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**LICENSING SUB-COMMITTEE**

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**MEETING TO BE HELD IN THE CIVIC HALL, LEEDS ON  
MONDAY, 25TH MARCH, 2013 AT 10.00 AM**

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**MEMBERSHIP**

**Councillors**

N Buckley - Alwoodley;  
J Dunn - Ardsley and Robin Hood;  
G Hussain - Roundhay;

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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 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 -16 of the Members' Code of Conduct.</p> <p><b><u>HEARINGS</u></b></p>	
6	Otley and Yeadon		<p><b>APPLICATION TO VARY A PREMISES LICENCE HELD BY RED LION KIRKGATE, OTLEY, LEEDS, LS21 3HN</b></p> <p>To consider a report by the Head of Licensing and Registration which sets out details of an application to vary a Premises Licence held by Red Lion Kirkgate, Otley, Leeds, LS21 3HN</p> <p>(Report attached)</p>	1 - 36



Report author: Miss Janice Archibald  
0113 2474095

**Report of the Head of Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date: 25th March 2013**

**Subject: Application to vary a premises licence held by Red Lion Kirkgate, Otley, Leeds, LS21 3HN**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Otley and Yeadon	
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 Red Lion Kirkgate, Otley, Leeds, LS21 3HN.

A full description of the variation can be seen at 3.3 of this application.

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

The application has attracted representations from other persons and responsible authorities.

**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 In August 2005, an application was received to convert an existing Justice Licence into a premises licence. The application was successful and a premises licence was duly granted on 4<sup>th</sup> September 2005. The premises licence holder was Paul Titley.

In November 2006, an application was received to transfer the premises licence into the name of Enterprise Inns Plc. This application was granted.

On 1<sup>st</sup> February 2007, another application to transfer the premises licence into the name of Jamie Smith was submitted, this application was also granted. On the 24<sup>th</sup> July 2008, a court decision ruled that Jamie Smith give up possession of the premises, therefore another transfer application was received for Enterprise Inns to be the premises licence holder. This application was granted.

On 16<sup>th</sup> December 2011, a further application to transfer the premises licence into the name of Demental Monkey Ltd, was received. This application was also granted.

On 23<sup>rd</sup> January 2012, an application was received to vary the premises licence. The variation was to extend the trading hours by one hour on a Thursday and two hours each day on a Friday and Saturday and to allow for the provision of live music and/or occasional comedy acts. No valid representations were received to this application, therefore it was granted.

On 5<sup>th</sup> February 2013, further application to vary the premises licence was submitted, details of which are at 3.3 of this report.

On 19<sup>th</sup> February 2013, an application to transfer the premises licence into the name of Enterprise Inns was received, to take effect from the 6<sup>th</sup> March 2013, this being the notice expiry date for the variation application. As representations were received to the variation application, Enterprise Inns Plc, informed the Licensing Authority that they wished to withdraw the transfer application, therefore the premises licence holder, reverted back to Demental Monkey Ltd.

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

## **3.0 The Application**

3.1 The applicant is De Mental Monkey Ltd,

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

3.3 In summary the application is to vary the hours of the following licensable activities and the hours open to the public:

Sale by retail of alcohol (for consumption both on and off the premises)  
Live music  
Performance of dance

Recorded music  
Entertainment of a similar description to the above

Monday to Thursday 11:00 until 03:00  
Friday and Saturday 11:00 until 03:30  
Sunday 12:00 until 00:00

Times when the premises will be open to the public:

Monday to Thursday 11:00 until 03:30  
Friday and Saturday 11:00 until 04:00  
Sunday 12:00 until 00:30

Non Standard Timings:

No non-standard timings for bank holidays or special occasions are proposed for this application

