physical screening of the relevant entertainment from view of those under 18 years.	4PF083	

Performers Under 18

N/A

Do entertainment performances include performances by children and young persons under 18 years of age? YES NO N/A

NOTE: The Children (Performance) Regulations 1988 as amended - continue to apply but are not conditions on the licence as that would be duplication

Suggested condition	Code	✓
The PLH/DPS will provide an adequate number of suitable adult supervisors who can provide care for the children as they move from stage to dressing room etc, and to ensure that all children can be accounted for in case of an evacuation or an emergency.	4PF084	
The venue will be suitable to accommodate safely the numbers of children intended.	4PF085	
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	4PF086	
The PLH/DPS will ensure that all special effects e.g. flashing lights, dry ice, smoke etc are suitable for the children involved in the performance.	4PF087	

Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children? YES NO N/A

If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises)? YES NO N/A

Do you provide young persons discos or similar entertainment? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times.	4PF088	
For closely seated audiences, i.e. theatres and cinemas, the ratio of supervisors will be 1 per 25 children, provided that where the children are in the charge of an adult organiser such organisers will be regarded as attendants to an extent not exceeding half of the number of attendants required by the above condition 4PF088.	4PF089	
No child will be permitted to occupy the front row of any balcony gallery or tier, unless accompanied by and in the charge of a person who appears to have attained the age of 16 years.	4PF090	

Close supervision will be held when children use balconies and other raised areas.	4PF091	
Upon egress from the premises the Licensee will deploy staff on exit doors and within the vicinity of the premises to ensure the safe dispersal of children and the premises will not close until all children have left the area.	4PF092	

Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children? YES NO N/A

If YES state measures used:

Are your premises located near any adult orientated premises e.g. an adult retail sex shop or amusement arcade? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all potential staff before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.	4PF093	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	4PF094	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.	4PF095	
The PLH/DPS will liaise with any adult orientated premises close to his/her premises which the Licensee suspects are at risk of admitting underage children from his/her own premises.	4PF096	



Miss Xiao Chuan Chen
 Flat 1
 378 Kirkstall Road
 Burley
 Leeds
 LS4 2HQ

City Development Department
 The Leonardo Building
 2 Rossington Street
 LEEDS
 LS2 8HD

Contact: **Chris Sanderson**
 Tel: 0113 2478216
 Fax: 0113 2478230

Your Ref:
 Our Ref: Licence Applications

Date 13th October 2010

Dear Miss Chen,

Subject: APPLICATION FOR PREMISES LICENCE

PART A

Thank you for submitting your application for licensed activities at:

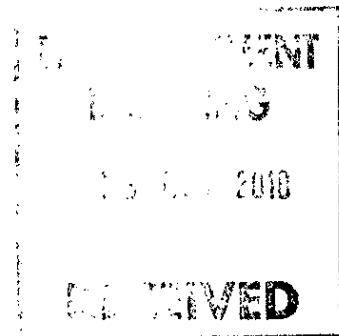
Name of venue:- Taste Chinese Takeaway

Address:- 378 Kirkstall Road, Leeds, LS4 2HQ.

We write to inform you we shall be objecting to your application and a copy of this letter will be sent to the Licensing Authority.

The premises were granted planning permission for the change of use of ground floor shop (A1) to a take away hot food shop (A5) in October 2009 subject to a condition restricting the hours of use of the premises. The proposed hours of use set out in your premises license application exceed those allowed by the planning permission. The Development Department objects to the granting of a Premises License in the terms as applied for due to noise and disturbance being caused to nearby residential occupiers as a result of the comings and goings of customers and their motor vehicles, from customers congregating on the street in the vicinity of the building and from activities within the building. It is considered that the opening hours applied for at these premises would conflict with the Licensing objective of preventing public nuisance.

The City Development Department considers that the extended opening hours proposed are unlikely to be acceptable and that a Premises Licence should not be granted outside the hours specified in the existing planning permission unless and until an express planning permission or a Certificate of Lawful Development is obtained by the operator of the premises to extend those operating hours. If you are willing to amend your application to the hours as specified in the existing planning permission, details of which are contained in Part B, then we shall withdraw our objection.



PART B

Licensing Act 2003 – Application for Premise Licence

On behalf of :

Taste Chinese Takeaway

For the premises known as and located at :

378 Kirkstall Road, Leeds, LS4 2HQ.

I am the applicant / representative authorised by the applicant (delete as appropriate)

In signing this document I request that the Licensing Authority accept this letter signifying my wishes to amend the application to reflect the hours as detailed in the existing planning consent, as follows :

Planning permission has been granted for the change of use of the ground floor shop (A1) to take away hot food shop (A5) (planning permission ref 09/03184/FU dated 06-10-2009) subject to the following condition:

THE OPENING HOURS OF THE PREMISES SHALL BE RESTRICTED TO 08.00 HOURS TO 23.30 HOURS MONDAY TO SATURDAY AND 19.00 HOURS TO 23.00 HOURS ON SUNDAYS AND BANK HOLIDAYS.

