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## LICENSING SUB-COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS ON  
MONDAY, 5TH NOVEMBER, 2012 AT 10.00 AM

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### MEMBERSHIP

#### Councillors

B Gettings - Morley North;  
T Hanley - Bramley and Stanningley;  
B Selby - Killingbeck and Seacroft;

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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			<b><u>PRELIMINARY PROCEDURES</u></b>  <b>ELECTION OF THE CHAIR</b>	
2			<b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b>  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)  (*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	

Item No	Ward	Item Not Open		Page No
3			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – 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><b>LATE ITEMS</b></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>	

Item No	Ward	Item Not Open		Page No
5			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19 -20 of the Members' Code of Conduct.</p> <p><b><u>HEARINGS</u></b></p>	
6			<p><b>APPLICATION TO VARY A PREMISES LICENCE HELD BY MCDONALDS RESTAURANTS LTD, 38 BUTT LANE, FARNLEY, LEEDS, LS12 5AZ</b></p> <p>To receive and consider the attached report of the Head of Licensing and Registration regarding an application to vary a premises licence held by McDonalds's Restaurants Ltd, 38 Butt Lane, Farnley, Leeds.</p> <p>The application has attracted representations from other persons and a responsible authority.</p>	1 - 36



Report author: Mrs Bridget Massey  
0113 2474095

## Report of the Head of Licensing and Registration

### Report to the Licensing Sub Committee

Date: 5<sup>TH</sup> November 2012

Subject: Application to vary a premises licence held by McDonald's Restaurants Ltd 38 Butt Lane, Farnley, Leeds, LS12 5AZ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Farnley and Wortley		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

### Summary of main issues

This is an application to vary a premises licence held by McDonald's Restaurants Ltd 38 Butt Lane, Farnley, Leeds, LS12 5AZ

Responsible authorities and Ward Members have been notified of this application.

The application has attracted representations from other persons and a responsible authority.

#### 1.0 Purpose of this Report

1.1 To advise Members of an application made under section 34 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 of representations.

#### 2.0 History of Premises

2.1 McDonalds Restaurants Ltd applied for a premises licence in April 2009 for the Provision of Late Night Refreshment. The application did receive representations from responsible authorities and other persons. The application was heard before the Licensing Sub- Committee on the 29<sup>th</sup> June 2009. The Sub

Committee deemed to grant the licence as applied for with agreed conditions with the responsible authorities and an additional condition imposed by the Licensing Committee.

2.2 A copy of the existing licence is attached at Appendix **A**

### **3.0 The Application**

3.1 The applicant is McDonalds Restaurants Ltd,

3.2 The application form may be found at Appendix **B** to this report.

3.3 In summary the application is for :-

3.4 The provision of late night refreshment

Every Day 23:00 to 05:00 Every Day

### **4.0 Other matters relevant to the application**

4.1 The applicants intend to operate 24 hours a day

4.2 Equality and Diversity / Cohesion and Integration

4.3 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

### **5.0 Steps to promote the Licensing Objectives**

5.1 The applicant proposes to take specific steps to promote the licensing objectives identified in section "P" of the application form.

### **6.0 Location**

6.1 A map which identifies the location of this premises is attached at Appendix **C**.

### **7.0 Representations**

7.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

7.2 Representations from Responsible Authorities

7.2.1 Representation has been received from the Environmental Health and Safety Team in their capacity as a responsible authority

7.2.2 The representation submitted by Leeds City Council Health and Safety Team remains as a matter for Members consideration a copy may be found at Appendix **D**

### 7.3 Other representations

7.3.1 The application has attracted representations from other persons

7.3.2 The Licensing section has received 2 letters of representation from 3 residents.

7.3.3 Copies of the representations will be available at the hearing for Members consideration.

### **8.0 Options Available to Members**

8.1 The Licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

8.2 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 appropriate in order to promote the licensing objectives.

### **9.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Other persons

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**Schedule 12  
Part A**

**Premises Licence  
Leeds City Council**

**Licence Issued By:**

**On: 29th June 2009**

N  
25 Jackson.