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

##### **4.1 Equality and Diversity / Cohesion and Integration**

4.2 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 16 of 17 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 Representations have been received from West Yorkshire Police and Leeds City Council's Environmental Protection Team in their capacity as a responsible authority.
- 7.2.2 Any representations submitted may be agreed prior to a hearing. In this instance, the operating schedule has been amended to include measures agreed with West Yorkshire Police. A copy of which may be found at Appendix D.
- 7.2.3 The representation submitted by Environmental Protection Team remains as a matter for Members considerations. A copy of the same may be found at Appendix E.
- 7.3 Other representations
- 7.3.1 The application has attracted representations from other persons.
- 7.3.2 The grounds for the objections are the prevention of crime and disorder, public safety, the prevention of public nuisance and protection of children from harm.
- 7.3.3 The Licensing Section is in receipt of twelve individual letters of objection and an objection from a ward councilor, all of which are opposed to this application on the above grounds.
- 7.3.4 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



# Premises Licence

Premises Licence Number:

PREM/01891/007

## Public Register Copy

Initial licence issued from:

4th September 2005

Current licence effective from:

22nd February 2012

# Appendix A

**Premises Address:** Red Lion, Kirkgate, Otley, Leeds, LS21 3HN

**Licensable activities authorised by this licence:** Sale by retail of alcohol; Performance of live music; Performance of recorded music; Entertainment similar to live music, recorded music or dance; Provision of facilities for dancing;

### Times for licensable activities

#### Sale by retail of alcohol

Monday to Wednesday 11:00 - 23:00  
Thursday 11:00 - 00:00  
Friday & Saturday 11:00 - 01:00  
Sunday 12:00 - 22:30

#### Performance of live music

Monday to Wednesday 18:00 - 23:00  
Thursday 18:00 - 00:00  
Friday & Saturday 18:00 - 01:00  
Sunday 12:00 - 22:30

#### Performance of recorded music

Every Day 00:01 - 00:00

#### Entertainment similar to live

#### music, recorded music or dance

Monday to Wednesday 18:00 - 23:00  
Thursday 18:00 - 00:00  
Friday & Saturday 18:00 - 01:00  
Sunday 12:00 - 22:30

### Times for licensable activities

#### Provision of facilities for dancing

Monday to Wednesday 18:00 - 23:00  
Thursday 18:00 - 00:00  
Friday & Saturday 18:00 - 01:00  
Sunday 12:00 - 22:30

### Opening hours of premises

Monday to Wednesday 11:00 - 23:30  
Thursday 11:00 - 00:30  
Friday & Saturday 11:00 - 01:30  
Sunday 12:00 - 23:00

**Alcohol sales are permitted for consumption both on and off the premises**

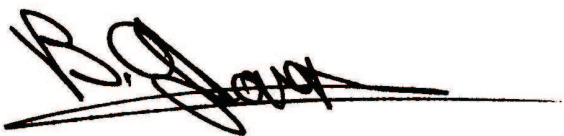
**Premises Licence Holder(s):** De Mental Monkey Ltd, 1 Roker Road,  
Harrogate, West Yorkshire, HG1 5JB

**Registered number of holder(s):** 07814999

**Designated Premises supervisor:** Collette Yvonne Jones

**Access to the premises by children is restricted.  
Detailed in full on Part A of this licence.**

Licence Issued under the authority of Leeds City Council



Mr Barry Glover  
Licensing Officer  
Entertainment Licensing  
Licensing and Registration



## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under this licence
  - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. games or activities which require or encourage, or are designed to require or encourage, individuals to -
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - d. provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
    - i. the outcome of a race, competition or other event or process, or
    - ii. the likelihood of anything occurring or not occurring;
  - e. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

6. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

7. The responsible person shall ensure that -
- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - i. beer or cider. 1/2 pint;
    - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml; and
  - b. customers are made aware of the availability of these measures

**Embedded restrictions attached to the licence by virtue of grandfather rights.**

8. Alcohol shall not be sold or supplied except during the hours stated on this licence and:
- a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
  - b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
9. The above restrictions do not prohibit:
- a. the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first thirty minutes after above hours;
  - b. the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals.
  - c. consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
  - d. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
  - e. the sale of alcohol to a trader or club for the purposes of the trade or club;
  - f. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
  - g. the taking of alcohol from the premises by a person residing there; or
  - h. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
  - i. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption

of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

10. Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

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

### **Additional details in respect of Licensable Activities authorised by this licence**

#### **11. Performance of live music**

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Weekly live music in the form of singer/songwriter sessions with occasional bands and open mic where the public are invited to perform by registering their interest in advance. The sessions may be combined with an open mic comedy performance, or the services of a professional comedian/comper.