THE REASON FOR THE CONDITION WAS IN THE INTERESTS OF AMENITY OF NEARBY RESIDENTS.

Signed :

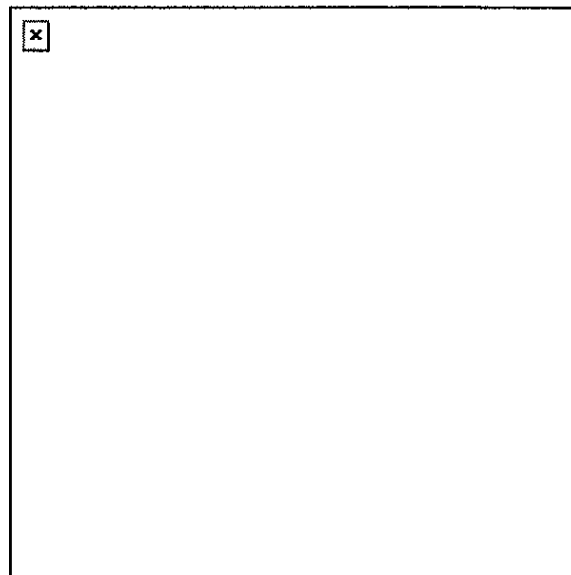
Dated :

Please return this document to :

Development Department
The Leonardo Building
2 Rossington Street
LEEDS
LS2 8HD

Yours faithfully

Chris Sanderson
Principal Compliance Officer



Miss Xiao Chuan Chen
Flat 1
378 Kirkstall Road
Burley
Leeds
LS4 2HQ

Environmental protection team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN

Contact: D M Bewell
Tel: 214 6254
Fax: 214 6250

Our reference: PREM/02944
20 September 2010

Dear Madam

Licensing Act 2003

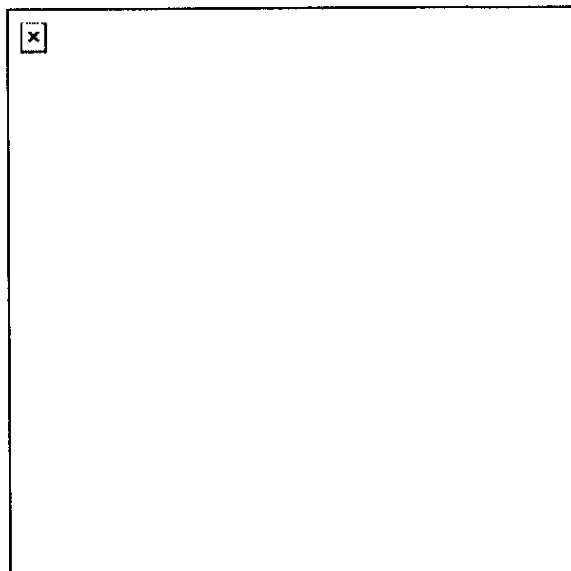
Name of Premises: Chinese Takeaway

Address: 378 Kirkstall Road, Burley, Leeds, LS4 2HQ

Thank you for submitting your application for the above premises.

www.leeds.gov.uk

general enquiries 0113 222
4444



If the opening hours as proposed under this application are different to those on the current planning approval, then you should also make an application for variation of hours to planning services . If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours faithfully

Encs

PART 1

To be completed by the responsible authority

Leeds City Council's Health and Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003

**Name of Premises: Chinese Takeaway
Address: 378 Kirkstall Road, Burley, Leeds, LS4 2HQ**

Insert here a premises summary, ie description/proximity to noise sensitive premises/
complaint history/any concerns etc

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's health and environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

- 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 shall be inaudible at the nearest noise sensitive premises.
3. Bottles will not be placed in any external receptacle after 11 pm to minimise noise disturbance to neighbouring properties.
4. Noise from plant or machinery shall be inaudible 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.

Signed:

Dated:

PART 2

To be completed by the applicant or applicant's representative

Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: Chinese Takeaway
Address: 378 Kirkstall Road, Burley, Leeds, LS4 2HQ

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 health and 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:

Please return this document to:

Environmental protection team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN

PART 3

To be completed by the applicant or applicant's representative

Proposed Controlled Measures under the Licensing Act 2003

**Name of Premises: Chinese Takeaway
Address: 378 Kirkstall Road, Burley, Leeds, LS4 2HQ**

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 health and environmental action service.

In this instance we understand that Leeds City Council's health and 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
Kent Road
Pudsey
Leeds
LS28 9BN

PART 2

To be completed by the applicant or applicant's representative

Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: Chinese Takeaway
Address: 378 Kirkstall Road, Burley, Leeds, LS4 2HQ

I/~~we~~ XIAO CHUAN CHEN.....

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 health and 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:

[Handwritten signature]

Dated:

18/10/2010

Please return this document to:

Environmental protection team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN

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