Nicole Jackson  
Assistant Chief Executive (Corporate Governance)

21.07.09

**Premises Licence Number**

PREM/02737

**Part 1 – Premises Details**

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

McDonald's Restaurants Ltd  
38 Butt Lane  
Farnley  
Leeds  
LS12 5AZ

**Telephone number** 0208 700 7000

**Where the licence is time limited the dates**

Not Applicable

**Licensable activities authorised by the licence**

Provision of late night refreshment

**Times the licence authorises the carrying out of licensable activities**

**Provision of late night refreshment**

Monday to Thursday	23:00 - 00:00
Friday & Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

**The opening hours of the premises**

Monday to Thursday	05:00 - 00:00
Friday & Saturday	05:00 - 01:00
Sunday	05:00 - 00:00

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

Not Applicable

**Part 2**

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

McDonalds Restaurants Ltd  
11/59 High Road  
East Finchley  
London  
N2 8AW

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

Registered Business Number            01002769

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

Not Applicable

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

Not Applicable

## **Annex 1 – Mandatory conditions**

Not Applicable

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **Conditions attached due to the Operating Schedule**

#### **General**

Access to the car park to the north of the restaurant (highlighted pink on the attached aerial photograph) will be closed from 23:30 every day until the restaurant opens the following morning, as agreed in relation to planning permission.

#### **The prevention of Crime and Disorder**

The restaurant is keen to work in partnership with the local police force to prevent crime and disorder.

At this restaurant all shift running managers have safety and security training. This restaurant will maintain a CCTV system in operation on the premises while open to the public. CCTV images will be held for a period of 28 days and access to the CCTV system will be provided to Police Officers and Council Officers at their request.

#### **Public safety**

This restaurant has safety systems in place to protect the safety of customers and staff at all times. These systems are regularly reviewed and updated where appropriate. In line with current legislation all our restaurants are routinely inspected by the local Environmental Health Office and we work with them and the local Fire Service to ensure we are complying, as far as reasonably practical, with relevant Health and Safety and Fire Safety Legislation. This restaurant is subject to inspections from our own safety and security teams to ensure our systems are being maintained.

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure Public Safety.

#### **The prevention of Public Nuisance**

McDonalds were the first company in our sector to introduce litter patrols in the early 1980s. These patrols collect McDonalds packaging and other litter within a certain radius of the restaurant. We are happy to act on recommendations from Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable. Our pioneering stance on litter patrols has meant working on a project with DEFRA, in which we piloted 'reducing litter caused by food on the go', a voluntary code of practice for local partnerships.

We also have measures in place to limit noise. Our doors are self closing and we try to encourage our customers to be considerate to our neighbours and limit noise both when ordering their food and on leaving the local area.

### **The protection of Children from Harm**

McDonalds do not anticipate that children will use the restaurant in the extended hours period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.

All our restaurant staff are required to attend comprehensive safety training.

### **Conditions agreed with Responsible Authorities**

#### **The prevention of Crime and Disorder**

Operate an effective CCTV system to be maintained in accordance with guidelines issued by West Yorkshire Police

Secure CCTV footage will be secure and retained for a period of 31 days and supplied to West Yorkshire Police.

#### **The prevention of Public Nuisance**

Ensure that no nuisance is caused by noise and vibration emanating from the premise.

No commercial waste collections shall take place between the hours of 22:00 and 08:00 the following morning.

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

#### **The prevention of Crime and Disorder**

The car park will be closed and locked between the hours of 23:30 and 05:00.

#### **Annex 4 – Plans**

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

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Insert name and address of relevant licensing authority and its reference number (optional)

Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR



CANNED

**Application to vary a premises licence 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.

**XWe** McDonald's Restaurants Limited  
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

**Premises licence number**

PREM/02737

**Part 1 - Premises Details**

Postal address of premises or, if none, ordnance survey map reference, or description 38 Butt Lane Bramley	
Post town Leeds	Post code LS13 4JE

Telephone number at premises (if any)

Non-domestic rateable value of premises £

**Part 2 - Applicant Details**

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address  
11/59 High Road  
East Finchley

Post Town  Postcode

### Part 3 - Variation

Please tick  Yes

Do you want the proposed variation to have effect as soon as possible?

 /

If not do you want the variation to take effect from

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

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

The premises currently have a premises licence which allows the provision of late night refreshment on Sundays to Thursdays from 23:00 until 00:00 and Fridays & Saturdays from 23:00 until 01:00.

The proposed variation is to extend the opening hours and provision of late night refreshment on Sunday nights/Monday mornings to Thursday nights/Friday mornings from 00:00 until 05:00 and Friday nights/Saturday mornings & Saturday nights/Sunday mornings from 01:00 until 05:00.

### Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**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:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

**Sale by retail of alcohol** (if ticking yes, fill in box M)

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



**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both		
Tue						
Wed				<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur						
Fri				<b><u>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</u></b> (please read guidance note 5)		
Sat						
Sun						

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both		
Tue						
Wed				<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur						
Fri				<b><u>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</u></b> (please read guidance note 5)		
Sat						
Sun						

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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 (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur						
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**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both		
Tue						
Wed				<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur						
Fri				<b>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</b> (please read guidance note 5)		
Sat						
Sun						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	
Tue					
Wed			<b>State any seasonal variations for playing recorded music</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

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

I

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

J

<b>Provision of facilities for dancing</b> 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 Outdoors Both	
Day	Start	Finish	<b>Please give a description of the facilities for dancing you will be providing</b>	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<b>Please give further details here</b> (please read guidance note 3)	
			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)	
			<b>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</b> (please read guidance note 5)	

# K

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>		
Day	Start	Finish	<b>Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)</b>	Indoors	
Mon				Outdoors	
				Both	
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u></b> (please read guidance note 4)		
Fri					
Sat			<b><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></b> (please read guidance note 5)		
Sun					

# L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)</b>	Indoors	
Day	Start	Finish		Outdoors	
				Both	/
Mon	23:00	05:00	<b><u>Please give further details here</u></b> (please read guidance note 3) The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.		
Tue	23:00	05:00			
Wed	23:00	05:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	23:00	05:00			
Fri	23:00	05:00	<b><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></b> (please read guidance note 5)		
Sat	23:00	05:00			
Sun	23:00	05:00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the sale of alcohol be for consumption</b> please tick ✓ (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue					
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**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)

The premises will operate as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	05:00	05:00	<u>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Tue	05:00	05:00	
Wed	05:00	05:00	
Thur	05:00	05:00	
Fri	05:00	05:00	
Sat	05:00	05:00	
Sun	05:00	05:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick  Yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence



**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

Please see attached Operating Schedule.

**b) The prevention of crime and disorder**

Please see attached Operating Schedule.

**c) Public safety**

Please see attached Operating Schedule.

**d) The prevention of public nuisance**

Please see attached Operating Schedule.

**e) The protection of children from harm**

Please see attached Operating Schedule.

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 - Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature Shoosmiths

Date 12th September 2012

Capacity Solicitor / Authorised Agent for the Applicant

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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 address for correspondence associated with this application** (please read guidance note 13)

Shoosmiths LLP  
The Lakes

**Post town** Northampton

**Post code** NN4 7SH

**Telephone number (if any)** Direct Dial : 03700 863086

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**

elaine.rayner@shoosmiths.co.uk

## Operating Schedule

### General

This restaurant understands that in extending our opening hours we have a duty to the local community and that we continue to protect our staff and customers from danger and harm. We believe that the systems we have in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and further none of our drinks or food are served to customers in glass receptacles.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours.

### Prevention of Crime and Disorder

This restaurant is keen to work in partnership with the local police force to prevent crime and disorder.

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. At all stores where CCTV is in operation appropriate signage reflecting this information is displayed.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. The CCTV equipment will be of a standard suitable to record images of a proper quality, it will meet the industry standard and will have Kalagate Certification. As part of the digital system an alarm will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene. The CCTV system is regularly serviced by qualified maintenance technicians.

Access to the CCTV system will be provided to Police Officers at their request.

At this restaurant all shift running managers have safety and security training.

### Public Safety

This restaurant has safety systems in place to protect the safety of customers and staff at all times. These systems are regularly reviewed and updated where appropriate. In line with current legislation all our restaurants are routinely inspected by the local Environmental Health Office and we work with them and the local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is subject to inspections from our own safety and security teams to ensure our systems are being maintained.

All of our restaurant staff are required to attend comprehensive safety training to ensure that safe working methods are adopted and all staff are trained in evacuation procedure in the event of a fire or other dangerous occurrence.

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area. Emergency contact mobile telephone numbers are listed in the Business Manager's office.

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

### Public Nuisance

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. These patrols collect McDonald's packaging and other litter within a certain radius of the restaurant. All of McDonald's packaging displays the "Bin It" symbol to encourage our customers to deal with their waste responsibly. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable. Our pioneering stance on litter patrols has meant working on a project with DEFRA, in

which we piloted 'reducing litter caused by food on the go', a voluntary code of practice for local partnerships. A copy of which can be found at:

[www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf](http://www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf)

Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:

<http://www.mcdonalds.co.uk/ourworld/environment/policy.shtml>

We also have measures in place to limit noise. Our doors are self closing and we try to encourage our customers to be considerate to our neighbours and limit noise both when ordering their food and on leaving the local area.