#### **12. Entertainment similar to live music, recorded music or dance**

Location where activity will take place:

This activity will take place indoors.

Activity Details:

During the performance of live music - we may like to include the services of a compere or professional comedian. We would also like to hold open mic comedy and live music events where the public would be invited to perform having registered their interest at least 24 hours in advance.

#### **13. Provision of facilities for dancing**

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Dance floor, with pre-recorded music or in the case of a live act , a dance floor surrounding a removable stage.

#### **14. All Licensable Activities**

Non Standard Timings

None

#### **15. Concerns in respect of children**

None

### **Conditions consistent with the operating schedule relating to the licensing objectives**

**The prevention of crime and disorder**

16. Zero tolerance policy relating to drugs.
17. Licensed door staff will be employed on a Friday and Saturday night and at any other time which is identified as necessary. They will be in position from an hour after the last sale of alcohol and will remain outside our door, from the end of drinking up time for a period of thirty minutes.

### **Public safety**

18. Staff will make regular glass collections in the bar and smoking areas.
19. Plastic glasses will be used in the dancing area or during live performances in this area.
20. 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.
21. 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.
22. 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.
23. 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.

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.

24. A suitably trained first aider or appointed person will be provided at all times when the premises are open.
25. Adequate and appropriate first aid equipment and materials will be available on the premises.
26. 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.
27. 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.

### **The prevention of public nuisance**

28. We will operate a strict " respect for our neighbours policy where offenders will be refused further entry to our premises".

29. All performed and pre-recorded music will be routed through a sound limiting device and this will be set at the correct decibel levels recommended and agreed with the Environmental Health Officers.
30. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises which are on Kirkgate Mews.
31. There shall be no external loudspeakers
32. Bottles will not be placed in any external receptacle between 11 pm and 7 am the following day to minimise noise disturbance to neighbouring properties.
33. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
34. The activities of persons using the external areas shall be monitored after 11 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.
35. 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.

#### **The protection of children from harm**

36. Any children who come into the premises without the intention of purchasing food with their parent/carer will be asked to leave.
37. Children are only allowed in our premises when they and their parent/carer are purchasing and consuming food. Food service will stop by 8pm each night.

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

None

#### **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.



**Leeds**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[entertainment.licensing@leeds.gov.uk](mailto:entertainment.licensing@leeds.gov.uk)  
Telephone: 0113 2474095

\* required information

**Section 1 of 17**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

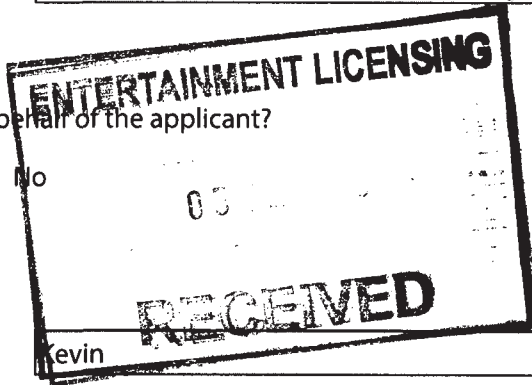
System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.



**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

\* VAT number

\* Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 17**

**APPLICATION DETAILS**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 17**



Continued from previous page...

**VARIATION**

Do you want the proposed variation to have effect as soon as possible?  Yes  No

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

Describe briefly the nature of the proposed variation

An Extension to trading hours

**Section 4 of 17**

**PROVISION OF PLAYS**

Will the schedule to provide plays be subject to change if this application to vary is successful?  
 Yes  No

**Section 5 of 17**

**PROVISION OF FILMS**

Will the schedule to provide films be subject to change if this application to vary is successful?  
 Yes  No

**Section 6 of 17**

**PROVISION OF INDOOR SPORTING EVENTS**

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  
 Yes  No

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?  
 Yes  No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

Continued from previous page...

