



LICENSING SUB-COMMITTEE

**MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
MONDAY, 12TH NOVEMBER, 2012 AT 10.00 AM**

MEMBERSHIP

Councillors

P Latty - Guiseley and Rawdon;
B Selby - Killingbeck and Seacroft;
C Townsley - Horsforth;

**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 Head of Governance Services 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>	

Item No	Ward	Item Not Open		Page No
5			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</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><u>HEARINGS</u></p>	
6	Garforth and Swillington	10.4(1)	<p>APPLICATION FOR THE GRANT OF A PERSONAL LICENCE FOR MR SAM DONNELLY</p> <p>To consider a report of the Head of Licensing and Registration for the grant of a personal licence for Sam Donnelly, Swillington Hotel, 40 Wakefield Road, Swillington, Leeds LS26 8DJ.</p> <p>(Report attached)</p> <p>PLEASE NOTE : Appendix A, C and D to the report is regarded as containing exempt information under the provisions of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)</p>	1 - 26

Item No	Ward	Item Not Open		Page No
7	Crossgates and Whinmoor	10.4(1)	<p>APPLICATION TO VARY A PREMISES LICENCE HELD BY WHINMOOR, STANKS LANE SOUTH, LEEDS LS14 5HZ TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR</p> <p>To consider a report of the Head of Licensing and Registration to vary a premises licence held by Whinmoor, Stanks Lane South, Leeds LS14 5HZ to specify an individual as designated premises supervisor.</p> <p>(Report attached)</p> <p>PLEASE NOTE : Appendix C to the report is regarded as containing exempt information under the provisions of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)</p>	27 - 44

This page is intentionally left blank



Report author: Mrs Emma White
0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 3rd September

Subject: Application for the grant of a Personal Licence for Mr Sam Donnelly

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Garforth & Swillington		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:10.4(1) Appendix number: A and C These Appendices are regarded as exempt under provision of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)		

Summary of main issues

This is an application for the grant of a personal licence for Sam Donnelly Swillington Hotel, 40 Wakefield Road, Swillington, Leeds, LS26 8DJ. The application has attracted a representation from West Yorkshire Police in respect of Mr Donnelly criminal convictions as detailed in **Appendix C**

Recommendations

The committee is asked to:

Consider the application and the representation made by West Yorkshire Police.

1.0 Purpose of this Report

- 1.1 To advise Members of an application made under section 117 (1)(a) of the Licensing Act 2003 ("the Act") for a personal licence in respect of Mr Sam Donnelly
- 1.2 Members are required to consider this application due to the receipt of representation from West Yorkshire Police

2.0 Main Issues

2.1 A copy of the application is attached at **Appendix A** of this report. It should be noted that certain information submitted within the application is potentially exempt information under the Access to information Rule 10.4 (1) as it includes information relating to an individual, this information is also replicated in **Appendix C**

3.0 Relevant Representations

3.1 Under the Act, representations can be received from West Yorkshire Police. Please find attached a copy of the representation at **Appendix B**

4.0 Matters relevant to the application

4.1 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

5.0 Corporate Considerations

5.1 The application was subject to a 14 days consultation period with West Yorkshire Police in accordance with the Licensing Act 2003.

5.2 Equality and Diversity / Cohesion and Integration

5.3 The council has adopted a Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003 and in which care has been taken in matters of equality, diversity and human rights. This policy is reviewed every three years. The council has completed equality, diversity, cohesion and integration screening and impact assessments with regards to the consultation process undertaken during the review of the policy.

5.4 Council Policies and City Priorities

5.5 When determining an application the licensing sub-committee must have regard for the Licensing Act 2003 Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the council will refer to the policy when making its decisions.