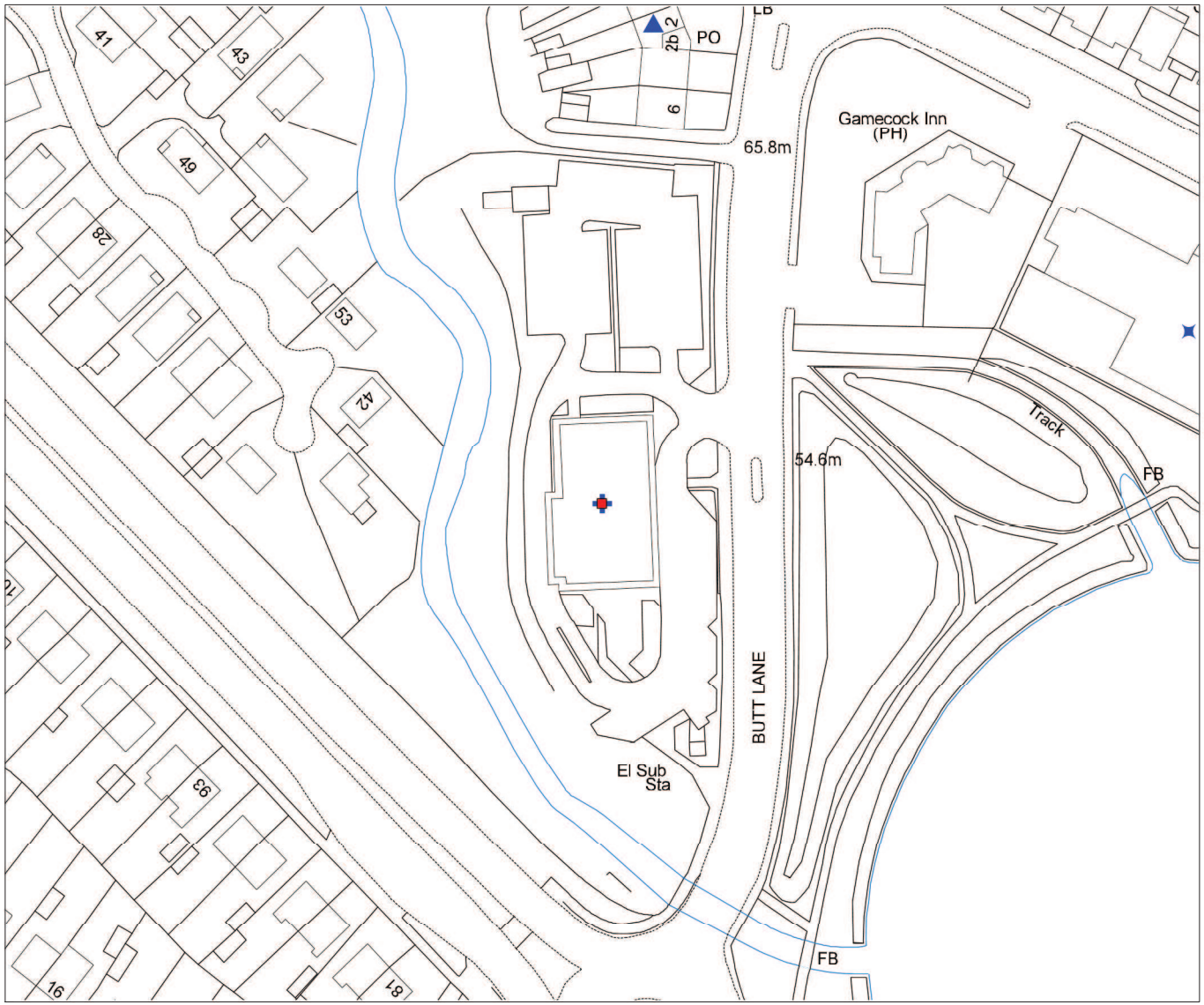
### The Protection of Children From Harm

McDonald's do not anticipate that children will use the restaurant in the extended hour's period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.

All of our restaurant staff are required to attend comprehensive safety training.