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

Live music, in the form of singers, bands and groups, both amplified and unamplified. Any amplified music will be routed through the in-house pa and will not breach pre-agreed levels.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

Prerecorded music through an amplifier with levels not above pre-agreed limits.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start  End   
Start  End

THURSDAY

Start  End   
Start  End

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

Will the performance of dance take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

Dancing by customers

State any seasonal variations for the performance of dance.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

**Section 11 of 17**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

The services of a compere to introduce live acts, and live comedy acts.

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

Indoors                       Outdoors                       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

Performance of comedy and performance by a compere.

State any seasonal variations for entertainment.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes                       No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

TUESDAY

Start  End   
Start  End

WEDNESDAY

Start  End   
Start  End

THURSDAY

Start  End   
Start  End

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.



Continued from previous page...

**Section 14 of 17**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

None

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

*Continued from previous page...*

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

I am unable to copy the licence in a suitable format to send on-line but will post

**Section 16 of 17**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

We are aware that our business has fallen into two sectors both with different staffing requirements. During week-days we operate as a local pub, however on Friday and Saturday nights, and other occasional nights, we open the function room and the bar upstairs to provide a disco like experience to our clients, with occasional live music performances. We are very aware that these "disco" hours attract a younger clientele. Our staffing levels reflect this. During these periods, Door staff operate random searches to reduce the possibility of illegal drug use and we are investing in a drug safe, they also regularly patrol the toilets and outside areas. Our staff operate a challenge 21 policy and require ID, preventing underage drinkers, (All members of a group must have ID). Good quality CCTV is installed and fully maintained and is made available to the authorities as needed. There is at least one person on the premises who is trained on how to operate the system at all times

**Continued from previous page...**

when we are open and is authorised to give instant viewing access to the recordings to the Police (Recordings converted to a usable format such as DVD will be made available to the Police within 48 hours of a verbal request). The door staff and premises management are in two way radio contact. We have held a number of events using temporary event notices where we were open until 3am and these have shown a reduction in incidents of public nuisance and general disorder. On our present licence we close at 1am at weekends which forces a large number of people out onto the street at one time; we are also opposite a take-away which attracts people from other premises that also close at 1am. After observation of our late openings we have found that people leave our premises over a longer period of time and in smaller groups which helps with a natural dispersal and reduces incidents at the take-away as our evening has wound down rather than stopped suddenly.

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

Licensed door staff will be employed at any time when the premises will be open to the public after midnight and a full register will be maintained. In particular there will be regular patrols of the smoking area and the toilets. A drug safe will be used on the premises and clients will be subject to random searches on entry. We operate a zero tolerance policy towards drugs. We operate a challenge 21 policy which all staff are aware of and all bar staff are receiving training in drug awareness; if the bar staff become aware of anyone showing the signs of drug use, then they report it to the management or the door staff. All bar staff are encouraged and supported to work towards a personal licence, with the company contributing towards the cost.

**c) Public safety**

All previously established conditions with regard to public safety will continue to be complied with. A weekly meeting will take place between the management, the door staff and bar staff with the purpose of identifying potential hazards and addressing them.

**d) The prevention of public nuisance**

From 11pm, customers will only be allowed to use the smoking area at the rear of the premises which is fully enclosed. Anyone who leaves the premises will be reminded to leave the premises quietly and we will operate a respect for our neighbours policy, which will be prominently displayed at the exit; anyone who disregard's this policy will be refused entry on future visits. The inner door will remain closed at all times after 11pm in an effort to reduce noise spill onto the street. No performances of live music or similar will take place on the ground floor after midnight, and will when taking place after that time, be restricted to the first floor room with the sound relayed through the in-house pa downstairs. The layout of the building lends itself to reducing the noise spill by employing this tactic. The management will make regular walk around checks at the nearest noise sensitive points to ensure it is at an acceptable level. All previously established conditions with regard to the prevention of public nuisance will continue to be complied with. When the upstairs function room is open and a live act or pre-recorded music is being played, 30 minutes before the performance stops the staff (DJ) will announce that we will be closing in half an hour and that it is the time for customers to think about getting home safely - and they will remind customers to ask the bar staff or door staff if they need us to order a taxi. Again at the end of the performance the DJ reads a script reminding customers that we are in a residential area.