5.6 The licensing regime contributes to the following aims:

By 2030, Leeds will be fair, open and welcoming

- Local people have the power to make decisions that affect them
- There is a culture of responsibility, respect for each other and the environment

- Our services meet the diverse needs of our changing population
- Everyone is proud to live and work

By 2030, Leeds' economy will be prosperous and sustainable

- Opportunities to work with secure, flexible employment and good wages

By 2030, all Leeds' communities will be successful

- Communities are safe and people feel safe

5.7 The licensing regime contributes to the following city priorities:

Best city... for communities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

5.8 Resources and Value for Money

The licensing process, including the licensing sub-committee, generates a cost to the council. The majority of these costs are covered by the application fee. The fees are set by Statute, and there is little option to increase the fee to cover all the cost. However, the Police Reform and Social Responsibility Bill, which received Royal assent on November 2011, allowed local authorities to set their own fees in the future based on full cost recovery.

5.9 Legal Implications, Access to Information and Call In

Applicants and people making representations are able to challenge the licensing sub-committee's decision by appealing to the Magistrates Court. Legal advice is provided during the sub-committee hearing and during deliberations to mitigate the risk to the council.

6.0 Risk Management

Full training and legal advice is provided to members sitting on Licensing Sub Committee in order to mitigate the risk of legal challenge.

7.0 **Conclusions**

7.1 An application has been received under the Licensing Act 2003 which is brought before a licensing sub-committee for determination.

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

- Grant as requested; or
- Reject the application.

7.3 Recommendations

The committee is asked to:

- Consider the application and the representation from West Yorkshire Police
- Take any of the steps detailed at 4.1, if any, they consider necessary for the promotion of the licensing objectives.

7.4 Background Papers

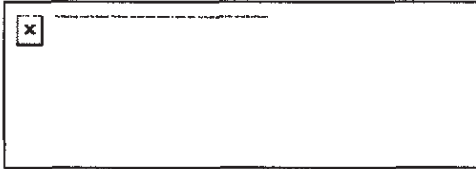
- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy

Document is Restricted

This page is intentionally left blank

NOT PROTECTIVELY MARKED

SCANNED



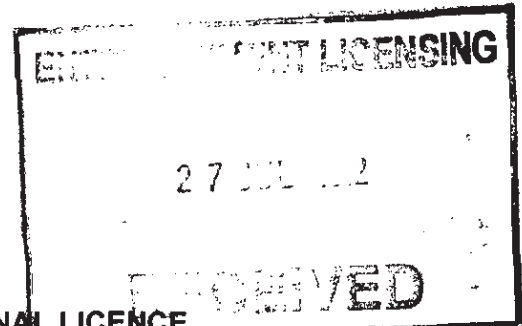
Licensing Department
 Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

Leeds District Licensing Office

Tel: 0113-2414023
 Fax: 0113-2413123
 Email: lynn.dobson@westyorkshire.pnn.police.uk

27 July 2012

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



NOTICE OF OBJECTION – PERSONAL LICENCE
SECTION 120(5) – LICENSING ACT 2003

APPLICANT: SAM DONNELLY

In accordance with section 120(4) Licensing Act 2003, we received notification from Leeds City Council of an application for a personal licence by the person named above. The notification from the licensing authority was received in this office on 20 July 2012.

I **PC 5783 Dobson, North East Leeds Licensing Officer for West Yorkshire Police**, hereby give you notice that I intend to object to this application for a personal licence.

West Yorkshire Police are satisfied that granting the licence would undermine the crime prevention objective, for the following reasons:-

- The applicant has one relevant unspent conviction for driving whilst over the prescribed limit. This offence will not be considered spent until November 2013.
- On 12 July 2012 the Neighbourhood Policing Team for the Swillington area conducted a test purchase operation. The Swillington public house was visited and the test purchase children were sold alcohol. The seller at this time was Sam Donnelly. Mr Donnelly was reported for this offence and a court hearing is pending. It is unlikely that this matter will be dealt with, through the court system, prior to the personal licence hearing.
- When checks have been conducted with Disclosure Scotland, on West Yorkshire Police Systems and the Police National Computer, the applicant has come to our attention on a number of occasions. However, his recent conviction is the basis for this objection.

The information provided above, leaves West Yorkshire Police in no doubt that this person is unsuitable to be authorised to supply alcohol by way of being granted a personal licence.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

Because of the 'unspent' relevant offence which prompted Leeds City Council to contact us in the first place, West Yorkshire Police are of the opinion that granting this personal licence would undermine the crime prevention objective, and consequently West Yorkshire Police would invite the presiding sub-committee at a hearing to refuse this application

**L. Dobson
Leeds District Licensing Officer.**

NOT PROTECTIVELY MARKED

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Report author: Mr Barry Glover
Tel: 0113 2474095

Report of the head of licensing and registration

Report to the licensing sub committee

Date: 12th November 2012

Subject: Application to vary a premises licence held by Whinmoor, Stanks Lane South, Leeds, LS14 5HZ to specify an individual as designated premises supervisor

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Crossgates & Whinmoor		
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?	Yes	
If relevant, Access to Information Procedure Rule number:		
Appendix number: C		
If relevant, Access to Information Procedure Rule number: 10.4 (1)		
This appendix is regarded exempt under the provisions of Paragraph 14 of the Licensing Act 2003 (Hearings Regulations 2005)		

Summary of main issues

This is an application to vary a premises licence held by Mr Hing How to specify an individual as designated premises supervisor.

1. The application is to specify Mr Kenneth Greenhough as the designated premises supervisor.
2. West Yorkshire Police have been served a copy of this application and made an objection to the application

Recommendations

The committee is asked to:

3. To consider the application and the representation made by West Yorkshire Police.

4. Take any of the steps detailed at 4.2, if any, they consider necessary for the promotion of the licensing objectives

.Purpose of this report

- 1.1 To advise Members of an application made under section 37 of the Licensing Act 2003 ("the Act") to vary a premises licence in order to specify Mr Kenneth Greenhough as the designated premises supervisor.
- 1.2 The Licensing Sub-Committee is required to consider this application due to the receipt of a representation from West Yorkshire Police. This is submitted in accordance with Section 37 of the Licensing Act 2003.

2 Main Issues

- 2.1 The proposed designated premises supervisor is Mr Kenneth Greenhough
- 2.2 A copy of the application is attached at **Appendix A** of this report.
- 2.3 Relevant Representations
 - 2.3.1 Under the Act, representations can be received from West Yorkshire Police and must be relevant to the prevention of crime and disorder. Please find attached a copy of the representation at **Appendix B**.

It should be noted that certain information submitted by West Yorkshire Police, within the application is potentially exempt information under Access to Information Rule 10.4 (1) as it includes information relating to the proposed Designated Premises Supervisor. This information is contained within **Appendix C – Background Papers**

2.4 Matters relevant to the application

- 2.4.1 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

3 Corporate Considerations

3.1 Consultation and engagement

- 3.1.1 The application was subject to a 14 days consultation period with West Yorkshire Police in accordance with the Licensing Act 2003.

3.2 Equality and Diversity / Cohesion and Integration

- 3.2.1 The council has adopted a Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003 and in which care has been taken in matters of equality, diversity and

human rights. This policy is reviewed every three years. The council has completed equality, diversity, cohesion and integration screening and impact assessments with regards to the consultation process undertaken during the review of the policy.

3.3 Council Policies and City Priorities

3.3.1 When determining an application the licensing sub committee must have regard for the Licensing Act 2003 Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the council will refer to the policy when making its decisions.

3.3.2 The licensing regime contributes to the following aims:

By 2030, Leeds will be fair, open and welcoming

- Local people have the power to make decisions that affect them
- There is a culture of responsibility, respect for each other and the environment
- Our services meet the diverse needs of our changing population
- Everyone is proud to live and work

By 2030, Leeds' economy will be prosperous and sustainable

- Opportunities to work with secure, flexible employment and good wages

By 2030, all Leeds' communities will be successful

- Communities are safe and people feel safe

3.3.3 The licensing regime contributes to the following city priorities:

Best city... for communities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

3.4 Resources and Value for Money

3.4.1 The licensing process, including the licensing sub committee, generates a cost to the council. The majority of these costs are covered by the application fee. The fees are set by Statute, and there is little option to increase the fee to cover all the cost. However, the Police Reform and Social Responsibility Act may allow local authorities to set their own fees in the future based on full cost recovery.

3.5 Legal Implications, Access to Information and Call In

3.5.1 Applicants and people making representations are able to challenge the licensing sub-committee's decision by appealing to the Magistrates Court. Legal advice is provided during the sub committee hearing and during deliberations to mitigate the risk to the council.

3.6 Risk Management

3.6.1 Full training and legal advice is provided to members sitting on Licensing Sub Committee in order to mitigate the risk of legal challenge.

4 Conclusions

4.1 An application has been received under the Licensing Act 2003 which is brought before a licensing sub committee for determination.

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

- Grant as requested; or
- Reject the application.

5 Recommendations

The committee is asked to:

- Consider the application and the representation from West Yorkshire Police
- Take any of the steps detailed at 4.2, if any, they consider necessary for the promotion of the licensing objectives.

6 Background Papers

6.1 Guidance issued under s182 Licensing Act 2003

6.2 Leeds City Council Licensing Policy

6.3 Background papers – Supporting documents from WYP – Appendix C



Leeds
CITY COUNCIL

ENTERTAINMENT LICENSING

APPENDIX A

10 OCT 2012

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

PREM/00990/004

SCANNED

RECEIVED

Application to vary a premises license 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 HUNG HOW

(Insert name of applicant)

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

Premises licence number

PREM/00990/001

Part 1 - Premises details

Name of Premises <u>WHINMOR</u>	
Postal address of premises or, if none, ordnance survey map reference or description <u>STANKS LANE SOUTH</u>	
Post Town <u>LEEDS</u>	Postcode <u>LS14 5HZ</u>
Telephone number (if any)	
E-mail address (optional)	

Description of premises (please read guidance note 1)

PUBLIC HOUSE

Full name of proposed designated premises supervisor

KENNETH GREENHOUGH

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

BO-PER 3067

BRADFORD MDC checked 12/10/12 (54)

Full name of existing designated premises supervisor (if any)

/

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 license 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

Please tick ✓ Yes

I have made or enclosed payment of the fee

I will give a copy of this application to the chief officer of police

I have enclosed the consent form completed by the proposed premises supervisor

I have enclosed the premises licence, or the relevant part of it or explanation

I will give a copy of this form to the existing premises supervisor, if any

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 [£5000], 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. (please read guidance note 3) **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

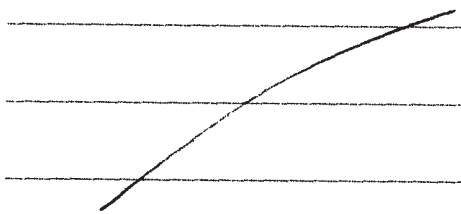
12/9/2012

Capacity

OWNER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 4). **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 5)	
Post Town	Postcode
Telephone number (if any)	
E-mail address (optional)	

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.

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

Consent of individual to being specified as premises supervisor

I, KENNETH GREENHOUGH] of
full name of prospective premises supervisor

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

[transfer] by [HING HOW]
type of application name of applicant

relating to a premises licence [PREM 100990/101] for
number of existing licence, if any

[WHINMOOR STANKS LANE SOUTH, LEEDS LS14 5HZ] 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

[HING HOW] concerning the supply of alcohol at
name of applicant

[WHINMOOR STANKS LANE SOUTH, LEEDS LS14 5HZ]. 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 [BD-PER 3067]
insert personal licence number, if any

Personal licence issuing authority

[BRAOFRD JACOBS WELL, MDC]
insert name and address and telephone number of personal licence issuing authority, if any

K Greenough signed

K GREENHOUGH name (please print)

12/9/12 dated

NOT PROTECTIVELY MARKED



Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Leeds District Licensing

Tel: 0113-2414023
Fax: 0113-2413123
Email: lynn.dobson@westyorkshire.pnn.police.uk

19 October 2012

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

PREMISES SUPERVISOR: KENNETH GREENHOUGH
PREMISES: THE WHINMOOR, STANKS LANE SOUTH, LEEDS LS14 5HZ

West Yorkshire Police serve notice to this application, which we received at Millgarth Police Station on 10 October 2012.

If granted, West Yorkshire Police are satisfied that the exceptional circumstances of the case would undermine the crime prevention objective.

The Whinmoor is situated in the middle of the Swarcliffe area and has been closed for several months. Prior to its closure, the venue suffered from a disproportionate number of problems and was the subject of intelligence and recorded crimes. The premises had a 'rotating door' in respect of licence holders. All of whom, it is fair to say, struggled to operate a challenging premises in a challenging area.

On 2 July 2012 I received information that the premises had been bought, at auction, by a gentleman from outside the immediate area. He had contacted the Licensing Authority, tentatively enquiring about the licence. He was advised in very general terms and told to contact me as the representative for the North East Leeds area. This gentleman is Mr Hing How.

On 17 July 2012 I contacted Mr How, by e-mail, to introduce myself and suggest a meeting. On 19 July I met Mr How at Stainbeck Police Station to discuss his proposals for The Whinmoor.

Mr How does not have a background in the licensed trade and is a baker. Very briefly, his plan for The Whinmoor was to provide tea, cakes and refreshments by day and a carvery in the evening.

NOT PROTECTIVELY MARKED

At this same meeting, Mr How stated that he had been approached by a number of local personal licences holders who were keen to take on the premises. I was familiar with all the names except one, who originated in the Bradford area. Whilst it is accepted that personal licence holders do move around, it is unusual for a licence holder, who has always operated in one district, to move to another local authority area. This candidate was Kenneth Greenhough.

Mr How appeared to be keen to employ Mr Greenhough, but I said would check with Bradford Licensing to see if they had concerns whilst he had been at Bradford premises. Because of the challenging nature of The Whinmoor I stressed that it was important to employ the correct designated premises supervisor (DPS) from the start. This person would need to be 'hands on', they would need to spend a great deal of time at the venue and not be a DPS in name only. They would also need to be prepared to challenge anything which would undermine the licensing objectives. Mr How was keen to engage with the Police, but seemed equally keen to appoint Mr Greenhough and open The Whinmoor as soon as possible.

Having communicated via e-mail with the Bradford Licensing Officer, PC Dawson, it became clear that there had been a number of issues at premises where Mr Greenhough had been the licence holder. I asked PC Dawson to provide a statement of her involvement and a copy of this is attached to this letter of objection.

On 6 August 2012 I contacted Mr How, by e-mail, to let him know concerns had been raised regarding Mr Greenhough and that an application to propose him as DPS would attract an objection. I heard nothing more.

On 10 October 2012 this application was received. I contacted Mr How by telephone to express my concern and surprise that he had proposed Mr Greenhough in light of our discussions and the subsequent e-mail. Mr How said that he had not received an e-mail from me and that he wished to proceed with the application. I agreed to meet Mr Greenhough and Mr How to outline the concerns in person.

On 11 October 2012 I met with Mr How and Mr Greenhough at Killingbeck Police Station and outlined the issues brought to my attention by PC Dawson. Mr Greenhough challenged the concerns and did not think there had been any problems at the premises he had operated. It can quite clearly be seen, from PC Dawson's statement, that there have been a number of issues with Mr Greenhough and his style of management would not be correct for The Whinmoor.

Whilst it is accepted that there is nothing set down in the legislation to say how much time a DPS needs to spend at a premises, there are premises that are needier and more time consuming than others. As Mr How intends to leave the day to day management of the venue very much in the hands of the DPS, then this person needs to be able to be frequently on site and needs to engage with the authorities. These two points have clearly been failings in Mr Greenhough's management of other licensed venues.

West Yorkshire Police would ask any presiding Sub-Committee to refuse this application.

Lynn Dobson
PC 5783
North East Leeds Licensing

NOT PROTECTIVELY MARKED

Document is Restricted

This page is intentionally left blank