**PREM/02737/002**

**McDonald's Restaurant, 38 Butt Lane, Farnley, Leeds, LS12 5AZ**



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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<b>Date:</b>	23 October 2012
<b>Scale:</b>	1:1250

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McDonalds Restaurants Ltd  
11/59 High Road  
East Finchley  
London  
N2 8AW

Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds LS9 0NP



Contact: Mr Gary Mann  
Tel: 0113 3951265  
Fax: 0113 247 6282  
Gary.mann@leeds.gov.uk  
Our reference: PREM/02737/002  
10 October 2012

Dear Sir / Madam

**Licensing Act 2003**

**Name of Premises: McDonald's Restaurants Ltd**  
**Address: 38 Butt Lane, Farnley, Leeds, LS12 5AZ**

Thank you for submitting your application for the above premises.

Leeds City Council's environmental action service 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.



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

Mr Gary Mann  
Environmental health officer

Encs



## **PART 1**

**To be completed by the responsible authority**

**Leeds City Council's Environmental Action Service  
Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: McDonald's Restaurants Ltd  
Address: 38 Butt Lane, Farnley, Leeds, LS12 5AZ**

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's 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. Senior members of staff will ensure patrons use external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 10 pm.
2. The activities of persons using the external areas shall be monitored after 10 pm and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.

### **Transport / Pedestrian Movement**

3. 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.
4. Senior members of staff will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

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: McDonald’s Restaurants Ltd  
Address: 38 Butt Lane, Farnley, Leeds, LS12 5AZ**

I / We .....

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

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

Signed:

Dated:

Please return this document to:

Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds LS9 0NP

## **PART 3**

**To be completed by the applicant or applicant's representative**

### **Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: McDonald's Restaurants Ltd**  
**Address: 38 Butt Lane, Farnley, Leeds, LS12 5AZ**

I / We .....

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

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

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

Signed:

Dated:

Please return this document to:

Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds LS9 0NP

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**LICENSING SUB COMMITTEE**

**MONDAY 5<sup>TH</sup> NOVEMBER 2012**

**MCDONALD'S RESTAURANT, 38 BUTT LANE, LEEDS LS12  
5AZ**

**SUPPLEMENTARY DOCUMENTS SUBMITTED AFTER  
CREATION OF AGENDA DOCUMENTS -  
AGREEMENT REACHED WITH LCC EPT**

**From:** Rayner, Elaine [mailto:Elaine.Rayner@shoosmiths.co.uk]  
**Sent:** 23 October 2012 16:03  
**To:** Massey, Bridget  
**Cc:** Mann, Gary  
**Subject:** McDonald's Restaurants Limited : 38 Butt Lane Farnley Leeds LS12 5AZ

Bridget

I refer to the Notice of Hearing received in respect of the application to vary the Premises Licence for the above-mentioned premises.

I confirm that my clients are prepared to accept the conditions suggested by the Environmental Protection Team and a copy of the signed agreement is attached to this e-mail for your information. I confirm that the original has today been forwarded to the Environmental Protection Team by First Class Royal Mail post.

I should be grateful if you would acknowledge safe receipt of this e-mail.

Many thanks.

Elaine

Elaine Rayner  
Licensing Assistant

SHOOSMITHS LLP

03700 86 3086 UK direct dial  
03700 86 3001 UK fax

**About Shoosmiths**

Shoosmiths is a trading name of Shoosmiths LLP, a limited liability partnership registered in England and Wales (registered number OC374987). Shoosmiths LLP is authorised and regulated by the Solicitors Regulation Authority. Our professional rules can be found at [www.sra.org.uk/handbook](http://www.sra.org.uk/handbook). We use the word partner to refer to a member of Shoosmiths LLP, or an employee or consultant who is a lawyer with equivalent standing and qualifications. A list of members' names together with a list of non members who are designated as partners is available for inspection at our registered office at Witan Gate House, 500-600 Witan Gate West, Milton Keynes MK9 1SH.

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## **PART 1**

**To be completed by the responsible authority**

**Leeds City Council's Environmental Action Service  
Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: McDonald's Restaurants Ltd  
Address: 38 Butt Lane, Farnley, Leeds, LS12 5AZ**

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

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4. Senior members of staff will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

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: McDonald's Restaurants Ltd  
Address: 38 Butt Lane, Farnley, Leeds, LS12 5AZ**

We ..... Shoosmiths LLP .....

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  we agree with the measures proposed by Leeds City Council's environmental action service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed: Shoosmiths LLP

Dated: 23rd October 2012

Please return this document to:

Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds LS9 0NP