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

Children are only allowed on the premises when food is being served, only if they are accompanied by an adult who is purchasing food and they must leave the premises before 7pm.

**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

The variation fee is based on the non domestic rateable value of the premises these fees are:

Non domestic rateable value £4,300 or less - £100

Non domestic rateable value between £4,301 and £33,000 - £190

**Continued from previous page...**

Non domestic rateable value between £33,001 and £87,000 - £315

Non domestic rateable value between £87,001 and £125,000 - £450

Non domestic rateable value £125,001 or more - £635

If the premise▲ non domestic rateable value is £87,001 or more and the premises is used exclusively or primarily for the supply of alcohol for consumption on the premises the fee for this application is:

Non domestic rateable value between £87,001 and £125,000 - £900

Non domestic rateable value £125,001 or more - £1,905

If this application is for a community premises e.g. a village hall or community centre and the application does■ t include the sale of alcohol as an activity there is no fee payable.

If the premises will have 5,000 people or more in attendance at any one time there is an additional fee payable which we will contact you to pay when you submit your application. Details of these fees are available at [http://www.leeds.gov.uk/Business/Licences\\_and\\_street\\_trading/Licence\\_\\_alcohol\\_and\\_entertainment](http://www.leeds.gov.uk/Business/Licences_and_street_trading/Licence__alcohol_and_entertainment).

\* Fee amount (£)

190.00

**ATTACHMENTS****AUTHORITY POSTAL ADDRESS****Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

**DECLARATION**

\* I will make payment of the fee on submission of this application.

\* I have attached, or will post to Leeds City Council, the plans of the premises.

\* 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.

I understand that Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information I have provided on my application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

*Continued from previous page...*

Date (dd/mm/yyyy)

**Add another signatory**

Once you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/leeds/change-1> to upload this file and continue with your application

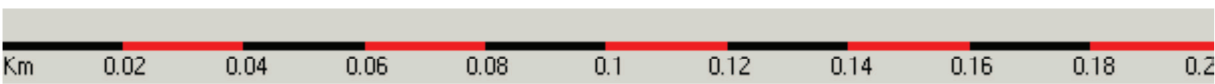
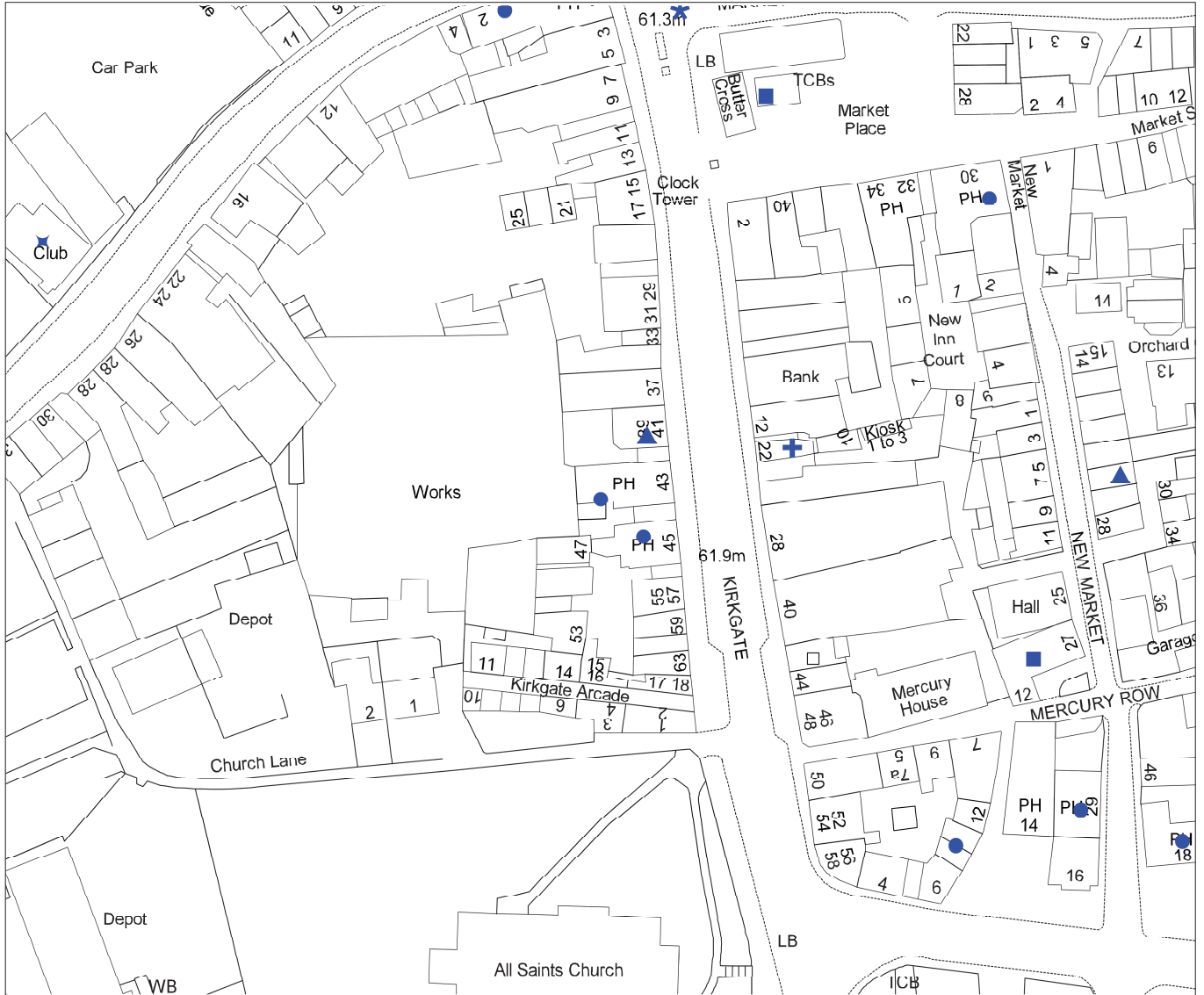
Don't forget to make sure you have all your supporting documentation to hand.

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## PREM/01891/008

### Red Lion, Kirkgate, Otley, West Yorkshire, LS21 3HN



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>	13 March 2013
<b>Scale:</b>	1:1250

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# Appendix D



**Leeds District Licensing Department**

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

Tel: 0113 241 5037

Fax: 0113 241 3123

Email:

catherine.sanderson@westyorkshire.pnn.police.uk

Your ref:

Our ref: CS/LICENSINGOFFICER

27<sup>th</sup> February 2013

**Mr K Jones**  
**The Red Lion**  
**Kirkgate**  
**Otley**  
**LS21 3HN**



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

**RE: The Red Lion, Kirkgate, Otley, LS21 3HN**  
**VARIATION OF 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 5<sup>th</sup> February 2013.

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, 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.

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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 4<sup>th</sup> March 2013.

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 4<sup>th</sup> March 2013.

---

### **PART 1 - to be completed by the Responsible Authority:**

**West Yorkshire Police** propose the following control measures under the Licensing Act 2003 (in **addition** to those that you may have already offered), for the premises:-

**The Red Lion  
Kirkgate  
Otley  
LS21 3HN**

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 Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises. The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms). The CCTV system will cover the main entrances and exits and designated emergency egress routes from the premises. The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks. The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority.
- The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates. The CCTV system will contain the correct time and date stamp information. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.
- The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images captured on cameras on the premises will, on the lawful request of an authorised officer of a Responsible Authority (under the Licensing Act 2003), cause any required footage to be downloaded immediately, or where this is not possible, as soon as reasonably

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practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that they are secured to prevent any overwriting.

- The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media. The CCTV system replay software must allow an authorised officer or an officer of West Yorkshire Police/British Transport Police to search the picture footage effectively and see all the information contained in the picture footage for the purpose of detecting, investigating and preventing crime. It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.
- The minimum number of SIA registered door supervisors for the premises is 3 on a Friday and 3 on a Saturday evening and any other evening that the function room/upstairs bar is in use. 1 door supervisor will be on duty from 2000hrs and a further 2 door supervisors from 2200hrs until at least an hour after the last sale of alcohol.
- 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.
- 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).
- 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 be securely bound, 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.
- A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.
- 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.
- Notices will be prominently displayed at the entrances of the premises which state:
  1. a search may be conducted as a condition of entry to premises;
  2. Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register.
  3. 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.
- 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 who attempts to purchase alcohol at the premises.
- Participate in a local pub watch scheme that is recognised by West Yorkshire Police.

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- Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.
- The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.
- Clear and legible notices will be displayed at exits 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.
- 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.

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 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.

**Cat Sanderson**  
**Leeds District Licensing Officer**

**Date: 27<sup>th</sup> February 2013**

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# Appendix E



Kevin Jones  
The Red Lion  
47 Kirkgate  
Otley  
Leeds  
LS21 3HN

Environmental Protection Team  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS

Contact: April Fisher  
Tel: 0113 395 1270  
Fax: 0113 247 6282  
april.fisher@leeds.gov.uk  
Our reference: PREM/01891/008  
28<sup>th</sup> February 2013

Dear Mr Jones

## **Licensing Act 2003**

**Name of Premises: Red Lion**

**Address: Kirkgate, Otley, Leeds, LS21 3HN**

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 sincerely

April Fisher  
Senior Environmental Health Officer

## **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: Red Lion  
Address: Kirkgate, Otley, Leeds, LS21 3HN**

The application premises is located on Kirkgate with residential premises located on Kirkgate Mews, Church Lane and above commercial premises on Kirkgate. Otley is a semi rural market town with a mix of commercial and residential premises.

The submitted application is to increase the opening hours by changing them to 11.00 to 03.00 Monday to Thursday, 11.00 to 04.00 Friday and Saturday and 12.00 to 00.30 on a Sunday. This would appear to be a significant increase in the existing terminal hours.

This department has previously received complaints from nearby residents in relation to noise from patrons using the application premises but to date this complaint has not been substantiated. However, several noise complaints relating to licensed premises in and around the town centre are being investigated.

Currently there are no licensed premises that open in Otley after 01.30 am and if the application for the extended hours is approved there is likely to be an increase in noise from music and patrons outside the premises.

This type of venue with these operational hours has the potential to cause a loss of amenity to residents not only from the potential of noise from the music but also from people arriving and leaving the premises and congregating outside to smoke and this type of noise is very difficult to control. The applicant has demonstrated how they propose to mitigate the impact this type of noise will cause to the amenity of residents in the area but unfortunately it is felt that these measures may not be adequate to prevent public nuisance.

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. The opening hours of the premises shall be restricted to 11.00 am to 00.30 Sunday to Thursday and from 11.00 am to 02.00 am the following day on Friday to Saturday.
2. The hours of the licensable activity at the premises shall be restricted to 11.00 am to 00.00 am Sunday to Thursday and from 11.00 am to 01.30 am Friday to Saturday.
3. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises which are located on Kirkgate Mews, Church Lane and residential premises above commercial premises on Kirkgate.

4. The activities of persons using the external areas shall be monitored after 23.00 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.
5. Between the hours of 23.00 pm and 10.00 am the next day smoking by patrons shall only be permitted in the rear yard with no access from the gated alley.
6. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.
7. To prevent noise outbreak from music secondary glazing shall be fitted to all windows to the first floor function room.

Signed:

Dated: