



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 22ND MAY, 2018 AT 10.00 AM

MEMBERSHIP

Councillors

N Buckley - Alwoodley;
K Groves - Middleton Park;
G Wilkinson - Wetherby;

Agenda compiled by:
Governance Services
Civic Hall
LEEDS LS1 1UR
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A G E N D A

Item No	Ward	Item Not Open		Page No
2			<p><u>PRELIMINARY PROCEDURES</u></p> <p>ELECTION OF THE CHAIR</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 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 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

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3			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

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5			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY 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 13-16 of the Members' Code of Conduct.</p> <p><u>HEARINGS</u></p>	
6	Little London and Woodhouse		<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR FREEDOM MILLS UNIT 47, WASHINGTON STREET, KIRKSTALL, LEEDS, LS3 1JQ.</p> <p>To receive and consider the attached report of the Head of Elections, Licensing and Registration</p>	1 - 48
7	Otley and Yeadon		<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR RESTAURANT, 152 HARROGATE ROAD, YEADON, LEEDS, LS19 6AH</p> <p>To receive and consider the attached report of the Head of Elections, Licensing and Registration</p>	49 - 84
8	Little London and Woodhouse		<p>APPLICATION TO VARY A PREMISES LICENCE HELD BY BOTANIST UNIT 2.42, 67 BOAR LANE, LEEDS, LS1 6HW</p> <p>To receive and consider the attached report of the Head of Elections, Licensing and Registration</p>	85 - 114

Item No	Ward	Item Not Open		Page No
			<p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	

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Report author: Miss Charlotte Deighton
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 22nd May 2018

Subject: Application for the grant of a premises licence for Freedom Mills
Unit 47, Washington Street, Kirkstall, Leeds, LS3 1JQ.

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Little London & Woodhouse	
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 for the grant of a premises licence, made by Freedom Mills Ltd, for Freedom Mills Unit 47, Washington Street, Kirkstall, Leeds, LS3 1JQ.

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

The application has attracted representations from responsible authorities.

This application was first listed for hearing on the 27th March. At the hearing the applicant requested an adjournment and the licensing sub-committee agreed to adjourn until the 24th April. The application was further adjourned on the 24th April until the 22nd May 2018.

1 Purpose of this report

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a new 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 History of the premises

- 2.1 This is the first premises licence application for these premises.

3 The application

- 3.1 The applicant's name is Freedom Mills Ltd.
- 3.2 The proposed designated premises supervisor is Mr Kyle McSparron.
- 3.3 In summary the application is for:

Performance of plays, Exhibition of a film, Indoor sporting events, Boxing or wrestling events, Performance of live music, Performance of recorded music, Performance of dance, Provision of facilities for making music, Provision of facilities for dancing, Anything of a similar description, Sale by retail of alcohol.

Everyday 12:00 – 05:00

Late night refreshment

Everyday 23:00 – 05:00

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the proforma risk assessment which is attached at Appendix A.

5 Location

- 5.1 A map which identifies the location of this premises is attached at Appendix B.

6 Representations

- 6.1 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.

Representations from Responsible Authorities

- 6.2 Representations have been received from the Licensing Department in their capacity as a responsible authority which may be found at Appendix C.

6.3 West Yorkshire Police also made a representation to this application but agreements were reached with the applicant and was therefore withdrawn. A copy of the representation and the agreement may be found at Appendix D.

Other representations

6.4 There are no other representations.

7 Licensing hours

7.1 Members are directed to paragraphs 6.8 to 6.15 of the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.

7.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so.

7.3 The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not adversely impact on the licensing objectives.

7.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix E.

8 Equality and diversity implications

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

9 Options available to Members

9.1 The licensing subcommittee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

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

9.2 Members of the licensing subcommittee are asked to note that they may not reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

10 Background papers

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

Licensing Act 2003

Proforma Risk Assessment V7



Please complete the details below:

Applicant Name : Joshua Threlfall	
Business name: Freedom Mills Limited	
Business address: Unit 47 Washington Street	
Postcode: LS3 1JQ	

Guidance about this document

1. The Licensing Authority recommends that you complete this specially designed pro forma risk assessment to help you decide what should be entered in your operating schedule to show how you will promote the four licensing objectives.
2. Whilst the Licensing Authority cannot insist that you use this document it takes the view that it assists responsible authorities in assessing the operating schedule, promotes discussions and partnership working and will reduce the number of representations and hearings.
3. If you do not use this risk assessment pro forma then you will need to demonstrate how you will meet the licensing objectives by providing other supporting evidence via your operating schedule.
4. The Licensing Authority strongly recommends that you consult with the responsible authorities early in the application process to ensure that the measures you are suggesting are appropriate and sufficient for your application. Contact details for the responsible authorities are in the guidance note in the application pack. Please contact Entertainment Licensing if you cannot find this information.

How to use this document

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

Crime and Disorder

CCTV

Does the premises have CCTV?	YES ✓
If YES:	
Was the siting and standard agreed with West Yorkshire Police (WYP)?	YES ✓
Have you agreed a policy on the retention and security of the footage with WYP?	YES ✓
The premises have a duly licensed Data Controller under the Data Protection Act 1998	NO ✓
If NO:	
Have you consulted WYP about whether CCTV should be installed?	YES ✓
(NB unless WYP have agreed CCTV is not required, a representation is likely)	

Suggested measures	Code	✓
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.	7PF001	✓
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).	7PF002	✓
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.	7PF003	✓
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.	7PF004	✓
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	7PF005	✓
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.	7PF006	✓
The CCTV system will contain the correct time and date stamp information.	7PF007	✓
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.	7PF008	✓
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.	7PF009	✓

A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.	7PF010	✓
The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images caught on cameras on the premises will, on the lawful request of an authorised officer of a Responsible Authority (under the Licensing Act 2003), be downloaded immediately, or where this is not possible, as soon as reasonably 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 it is secured to prevent any overwriting.	7PF011	
The CCTV system will be capable of securing relevant pictures for review or export at a later date.	7PF012	✓
The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.	7PF013	✓
The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.	7PF014	✓
It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.	7PF015	

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES ✓
Is the DPS contactable in emergency?	YES ✓
If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence?	N/A ✓
Is the Supervisor's Register bound with consecutively numbered pages?	YES ✓

Suggested measures	Code	✓
A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.	7PF016	✓
The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.	7PF017	✓

Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES ✓
Are they Security Industry Authority (SIA) registered?	YES ✓
Do you specify a minimum number of door supervisors?	YES ✓
If YES, state the number of staff <u>2</u> Dependant on numbers <u>450</u>	
Days (and times) employed <u>Club Nights ONLY</u> Dependant on numbers <u> </u>	
Has this been agreed with WYP?	YES ✓
Do you have a policy with the door supervisor or security company which covers:	
• Vetting customers entering the premises?	YES ✓
• Is there a prominently displayed written search policy on the premises?	YES ✓
• Controlling customers entering, within or leaving the premises?	YES ✓
• Safeguarding the public within and immediately outside the premises?	YES ✓
• Notifying WYP at the earliest opportunity of any problems or incidents?	YES ✓
• Exclusion of persons who have had too much to drink or appear inclined to disorder?	YES ✓
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES ✓
Is the Daily Record Register bound with consecutively numbered pages?	YES ✓
Can you identify who was on duty at any particular time?	YES ✓
Do you have an Incident Report Register?	YES ✓
Is the Incident Report Register bound with consecutively numbered pages?	YES ✓

Suggested measures	Code	✓
The minimum number of door supervisors for the premises is Variable dependant on events a minimum of 2 for any dance event.	7PF018	✓
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.	7PF019	✓
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).	7PF020	✓
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	7PF021	✓
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	7PF022	✓
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.	7PF023	✓

The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.	7PF024	✓
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	7PF025	✓

Drugs and Offensive Weapons

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

Suggested measures	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	7PF026	✓
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	7PF027	✓
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.	7PF028	✓
Notices will be prominently displayed at the entrances of the premises which state: <ul style="list-style-type: none"> • a search will be conducted as a condition of entry to premises; • Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register. • Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. • entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances 	7PF029	✓

Communication

Do you subscribe to a form of communication link (radio/text/pager system). The system shall be recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police.	NO ✓
Has this been agreed with WYP?	YES ✓

Suggested measures	Code	✓
There will be a communication link via radio to other venues in the city centre. This will be the system recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police	7PF030	
Such communication link will be kept in working order at all times when licensable activities are taking place	7PF031	
The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	7PF032	
Any police instructions or directions given via the link will be complied with whenever given.	7PF033	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	7PF034	

Responsible Sale of Alcohol

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES ✓
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES ✓
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	N/A ✓
Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?	N/A ✓
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES ✓
<u>Alcohol Designated Public Places Orders</u>	
If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects?	N/A ✓

Suggested measures	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.	7PF035	
or		
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.	7PF036	✓
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.	7PF037	
or		
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.	7PF038	✓
<u>Glass and Bottles</u> Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.	7PF039	N/A
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	7PF040	N/A
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all areas of the club.	7PF041	✓
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by West Yorkshire Police / British Transport Police (e.g. football match days)	7PF042	N/A
<u>Alcohol Designated Public Places Orders</u> Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	7PF043	✓

<u>Membership of a Recognised Body</u>	
Do you belong to a Licensees Association/Body	YES ✓
If YES, please state which body..PUBWATCH LEEDS CITY CENTRE	YES ✓
<u>Exclusion from Premises</u>	
Do you operate a system of excluding customers who are known to cause problems?	YES ✓
If YES:	NO ✓
• is this your own system or	
• a system run by a local licensees body	YES ✓

<u>Dispersal Policy</u>	YES ✓
Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour)	
If YES:	
• Was this agreed with WYP (and BTP where applicable)?	NO ✓
• Are all bar and door staff trained on the policy?	YES ✓

Suggested measures	Code	✓
The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives	7PF044	✓
The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The PLH/DPS will ensure that staff receive training on the policy.	7PF045	

Is your premises predominantly a restaurant?	NO ✓
Prior to the submission of your application it is recommended that you consult with the West Yorkshire Police on your proposals to operate as a restaurant. The discussions should be to agree the number of covers to be set aside and your proposals for service.	

Suggested measures	Code	✓
The premises shall be and remain predominantly food led.	7PF046	
An agreed number of covers will be maintained at all times the premises are operating. The number of covers will be _____	7PF047	
At any time that the premises licence has effect the sale of alcohol for consumption on the premises will be ancillary to the service of table meals	7PF048	
Waiter/waitress service will be in operation throughout the premises in relation to orders for food and/or alcohol	7PF049	
The sale/supply of alcohol shall only be made to accompany the sale of food. This does not preclude the sale/supply of alcohol to a person waiting to be seated in the restaurant or at the conclusion of the meal.	7PF050	

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

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation?	NO ✓
Please note that should you provide relevant entertainment more than 12 occasions per 12 month period or more frequently than monthly you will be required to apply for a Sex Establishment licence.	

Suggested measures	Code	✓
Entertainers will be aged no less than 18 years.	7PF051	
Price lists will be clearly displayed at each table and at each entrance to the premises.	7PF052	
Entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.	7PF053	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	7PF054	
Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence.	7PF055	
Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.	7PF056	
Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.	7PF057	
Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.	7PF058	
Sex toys must not be used and penetration of the genital area by any means must not take place.	7PF059	
Customers will not be permitted to throw money at the entertainers.	7PF060	
All areas used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.	7PF061	
All areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.	7PF062	

Public Safety

Management Arrangements

Suggested measures	Code	✓
Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.	7PF063	✓
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.	7PF064	✓
During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.	7PF065	N/A
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.	7PF066	✓
The Premises Licence holder will not allow the sale or supply of "Legal Highs" on the premises.	7PF067	✓
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	7PF068	✓
Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept and made available at the request of an authorised officer. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.	7PF069	✓
<p>One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:</p> <p>a) Each socket-outlet circuit will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or</p> <p>b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</p> <p>The current operation of all residual current devices will be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>	7PF070	N/A

General Housekeeping ✓g

Do you have written procedures for the inspection of:

- | | |
|--|-------|
| • Furnishings and fabrics | YES ✓ |
| • Suspended decorations/lights/amplification systems | YES ✓ |
| • Guarding to stairs/balconies/landings/ramps | N/A ✓ |
| • Condition of floor surfaces | YES ✓ |
| • Provision of safety glazing | N/A ✓ |

Suggested measures	Code	✓
Regular safety checks of guarding to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	7PF071	
Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.	7PF072	
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.	7PF073	✓

Fire Safety

The Regulatory Reform (Fire Safety) Order 2005 requires employers and other responsible persons to make a 'suitable and sufficient' assessment of the risks from fire in licensed premises and how they affect the safety of their employees and other persons who may be on or in the vicinity of the premises. Where a licence is in force the responsible person must record the significant findings of the risk assessment.

In compiling a fire risk assessment you must consider the following:

- The number of persons using the premises
- Means of escape
- Fire alarms
- Emergency Lighting
- Fire Fighting Equipment
- Fire Exit Notices
- Safety Precautions

For further advice regarding fire precautions and how to comply with your legal duties under The Regulatory Reform (Fire Safety) Order 2005, please refer to the guides listed below which are available to download, free of charge, from:

<https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>

Suggested Measures	Code	✓
The premises have a current Fire Risk Assessment	7PF074	✓

Refreshments

Do you prepare hot food / drinks in proximity to the public?	N/A ✓
If YES: Has the risk of scalding or burns been assessed?	N/A ✓

Suggested measures	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	7PF075	

First Aid

Do you have staff trained in First Aid?	YES ✓
If YES, please state numbers _2_____	
Do you provide facilities for treatment of minor injuries (e.g. First Aid box)?	YES ✓
Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)?	YES ✓

Suggested measures	Code	✓
A suitably trained First Aider or appointed person will be provided at all times when the premises are open.	7PF076	✓
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	7PF077	
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times.	7PF078	
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.	7PF079	✓
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.	7PF080	✓

Special Effects

Do you use special effects on the premises, e.g. strobes, lasers, smoke machines or fireworks? YES ✓

If yes, please give details : smoke machines , flashing lights and strobe lighting and lasers may be present on occasion

Smoke machines flashing lights and Lasers on club nights and maybe art exhibitions

Suggested measures	Code	✓
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be appropriately trained.	7PF081	✓
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.	7PF082	✓

Public Nuisance

Noise and Vibration

Noise and vibration

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

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

Identify where sources of noise may occur outside your premises:

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

Identify which measures are in place/proposed:

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

Are the premises located near noise sensitive properties, e.g. residential areas, residential homes, hospitals? NO ✓

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

Suggested measures	Code	✓
Licensable activities will be conducted and the facilities for licensed activities will be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties	7PF083	
Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.	7PF084	✓
There will be no external loudspeakers	7PF085	✓
Bottles will not be placed in any external receptacle after 23.00 hours and 07.00 hours to minimise noise disturbance to neighbouring properties	7PF086	
Noise from plant or machinery will be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery will be regularly serviced and maintained to meet this level.	7PF087	

The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 21:00.	7PF088	
The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 22:00	7PF089	
The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 23:00	7PF090	
The activities of persons using the external areas will be monitored after 23:00hrs and they will be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary,	7PF091	
The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.	7PF092	

Litter

Does the premises sell takeaway food, drinks or other produce/packaging which may generate litter/waste?	NO ✓
If YES, please identify the steps taken to prevent nuisance caused by litter:	
...Nobody is allowed outside with any plastic bottles or glass and rubbish is tidied away each evening	
.....	
<ul style="list-style-type: none"> • Provision of litter bins <input type="checkbox"/> • Display of notices to customers <input type="checkbox"/> • Warnings/advice on packaging <input type="checkbox"/> • Instructions to staff to periodically clear litter from the street around the premises <input type="checkbox"/> • Other (please specify) <input type="checkbox"/> 	

Suggested measures	Code	✓
The PLH/DPS will ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter	7PF093	

Transport/Pedestrian Movement

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises:	N/A ✓
If YES what steps do you take to ensure that the procedure(s) works?	

Suggested measures	Code	✓
Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.	7PF094	✓
SIA Registered door staff will be employed and used where queues are likely to form to manage the queues and ensure: Queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.	7PF095	✓
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.	7PF096	✓
A facility will be provided for customers to order Hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.	7PF097	✓

Protection of Children from Harm

Entertainment of an Adult Nature

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)?	NO ✓
If so, do you only provide the adult entertainment at certain times/days of the week?	NO ✓
Is your premises located near to premises which are children orientated?	NO ✓

Suggested measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.	7PF098	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	7PF099	
Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age checks (including staff)	7PF100	
The PLH/DPS will not display outside the premises photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.	7PF101	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	7PF102	
Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.	7PF103	

Under Age Sales of Alcohol

Do the premises sell or supply alcohol?	YES ✓
---	-------

Suggested measures	Code	✓
People under 18 years of age will not be admitted.	7PF104	

Gambling

Is there a strong element of gambling on the premises?	NO ✓
--	------

Suggested measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	7PF105	

or		
There will be sufficient physical screening of the relevant entertainment from view of those under 18 years.	7PF106	

Performers Under 18

Do entertainment performances include performances by children and young persons under 18 years of age?	YES ✓
NOTE The Children (Performance) Regulations 1968 as amended – continue to apply but are not conditions on the licence as that would be duplication	

Suggested measures	Code	✓
The PLH/DPS will provide an adequate number of suitable adult supervisors who can provide care for the children as they move from stage to dressing room etc, and to ensure that all children can be accounted for in case of an evacuation or an emergency.	7PF107	
The venue will be suitable to accommodate safely the numbers of children intended.	7PF108	✓
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	7PF109	✓
The PLH/DPS will ensure that all special effects e.g. flashing lights, dry ice, smoke etc are suitable for the children involved in the performance.	7PF110	✓

Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children?	NO ✓
If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises).	N/A ✓
Do you provide young persons discos or similar entertainment?	NO ✓

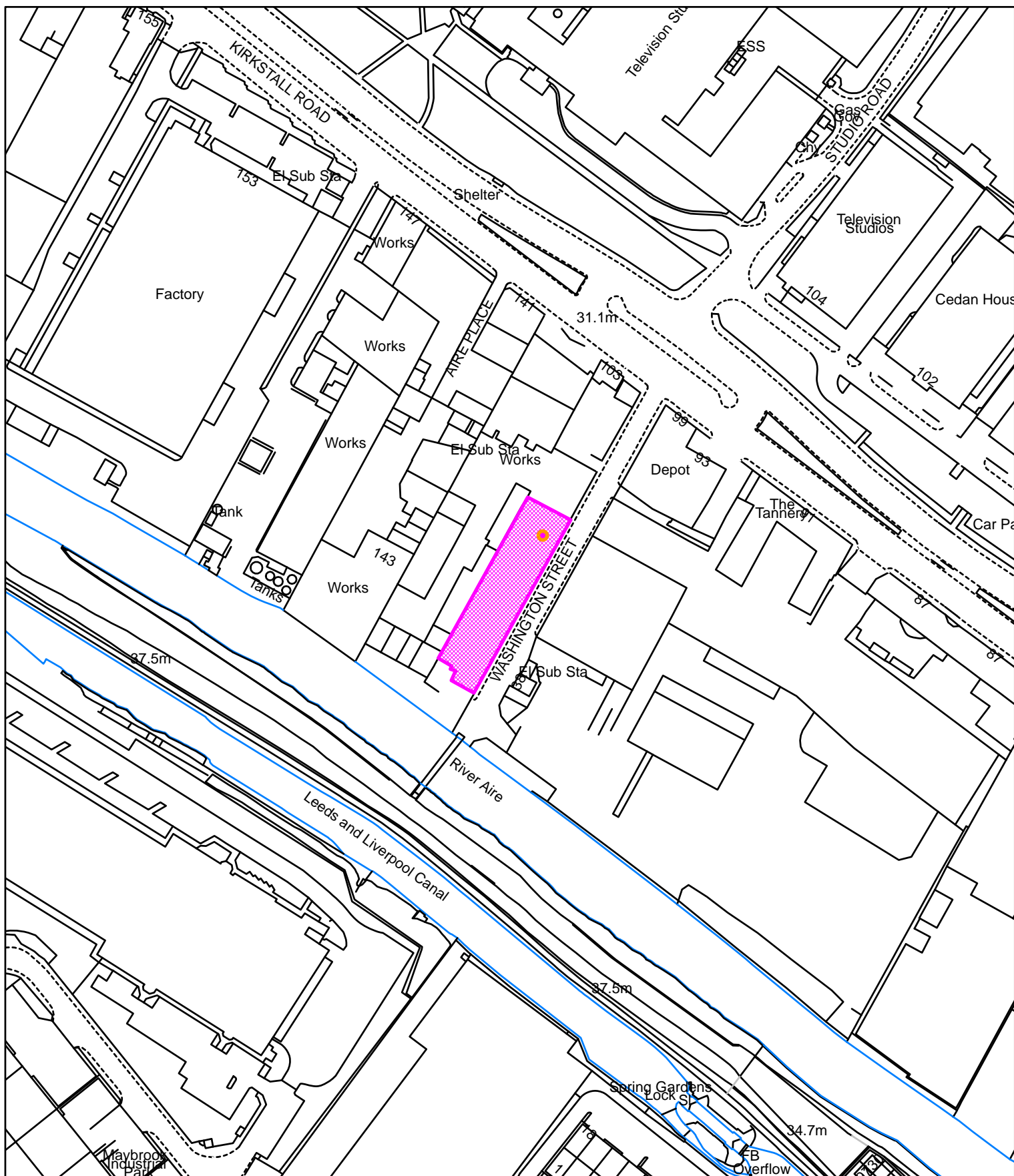
Suggested measures	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times.	7PF111	
For closely seated audiences, i.e. theatres and cinemas, the ratio of supervisors will be 1 per 25 children, provided that where the children are in the charge of an adult organiser such organisers will be regarded as attendants to an extent not exceeding half of the number of attendants required by the above condition 4PF088.	7PF112	
No child will be permitted to occupy the front row of any balcony gallery or tier, unless accompanied by and in the charge of a person who appears to have attained the age of 16 years.	7PF113	
Close supervision will be held when children use balconies and other raised areas.	7PF114	

Upon egress from the premises the Licensee will deploy staff on exit doors and within the vicinity of the premises to ensure the safe dispersal of children and the premises will not close until all children have left the area.	7PF115	
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Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children?	N/A ✓
If YES state measures used:	
Are your premises located near any adult orientated premises e.g. an adult retail sex shop or amusement arcade?	NO ✓

Suggested measures	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all potential staff before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.	7PF116	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	7PF117	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.	7PF118	
The PLH/DPS will liaise with any adult orientated premises close to his/her premises which the Licensee suspects are at risk of admitting underage children from his/her own premises.	7PF119	



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Leeds
CITY COUNCIL

Elections, Licensing & Registration

Civic Hall
Leeds LS1 1UR

Freedom Mills Ltd
Unit 47
Washington Street
Kirkstall
Leeds
LS3 1JQ

Our Ref: A80/SJL/MW/LIC/PREM/04143/001

Your Ref:

Contact: Michael Waters

Tel: 0113 3785029

Fax: 0113 3367124

Email: Michael.waters@leeds.gov.uk

Date: 1st March 2018

Dear Sirs

RE: Freedom Mills, Washington Street, Kirkstall LS3 1JQ.

**APPLICATION FOR A GRANT OF A PREMISES LICENCE – LICENSING ACT 2003:
LICENSING AUTHORITY LETTER OF REPRESENTATION.**

Thank you for submitting your application for the above premises, received at the address above on the 31st January 2018.

The Licensing Authority is of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives. We therefore confirm that we are submitting a formal representation against your application on the grounds of Public Safety.

We do not consider that the premises are suitable for the licensable activities as described in the application. Fuller details will be provided once there has been an opportunity to access the premises and review the internal infrastructure and emergency egress provisions.

We respectfully request that the Licensing Sub Committee considers our Representation prior to coming to a decision on the application.

Yours faithfully

Mr Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing



West Yorkshire Fire & Rescue

Prohibition Notice



West Yorkshire
Fire & Rescue Service

CFOA007b

Ref: 142411

Date: 8 March 2018

Freedom Mills Limited
Freedom Mills Unit 47
Washington Street
Leeds
LS3 1JQ

West Yorkshire Fire & Rescue Service
Fire Protection
Service Delivery Centre
Oakroyd Hall
Birkenshaw
BD11 2DY

Tel: 0113 3875738

Mobile: 07827321715

Email: fire.safety@westyorksfire.gov.uk

Officer dealing: James Gall

URGENT ACTION REQUIRED

Dear Sir

Prohibition Notice

The Regulatory Reform (Fire Safety) Order 2005: Article 31

Premises: Freedom Mills Washington Street Kirkstall Leeds LS3 1JQ

Responsible Person: Freedom Mills Limited

This is a relevant notice for the purpose of the Environment & Safety Information Act 1988

The enclosed Prohibition Notice served on your premises on 8 March 2018 requires your immediate attention.

The West Yorkshire Fire and Rescue Authority is of the opinion that the risk to people in case of fire in the premises is so high that the use of the premises must be restricted.

Failure to comply with a prohibition notice is an offence.

The Authority may prosecute anyone failing to comply with the restriction notice; including anyone using the premises in the manner to which this notice relates.

Note: During the above works and until such time as the restriction notice is withdrawn the duties specified below shall be acted upon.

Only the minimum number of workers necessary shall be employed.
Additional training and information shall be provided to those completing the

Making West Yorkshire Safer
www.westyorksfire.gov.uk

works in the potential dangers present.
All workers to be instructed as to the escape routes available.
Complete a risk assessment of the necessary works and how they are to be completed.
Consider temporary means of raising the alarm by automatic means.
Ensure the access and exit routes are maintained so as to be available and clear of debris.
Strict control of ignition sources must be enforced permit to work required for any hot work.
Instruct and nominate a competent person as to the facilities available and method of calling the fire service in the event of a fire.

You must remedy the specified matters before the restricted part(s) of the premises may be used.

Route to Appeal

You can legally appeal to this notice (under article 35 of the said Order). You must appeal to the magistrates court, for the area in which the premises is situated, within 21 days from the date shown on the notice. Bringing an appeal does not have the effect of suspending this notice, unless the court so directs.

If you wish to clarify what you are being asked to do in the schedule you can contact the Officer named above.

If you wish to challenge what you have been asked to do informally (not a legal appeal) you can contact the Fire Protection Manager using the address, email or telephone number detailed above and state that you wish to make an informal appeal (quoting the reference number and date of the Notice).

Acknowledgement

You are required to acknowledge your receipt of this Notice.

You can acknowledge receipt by:

- Email fire.safety@westyorksfire.gov.uk confirming the information stated on the last page of this letter; or
- Completing, signing and returning the last page of this letter.

Yours faithfully

[Redacted Signature]

Nigel Charlston

Authorised Fire Safety Inspecting Officer

On behalf of, and duly appointed by the West Yorkshire Fire & Rescue Authority

CC: [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

**URGENT PROHIBITION NOTICE ACTION REQUIRED
REGULATORY REFORM (FIRE SAFETY) ORDER 2005: ARTICLE 31**

To: M [redacted] [redacted] of Freedom Mills Limited (as person having control of the premises responsible person)

Address: Freedom Mills Unit 47 Washington Street Leeds LS3 1JQ

Premises to which this Notice relates: Freedom Mills Washington Street Leeds LS3 1JQ

The West Yorkshire Fire and Rescue Authority is of the opinion that use of the premises to which this notice relates involves a risk to people so serious that use of the premises ought to be **restricted**.

<p>The use of premises to which this notice relates is restricted to the following extent:</p>	<p>Item 1) Not used for purposes of entertainment, recreation or instruction or for purposes of any club, society or association; and Item 2) Without prejudice to item 1) above, not used for any purpose involving access to the premises by members of the public, whether on payment or otherwise.</p>
<p>Matter(s) which give rise to that risk are:</p>	<p>Inadequate means of giving warning in case of fire; and Inadequate means of escape (escape routes, exits and emergency lighting) in case of fire.</p>
<p>The measures which must be taken to remedy the matters are:</p>	<ol style="list-style-type: none"> 1. Provide adequate means for giving warning in case of fire. An appropriate standard can be found in BS 5839-Part 1: Code of practice for design, installation, commissioning and maintenance of systems in non-domestic premises. 2. Provide suitable emergency lighting from all occupied parts of the premises. Further advice on the provision of emergency lighting can be found in Fire safety risk assessment: large places of assembly Ref: ISBN 9781851128211 and available at: https://www.gov.uk/government/publications/fire-safety-risk-assessment-large-places-of-assembly

	<p>3. Provide adequate escape routes for the required occupancy figure. Further advice on the provision of escape routes can be found in Fire safety risk assessment: large places of assembly Ref: ISBN 9781851128211 and available at: https://www.gov.uk/government/publications/fire-safety-risk-assessment-large-places-of-assembly</p>
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The Fire Authority considers it necessary for the proposals to comply with the Building Regulations 2000 or the latest version where this applies, and as a result the Responsible Person should contact the Local Authority (Building Control Department) or an Approved Inspector, who will in due course consult with the Fire Authority. Works carried out in accordance with any relevant requirement of these Regulations will not be subject to further requirements from the Fire Authority.

The restriction takes effect from: 8 March 2018 at 14:00 hours.

The premises are **restricted** as stated until the specified matters have been remedied.

Print Name:

[REDACTED]

[REDACTED] on behalf of, and duly appointed by the West Yorkshire Fire & Rescue Authority

**NOTES TO ACCOMPANY PROHIBITION NOTICE
SERVED UNDER ARTICLE 31 OF THE
REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

- 1 In any proceedings for an offence referred to in Note 1 where the commission of an offence is due to the act or default of some other person, then that person is guilty of the offence, and may be charged with and convicted of the offence.
- 2 Nothing in the Order operates to afford an employer a defence in any criminal proceedings for a contravention by an employee.
- 3 Subject to Note 3, it is a defence for the person charged to prove that he/she took all reasonable precautions and exercised due diligence to avoid the commission of the offence. The defence does not apply to a failure to comply with article 8(a) (Duty to take general fire precautions) or article 12 (Elimination or reduction of risks from dangerous substances).
- 4 If proceedings for an offence consisting of a failure to comply with a duty or requirement so far as is practicable or so far as is reasonably practicable, it is for the accused to prove that it was not practicable or reasonably practicable to do more than was in fact done to satisfy the duty or requirement.
- 5 Please note that in order to satisfy the Environment and Safety Information Act 1988 the Fire and Rescue Authority must enter details of any prohibition notice onto a register to which the public have access. If you feel that such an entry would disclose secret or confidential trade or manufacturing information then you should appeal in writing to the authority within fourteen days of the service of this notice.
- 6 The works or actions specified in the notice are intended to reduce the excessive risk (to a level at which the risk is not so serious). More safety may be required to reduce the risk to an acceptable level. The Fire and Rescue Authority served this notice without prejudice to any other enforcement action that this or any other enforcement authority might take.
- 7 The Fire and Rescue Authority is willing to consider any proposals you may have to remedy the matters specified in the notice by other means.

ENVIRONMENT AND SAFETY INFORMATION ACT 1988

1. A notice which is relevant for the purposes of this Act (see Notice) will be included as an entry in a public register, which will be kept by the West Yorkshire Fire & Rescue Authority. A relevant notice is one, which does not impose requirements or prohibitions solely for the protection of persons at work.
2. The register entry shall be made within 14 days of either the right of appeal against the notice expiring, or of such an appeal being disposed of. Where a notice is cancelled on appeal no entry shall be made.
3. When an inspector is satisfied a relevant notice has been complied with an entry shall be made in the register to show this. If a notice is withdrawn or amended the entry shall be deleted or amended. These alterations of the register shall be made within 7 days.
4. Entries shall be kept in the register for a period of at least 3 years.
5. If you think that the entry for this notice on the register will disclose information about a trade secret or secret manufacturing process you should give written notification to the West Yorkshire Fire & Rescue Authority within 14 days. The West Yorkshire Fire & Rescue Authority will then draft an entry, which in its opinion will not reveal the secret, and serve this on you.
6. If you are not satisfied with this draft entry you may appeal within 14 days to the Secretary of State who may either decide that the entry should be made as drafted, or, if it is considered it does not afford reasonable protection to the secret, the Secretary of State may specify the form the entry should take.
7. If you make a written notification the West Yorkshire Fire & Rescue Authority will not make an entry in relation to the notice other than one which only specified your name and address, identifies any place involved and specifies the relevant legal provisions. A fuller entry will only be made when (a) you give your written consent to the draft, or (b) where no consent is given and the time allowed for appeal to the Secretary of State has expired, or (c) on appeal the Secretary of State has directed that an entry shall be made.

Comments, Compliments and Complaints

West Yorkshire Fire and Rescue Authority are fully committed to providing the highest possible levels of service to the public of West Yorkshire.

Should you wish to make comment on the standard of service you have received from us full details of the procedure are available on our website at www.westyorksfire.gov.uk and search under customer service guide or by entering the following link and clicking on the guide;

<http://www.wyfs.co.uk/about-us/what-we-do/communication-and-engagement/>

If you do not have access to the internet you can contact the Service Standards Officer on 01274 655873.

CFOA008

West Yorkshire Fire & Rescue Service
Fire Protection
Service Delivery Centre
Oakroyd Hall
Birkenshaw
BD11 2DY

I (print name) _____ acknowledge receipt of the
Restriction Notice dated 8 March 2018 / referenced 142411

My position in the organisation is _____ and I confirm that the
people with responsibility and / or control of the matters contained in the notice are
aware of the need to address the matters raised.

Signed: _____

On behalf of (name of organisation) _____

Building Control

Email

Longfellow, Samantha

From: Oldfield, Roger
Sent: 07 March 2018 16:29
To: Longfellow, Samantha; Waters, Michael
Cc: Sanderson, Christopher; Kendall, Paul
Subject: FW: Freedom Mills, Unit 47 Washington Street, Kirkstall,
Attachments: Freedommills.doc

Hi Sam & Mick,

I have checked with Paul Kendall in Planning. They do not have planning permission for the proposed use.

I also spoke to Chris Sanderson in Planning Enforcement, he has already written to them stating that Planning Permission is required.(copy of letter attached)

There will also need to be an application for change of use under the Building Regulations, which will need to include:

- - adequate, means of escape provision in case of fire,
- spread of flame rating to walls and ceilings,
- - emergency lighting
- access and egress for disable persons,
- adequate toilet facilities,
- ventilation etc.
- there may be other requirements depending upon what is proposed.

Paul Kendall mentioned that the site was not within the designated city centre entertainment zone.

To obtain planning permission it is likely that they would need to show that a suitable venue could not be found elsewhere in the city centre.

Kind regards

Roger Oldfield
Building Control Services Manager

Tel 0113 3787941
[REDACTED]
roger.j.oldfield@leeds.gov.uk

From: Sanderson, Christopher
Sent: 07 March 2018 14:06
To: Oldfield, Roger <Roger.J.Oldfield@leeds.gov.uk>
Subject: Freedom Mills, Unit 47 Washington Street, Kirkstall,

Hi Roger,

I enclose letter I sent to Freedom Mills

Chris Sanderson
Principal Compliance Officer

Planning Services

Letter

Freedom Mills Ltd
Unit 47
Washington Street
Kirkstall
Leeds
LS3 1JQ

Planning Services

Merrion House
110 Merrion Centre
LEEDS
LS2 8BB

Contact: **Chris Sanderson**
Tel: 0113 3788069
Fax: 0113 2478230

Your Ref:
Our Ref: Licence Applications

Date 27th February 2018

Dear Sir/Madam,

Subject: APPLICATION FOR PREMISES LICENCE

Thank you for submitting your application for licensed activities at:

Name of venue:- Freedom Mills

Address:- Unit 47, Washington Street, Kirkstall, Leeds, LS3 1JQ.

We write to in relation to your recent application for an entertainment licence at the above premises.

Although Planning Services have not formerly objected to the licence application, I must advise you that the use of the premises proposed in your application does not have planning permission.

Therefore this issue in relation to the premises not having the appropriate planning approval must be addressed as a matter of urgency and a planning application submitted.

The submission of a planning application must not be taken as an indication that consent would necessarily be forthcoming.

Should you wish to discuss this matter further, please do not hesitate to contact me further on the above telephone number.

Thank you for your assistance in this matter.

Yours faithfully

Chris Sanderson
Principal Compliance Officer
www.leeds.gov.uk

switchboard : 0113 234 8080
Page 40



INVESTOR IN PEOPLE

NOT PROTECTIVELY MARKED

Leeds District Licensing Department
 First Floor
 Elland Road DHQ
 Elland Road
 Leeds
 LS11 8BU

Tel: [REDACTED]

Email: [REDACTED]

Your ref:

Our ref:

28th February 2018

Freedom Mills Ltd
 Unit 47, Washington Street
 Leeds
 LS3 1JQ

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

**RE: FREEDOM MILLS, UNIT 47, WASHINGTON STREET, LEEDS, LS3 1JQ
 APPLICATION FOR A PREMISES LICENCE – LICENSING ACT 2003:
 POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for the above premises.

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. public safety

However, we are of the opinion that the licensing objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule as conditions.

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

Should you be in agreement with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible. Upon receipt of your consent at **Part 2**, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures as conditions.

Alternatively should you disagree with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible.

PART 1 - to be completed by the Responsible Authority:

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

**FREEDOM MILLS
UNIT 47, WASHINGTON STREET
LEEDS
LS3 1JQ**

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
- public safety

Measures / Additional measures proposed:

- Drinks and open containers of alcohol will not be allowed to be taken outside the premises.
- The Designated Premises Supervisor shall undertake a risk assessment of any significant event (as defined below - other than regular DJ, event or promotion) using the West Yorkshire Police Promotion / Event Risk Assessment Form or equivalent and provide a copy to West Yorkshire Police and the Licensing Authority not less than 10 working days before the event is due to take place.
- The definition of a "significant event" - a significant event is any occasion in a premises licensed under the provision of the Licensing Act 2003, where there will be a live performer(s) meaning musicians, DJs, MCs or other artiste that is promoted in some form by either the venue or an outside promoter, where entry is free, by invitation, pay on the door or by ticket. This includes boxing events.
- The Designated Premises Supervisor or a personal licence holder will be on duty for any such event.

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures as conditions within the Operating Schedule for the said premises.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

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.

PC 5548 Cath Arkle
Leeds District Licensing Officer
West Yorkshire Police

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

PART 2 – to be completed by the applicant or applicant’s representative:

Consent for all proposed control measures / conditions under the Licensing Act 2003.

Name & Address of Premises:

**FREEDOM MILLS
UNIT 47, WASHINGTON STREET
LEEDS
LS3 1JQ**

I / WeJOSHUA THREFALL

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

In signing this document-:

- I / we agree with the measures proposed by West Yorkshire Police,
- I / we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises as conditions, and furthermore,
- I / we confirm the premises will then operate in accordance with those conditions agreed to.

Signed: J.THRELFALL

Dated: 28/02/2018

NOT PROTECTIVELY MARKED

Issued premises licences and club certificates within an area



PREM/04062/001 - Blueberry Hill Studios, Unit 11, Kirkstall Industrial Park, Kirkstall Road, Burley, Leeds, LS4 2AZ

Sale by retail of alcohol	
Friday & Saturday	11:00 - 04:00
Sunday to Thursday	11:00 - 23:30
Provision of late night refreshment	
Friday & Saturday	23:00 - 04:00
Sunday to Thursday	23:00 - 00:01
Performance of recorded music	
Friday & Saturday	10:00 - 04:00
Sunday to Thursday	10:00 - 00:01

PREM/01039/V01 - Stateside American Cafe Bar And Northern Snooker Centre, 92 Kirkstall Road, Leeds, LS3 1LT

Sale by retail of alcohol	
Every Day	10:00 - 01:30
Provision of late night refreshment	
Every Day	23:00 - 05:00
Indoor sporting events	
Every Day	09:00 - 00:00
Performance of recorded music	
Every Day	09:30 - 01:30

PREM/00790/006 - Napoleons Casino, 2 Bingley Street, Leeds, LS3 1LX

Sale by retail of alcohol	
Every Day	00:00 - 23:59
Provision of late night refreshment	
Every Day	23:00 - 05:00
Performance of live music	
Every Day	00:00 - 23:59
Performance of recorded music	
Every Day	00:00 - 23:59
Performance of dance	
Every Day	00:00 - 23:59
Entertainment similar to live music, recorded music or dance	
Every Day	00:00 - 23:59

PREM/04135/001 - Mylahore, 90 Kirkstall Road, Burley, Leeds, LS3 1LT

Provision of late night refreshment	
Friday & Saturday	23:00 - 01:00
Sunday to Thursday	23:00 - 00:00
Performance of live music	
Monday to Thursday	12:00 - 00:00
Friday	12:00 - 01:00
Saturday	13:00 - 01:00
Sunday	13:00 - 00:00

PREM/02545/002 - ITV Yorkshire, Television Centre, Kirkstall Road, Burley, Leeds, LS3 1JS

Sale by retail of alcohol	
Every Day	00:00 - 23:59
Provision of late night refreshment	
Every Day	23:00 - 05:00
Performance of a play	
Every Day	00:00 - 23:59
Exhibition of a film	
Every Day	00:00 - 23:59
Indoor sporting events	
Every Day	00:00 - 23:59
Performance of live music	
Every Day	00:00 - 23:59
Performance of recorded music	
Every Day	00:00 - 23:59
Performance of dance	
Every Day	00:00 - 23:59
Entertainment similar to live music, recorded music or dance	
Every Day	00:00 - 23:59

PREM/02543/002 - Yorkshire Television, Yorkshire Television Ltd, 27 Burley Road, Burley, Leeds, LS3 1JT

Sale by retail of alcohol	
Every Day	00:00 - 23:59
Provision of late night refreshment	
Every Day	23:00 - 05:00
Performance of a play	
Every Day	00:00 - 23:59
Exhibition of a film	
Every Day	00:00 - 23:59
Indoor sporting events	
Every Day	00:00 - 23:59
Performance of live music	
Every Day	00:00 - 23:59
Performance of recorded music	
Every Day	00:00 - 23:59
Performance of dance	
Every Day	00:00 - 23:59
Entertainment similar to live music, recorded music or dance	
Every Day	00:00 - 23:59

PREM/02413 - Triangle, Unit 1, The Triangle, 2 Burley Road, Burley, Leeds, LS3 1JB

Sale by retail of alcohol	
Monday to Wednesday	08:00 - 01:00
Thursday to Saturday	08:00 - 02:00
Sunday	08:00 - 00:00
Provision of late night refreshment	
Monday to Wednesday	23:00 - 01:00
Thursday to Saturday	23:00 - 02:00
Sunday	23:00 - 00:00

Performance of recorded music	
Monday to Wednesday	08:00 - 01:00
Thursday to Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

PREM/01771/002 - Nisa Stores, The Tannery Building, Cavendish Street, Woodhouse, Leeds, LS3 1AF

Sale by retail of alcohol	
Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

PREM/01741 - Holiday Inn Express, Cavendish Street, Woodhouse, Leeds, LS3 1LY

Sale by retail of alcohol	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of recorded music	
Every Day	00:00 - 23:59

PREM/02731/015 - Premier, 70 Burley Road, Burley, Leeds, LS3 1JX

Sale by retail of alcohol	
Every Day	00:00 - 23:59
Provision of late night refreshment (In respect of the small takeaway unit located towards the rear of the premises only.)	
Every Day	23:00 - 02:00

PREM/04001/001 - Witch Craft Beers Limited, Unit 1, Scotch Park Trading Estate, Forge Lane, Armley, Leeds, LS12 2PY

Sale by retail of alcohol	
Every Day	00:01 - 00:00

PREM/04014/003 - Go Gold Local, 4 Cavendish Street, Woodhouse, Leeds, LS3 1LY

Sale by retail of alcohol	
Every Day	08:30 - 23:00

PREM/03868/001 - Co-operative Group Food Limited, 46 Burley Street, Burley, Leeds, LS3 1LB,

Sale by retail of alcohol	
Every Day	06:00 - 23:00

PREM/03817/001 - Emmerdale Studio Experience, 27 Burley Road, Burley, Leeds, LS3 1JT

Sale by retail of alcohol	
Every Day	09:30 - 00:00
Provision of late night refreshment	
Every Day	23:00 - 00:00
Performance of recorded music	
Every Day	10:00 - 19:00
Entertainment similar to live music, recorded music or dance	
Every Day	10:00 - 19:00

PREM/03777/001 - 100 Kirkstall Road, 100 Kirkstall Road, Burley, Leeds, LS3 1HJ

Sale by retail of alcohol	
Monday to Thursday	08:00 - 00:30
Friday & Saturday	08:00 - 01:30
Sunday	10:00 - 00:30
Provision of late night refreshment	
Friday & Saturday	23:00 - 01:30
Sunday to Thursday	23:00 - 00:30
Performance of live music	
Every Day	12:00 - 23:00
Performance of recorded music	
Monday to Friday	11:00 - 00:00
Saturday	11:00 - 01:00
Sunday	12:00 - 00:00

PREM/03640/001 - Dominos, The Triangle, 2 Burley Road, Burley, Leeds, LS3 1JB

Provision of late night refreshment	
Every Day	23:00 - 05:00

PREM/02128 - Maxis Chinese Restaurant, Restaurant Maxis (Yorkshire) Ltd, Bingley Street, Burley, Leeds, LS3 1LX

Sale by retail of alcohol	
Monday to Saturday	11:00 - 00:00
Sunday	12:00 - 23:30
Performance of recorded music	
Every Day	00:01 - 00:00



Report author: Mr Shaam Amin
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 22nd May 2018

Subject: Application for the grant of a premises licence for Restaurant 152 Harrogate Road, Yeadon, Leeds, LS19 6AH

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Otley & 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 for the grant of a premises licence, made by Mr Resul Kaftar, for Restaurant 152 Harrogate Road, Yeadon, Leeds, LS19 6AH,

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

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

1 Purpose of this report

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a new 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 History of the premises

- 2.1 This is the first application for a premises licence for these premises.

3 The application

- 3.1 The applicant's name is Mr Resul Kaftar,
- 3.2 The proposed designated premises supervisor is Mr Resul Kaftar
- 3.3 In summary the application is for:

Recorded Music, Performance of Dance, Supply of Alcohol

Every Day 11:00 until 00:00

Late Night Refreshment

Every Day 23:00 until 00:00

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule which is attached at Appendix A.

5 Location

- 5.1 A map which identifies the location of this premises is attached at Appendix B.

6 Representations

- 6.1 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.

Representations from Responsible Authorities

- 6.2 Representations have been received from Health & Safety and the West Yorkshire Police in their capacity as responsible authorities copies of which may be found at Appendix C.

- 6.3 Any representations may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures outlined in Appendix C from Health & Safety and the West Yorkshire Police. Copies of the withdrawal of their representation may be found at Appendix D.

Other representations

- 6.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 6.5 The licensing authority is in receipt of six individual letters of objection all of which are opposed to this application on the grounds of public nuisance.
- 6.6 In order to protect personal data, redacted copies of the representations are attached at Appendix E. Unredacted copies will be available at the hearing for Members consideration.

7 Licensing hours

- 7.1 Members are directed to paragraphs 6.8 to 6.15 of the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.
- 7.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so.
- 7.3 The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not adversely impact on the licensing objectives.
- 7.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix F.

8 Equality and diversity implications

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

9 Options available to Members

- 9.1 The Licensing Sub Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- Grant the application as requested.
 - Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
 - Exclude any licensable activities to which the application relates.
 - Refuse to specify the said person as the designated premises supervisor.
 - Reject the whole or part of the application.

9.2 Members of the Licensing Sub Committee are asked to note that they may not reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

10 Background papers

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

~~I/We~~ **RESUL KAFTAR**

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description		ENTERED RECEIVED	
152 MARROGATE RD YEADON		22 MAR 2018	
RECEIVED			
Post town	LEEDS	Postcode	LS19 6AH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£11,500

Part 2 – Applicant details

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

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

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below)

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities, or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KAFTAR			First names RESUL		

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

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

DD	MM	YYYY

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

WANTING IT TO BE A MEDITERRANEAN RESTAURANT & TAKEAWAY

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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



In all cases complete boxes K, L and M

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11 00 am	08 00			
Tue	11 00	08 00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	11 00	08 00			
Thur	11 00	08 00	Non standard timings Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11 00	08 00			
Sat	11 00	08 00			
Sun	11 00	08 00			

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

N/A

L

Hours premises are open to the public
Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	11 00	00 00 11 00 00 00
Tue	11 00	00 00
Wed	11 00	00 00
Thur	11 00	00 00
Fri	11 00	00 00
Sat	11 00	00 00
Sun	11 00	00 00

State any seasonal variations (please read guidance note 5)

Restaurant Side

Non standard timings Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

NEW YEARS EVE

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11 00	03 00			
Tue	11 00	03 00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) NEW YEARS EVE		
Wed	11 00	03 00			
Thur	11 00	03 00	Non standard timings Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11 00	03 00			
Sat	11 00	03 00			
Sun	11 00	03 00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11 00	00 00	Please give further details here (please read guidance note 4) Belly Dancers Acts	Both	<input type="checkbox"/>
Tue	11 00	00 00			
Wed	11 00	00 00	State any seasonal variations for the performance of dance (please read guidance note 5) VARIOUS Belly Dancers NEW YEARS EVE		
Thur	11 00	00 00			
Fri	11 00	00 00	Non standard timings Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11 00	00 00			
Sun	11 00	00 00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11.00	09.00			
Tue	11.00	09.00			
Wed	11.00	09.00			
Thur	11.00	09.00	Non standard timings Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11.00	09.00			
Sat	11.00	09.00			
Sun	11.00	09.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form)

Name	RESUL KAFTAR

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

no selling of alcohol to underage people
no drunk and disorderly behaviour on the premises
vigilance in preventing the use and sale of drugs.
no violent and anti social behaviour
no harm to children

b) The prevention of crime and disorder

a clear legible notice outside the premises indicating the normal hours under the terms of licensable activities
no selling of alcohol to drunk or intoxicated customers
staff will be well trained in asking customers to use premises in an orderly & respectful manner

c) Public safety


Internal & external lighting fixed to promote the public safety objective
Training & implementation of underage id checks
All parts of the premises and all fixtures & apparatus will be maintained at all times.

d) The prevention of public nuisance

Prominent & clear legible notices will be displayed at the exit requesting the public to respect of nearby residents and to leave the premises quietly

e) The protection of children from harm

Challenge 25 sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable id

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15) • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	14 03 2018
Capacity	

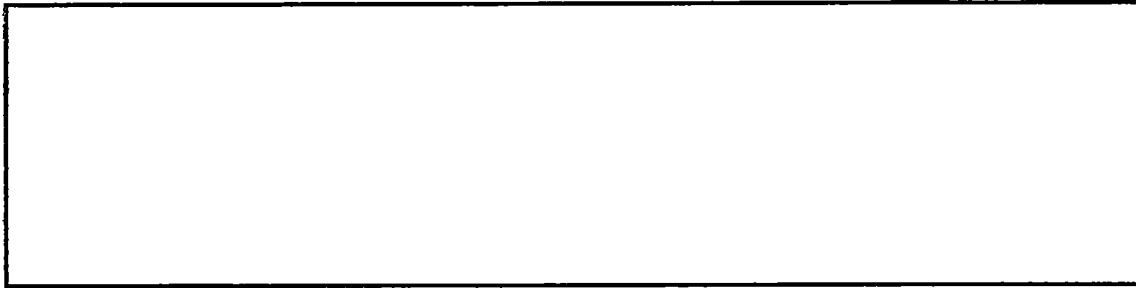
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13) If signing on behalf of the applicant, please state in what capacity

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- 1 Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises
- 2 In terms of specific regulated entertainments please note that



Checklist

Please tick to indicate agreement

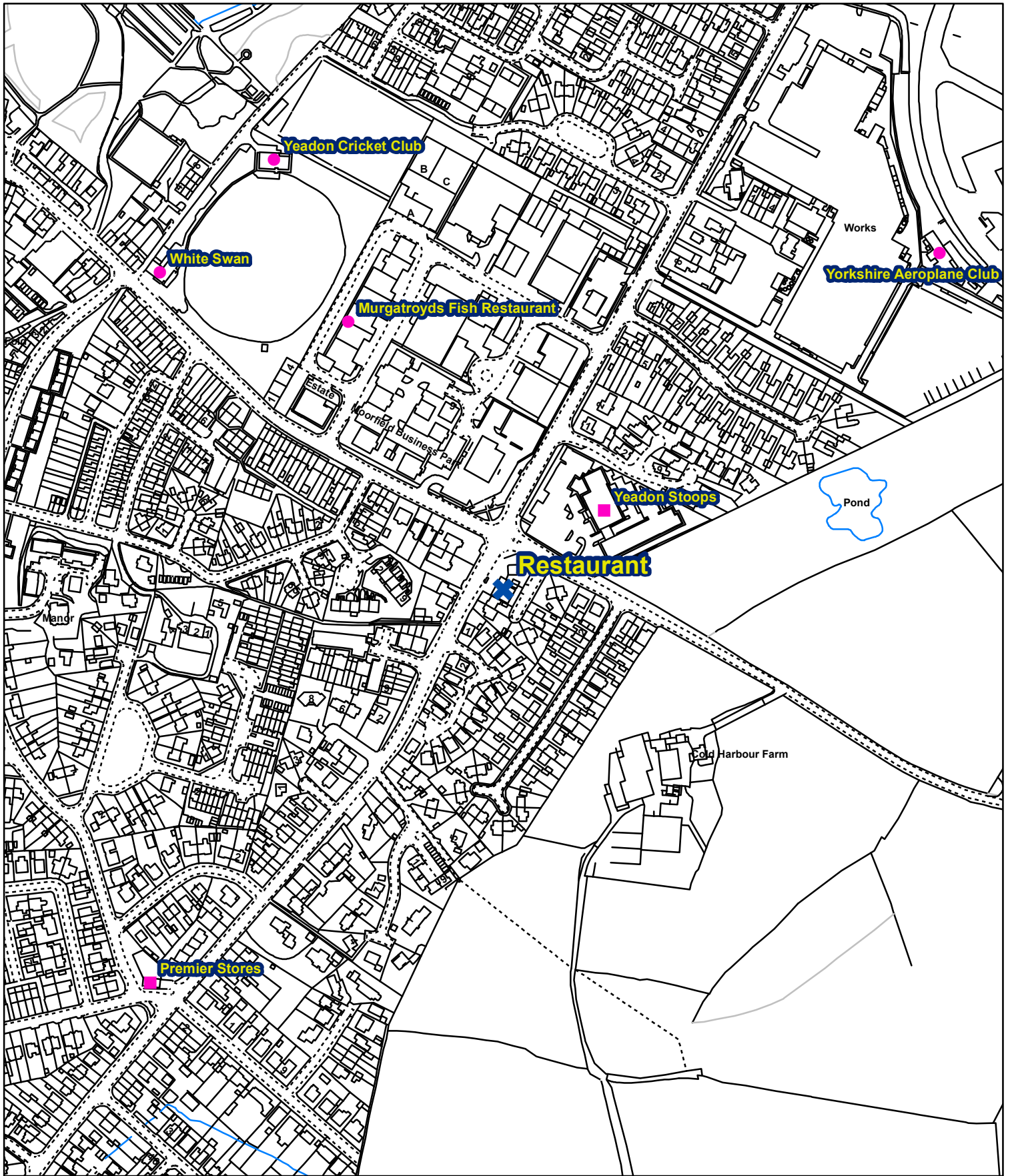
- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15)

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Part 4 – Signatures (please read guidance note 11)

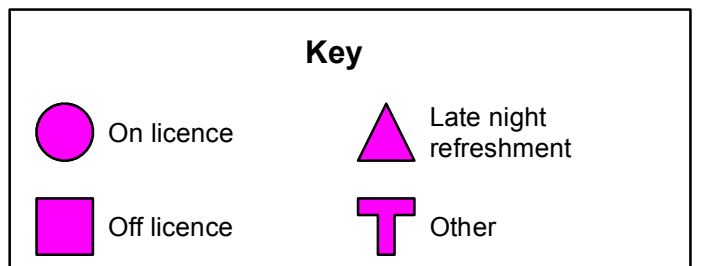
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12) **If signing on behalf of the applicant, please state in what capacity**



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Appendix C

Resul Kaftar

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

Contact Mr Phillip Jackson
Tel 0113 378 6588
phillip.jackson@leeds.gov.uk
Our reference 18/019152/EPLA01
22 March 2018

Dear Mr Kaftar

Licensing Act 2003

Name and Address of Premises 152 Harrogate Road, Rawdon, Leeds, LS19 6AH

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application that includes information specifically associated with the premises and the area.

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

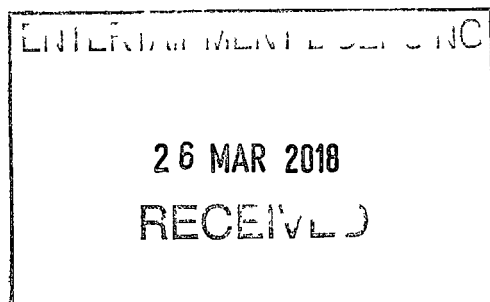
If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours sincerely

Mr Phillip Jackson
Senior Technical 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 and Address of Premises 152 Harrogate Road, Rawdon, Leeds, LS19 6AH

Mediterranean Restaurant and Take-Away

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the license

- Prevention of public nuisance

Noise and Vibration

- 1 Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises
- 2 There shall be no external loudspeakers
- 3 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
- 4 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
- 5 The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity Patrons will not use such areas after 11 pm
- 6 The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises

Litter

- 7 The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter

Transport / Pedestrian Movement

- 8 A facility will be provided for customers to order hackney taxis/private hire vehicles Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises

Signed



Dated 22nd March 2018



Leeds District Licensing

Department

Leeds District Licensing Department
Leeds District HQ
Elland Road
Leeds
LS11 8BU

T: 0113 – 385 9413

E:

bob.patterson@westyorkshire.pnn.police.uk

W: www.westyorkshire.police.uk

17th April 2018

Resul Kaftar
Mediterranean Restaurant & Take Away
152 Harrogate Road
Yeadon
Leeds
LS19 6AH

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

RE: PREMISES @ 152 HARROGATE ROAD YEADON LEEDS LS19 6AH
NEW PREMISES LICENCE – LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:

Thank you for submitting your application for a premises licence at the above address, which was received on 23rd March 2018.

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.

NOT PROTECTIVELY MARKED

Should you be in agreement with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible, but no later than 20th April 2018.

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 20th April 2018.

PART 1 - to be completed by the Responsible Authority:

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

**PREMISES @
152 HARROGATE ROAD
YEADON
LEEDS
LS19 6AH**

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:

- The premises shall operate as a restaurant and take-away at all times and remain predominantly food led,
- At any time that the premises licence has effect –
 - (a) the sale of alcohol for consumption on the premises will be ancillary to the service of table meals, and
 - (b) the sale of alcohol for consumption off the premises, will only be supplied in sealed containers and only at the same time as an accompanying order for food,
- A Supervisor's Register will be maintained at the licensed premises, showing the name, address and up-to-date contact details for the DPS and, any other person left in charge of the premises by the DPS,
- The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer,
- The Premises Licence Holder / Designated Premises Supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, and refusal of alcohol sales to minors,
- The Incident Report Register will contain consecutively numbered pages, the date and time of the incident, details of the nature of the incident, the names and personal licence numbers (if any) of any 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,
- The Premises Licence Holder / Designated Premises Supervisor / all members of staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

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.

Bob Patterson
Leeds District Licensing Officer
West Yorkshire Police

Date: 17th April 2018.

NOT PROTECTIVELY MARKED

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PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service

Proposed Controlled Measures under the Licensing Act 2003

Name and Address of Premises 152 Harrogate Road, Rawdon, Leeds, LS19 6AH

Mediterranean Restaurant and Take-Away

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the license

- Prevention of public nuisance

Noise and Vibration

- 1 Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises
- 2 There shall be no external loudspeakers
- 3 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
- 4 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
- 5 The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity Patrons will not use such areas after 11 pm
- 6 The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises

Litter

- 7 The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter

Transport / Pedestrian Movement

- 8 A facility will be provided for customers to order hackney taxis/private hire vehicles Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises

Signed



Dated 22nd March 2018

ENVIRONMENTAL LICENSING
27 MAR 2018
RECEIVED

Signed _____
Dated 22nd March 2018

PART 2
To be completed by the applicant

Leeds City Council's Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003
Name and Address of Premises: Restaurant, 162 Harrogate Road, Leeds LS19 6AH

I/We Resul Kaftar

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

In signing this document I / we agree with the measures proposed by Leeds City Council's Environmental Action Service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises

Signed _____
Dated 26.03.18

PART 3
Name and Address of Premises: Restaurant, 162 Harrogate Road, Leeds LS19 6AH

I/We _____

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

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

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

Signed _____
Dated _____

Please return this document to:
Environmental
Leeds City Council

[Signature]

From:Patterson, Bob
Sent:25 Apr 2018 10:42:20 +0100
To:Shaam.Amin(GCSx)
Subject:RE: Restaurant, 152 Harrogate Road, Leeds, LS19 [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED

Good Morning Shaam,
Please now withdraw the police representations with regards to this application, subject to the usual proviso of course.

Thanking you in advance.

Best Regards.

Mr Bob Patterson
Leeds District Licensing Officer
Leeds District Licensing Department
Elland Road, Leeds, LS11 8BU


To report a crime, please ring 101. Always dial 999 in an emergency.

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Visit our website - www.westyorkshire.police.uk 'Like' us on Facebook - westyorkshirepolice | 'Follow' us on Twitter - @WestYorksPolice | 'Watch' us on YouTube www.youtube.com/999tv

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

From: Amin, Imtishaam [<mailto:Shaam.Amin@leeds.gcsx.gov.uk>]
Sent: 25 April 2018 10:18
To: Patterson, Bob <bob.patterson@westyorkshire.pnn.police.uk>
Subject: OFFICIAL : FW: Restaurant, 152 Harrogate Road, Leeds, LS19


Good morning Bob

Please find attached the Part 2 as they have agreed to add the control measures please can you confirm that you withdraw your representation.

Kind regards

Mr Shaam Amin
Licensing Officer
Entertainment Licensing
Tel: 0113 378 5029
shaam.amin@leeds.gov.uk
www.leeds.gov.uk

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


Sent: 25 April 2018 10:07
To: Amin, Imtishaam <Shaam.Amin@leeds.gov.uk>
Subject:

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Comments for Licensing Application PREM/04172/001

Application Summary

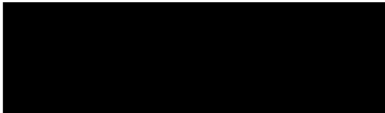
Application Number: PREM/04172/001

Address: 152 Harrogate Road Yeadon Leeds LS19 6AH

Proposal: Premises Licence - New Application

Case Officer: Mr Shaam Amin

Customer Details



Comment Details

Commenter Type: Neighbour response

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 4:08 PM on 26 Mar 2018 I am objecting to the proposed increase of opening hours.

I do not believe these proposed hours of opening are appropriate in a residential area.

All music should be played at a subdued level so as it cannot be heard outside the restaurant.

As all onstreet parking on Moorlands Drive is taken up by residents all parking and deliveries should be at the front of the restaurant.



2

Comments for Licensing Application PREM/04172/001

Application Summary

Application Number: PREM/04172/001

Address: 152 Harrogate Road Yeadon Leeds LS19 6AH

Proposal: Premises Licence - New Application

Case Officer: Mr Shaam Amin

Customer Details




Comment Details

Commenter Type: Neighbour response

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 10:08 PM on 23 Mar 2018  and I have great concern over the potential noise and disruption this venture will create. With two young children, I am worried that a business so close to our home that will be playing music and selling alcohol until midnight will create disruption to the local residents who are likely to be in bed. There is also the issue of parking. On such a busy road, there is likely to be traffic disruption or issues with parking due to the limited parking available at the premises.

3 Comments for Licensing Application PREM/04172/001

Application Summary

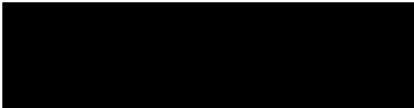
Application Number: PREM/04172/001

Address: 152 Harrogate Road Yeadon Leeds LS19 6AH

Proposal: Premises Licence - New Application

Case Officer: Mr Shaam Amin

Customer Details





Comment Details

Commenter Type: Neighbour response

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 12:44 PM on 11 Apr 2018 I object to this licence application. 

 residential property and we do not want music being played until midnight everyday. Both myself, my wife and children are up for work and scholls st 06:30am through the week and do not want to be unable to sleep due to the noise. The property backs onto a residential street and we do not think loud music until midnight is appropriate. Also there are only 2 spaces for parking, so we fear parking on the residential street and the noise from starting of vehicles after midnight is again inappropriate and no room for residents to park also. Please do not allow this to happen, many thanks.

4 Comments for Licensing Application PREM/04172/001

Application Summary

Application Number: PREM/04172/001

Address: 152 Harrogate Road Yeadon Leeds LS19 6AH

Proposal: Premises Licence - New Application

Case Officer: Mr Shaam Amin

Customer Details



Comment Details

Commenter Type: Parish or Town Council

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 5:14 PM on 15 Apr 2018 My objection to this new license application for live music and dancing is we have a severely disabled son with multiple disabilities and is also blind. He is very sensitive to noise and this will impact on his health, also we need 24hr access and parking for Dr's and nurses and emergency vehicles. My partner is undergoing treatment for breast cancer at the moment and we feel this establishment will be an invasion of our privacy. Other concerns are deliveries, parking and rubbish that will attract vermin. This is a quiet area that this establishment is not needed.

5

Comments for Licensing Application PREM/04172/001

Application Summary

Application Number: PREM/04172/001

Address: 152 Harrogate Road Yeadon Leeds LS19 6AH

Proposal: Premises Licence - New Application

Case Officer: Mr Shaam Amin

Customer Details



Comment Details

Commenter Type: Neighbour response

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 7:48 PM on 16 Apr 2018 We wish to object to the above licensing application. 1 The property is in a residential area. [REDACTED] the property and we are concerned about . 2 excessive noise levels, particularly late into the night . 3 parking issues , where already there are massive problems particularly on and around Moorlands Drive . 4 Delivery vehicles using the rear access which is a narrow cul-de-sac. 5 the late license could encourage anti social behaviour . We hope that you take into account the above valid points prior to considering the application .

6

Comments for Licensing Application PREM/04172/001

Application Summary

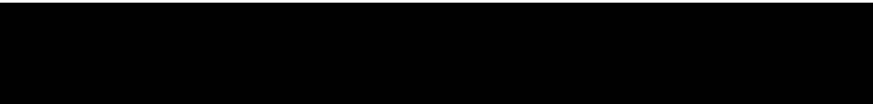
Application Number: PREM/04172/001

Address: 152 Harrogate Road Yeadon Leeds LS19 6AH

Proposal: Premises Licence - New Application

Case Officer: Mr Shaam Amin

Customer Details



Comment Details

Commenter Type: Neighbour response

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 2:11 PM on 18 Apr 2018 [REDACTED] I wish to object to the application for late hours music, due to the potential noise generated from such nuisance. We currently are subject to unwanted music from vehicles waiting at the traffic light junction of Bayton Lane .

/ Victoria Avenue which has worsened since the introduction of the Pelican Crossing , due to traffic waiting for a longer period of time. We certainly do not wish to be further disadvantaged by music from the property [REDACTED], particularly late at night. From past experience, we have had several instances where music has caused a nuisance from 152 Harrogate Road, particularly in warm /hot weather when windows and doors have been open and music has been played at full blast, affecting us and other neighbours in the quiet cul-de-sac to the rear of the subject premises.

Issued premises licences and club certificates within an area



PREM/00185/011 - White Swan, High Street, Yeadon, Leeds, LS19 7TA

Sale by retail of alcohol	
Monday to Wednesday	11:00 - 23:30
Thursday to Saturday	11:00 - 00:30
Sunday	12:00 - 23:30
Performance of live music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 23:00
Performance of recorded music	
Monday to Wednesday	11:00 - 23:30
Thursday to Saturday	11:00 - 00:30
Sunday	12:00 - 23:30

PREM/00701/003 - Yorkshire Aeroplane Club, Multiflight Ltd, South Side Aviation, Leeds Bradford International Airport, Leeds, LS19 7UG

Sale by retail of alcohol	
Monday to Thursday	11:00 - 23:00
Friday & Saturday	11:00 - 00:00
Sunday	12:00 - 23:00
Performance of live music	
Monday to Thursday	11:00 - 23:00
Friday & Saturday	11:00 - 00:00
Sunday	12:00 - 23:00
Performance of recorded music	
Friday & Saturday	08:00 - 00:00
Sunday to Thursday	08:00 - 23:00

PREM/00585 - Murgatroyds Fish Restaurant, Moorfield Ind Estate, Moorfield Road, Yeadon, Leeds, LS19 7BN

Sale by retail of alcohol	
Monday to Saturday	10:00 - 00:00
Sunday	12:00 - 23:30
Performance of recorded music	
Every Day	00:00 - 23:59

PREM/01275/005 - Yeadon Stoops, Bayton Lane, Yeadon, Leeds, LS19 6AB

Sale by retail of alcohol	
Every Day	10:00 - 00:30
Provision of late night refreshment	
Every Day	23:00 - 00:30
Exhibition of a film	
Every Day	10:00 - 00:30
Indoor sporting events	
Every Day	10:00 - 00:30
Performance of live music	
Every Day	10:00 - 00:30
Performance of recorded music	
Every Day	10:00 - 00:30
Performance of dance	
Every Day	10:00 - 00:30



Report author: Mr Matthew Nelson
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 22nd May 2018

Subject: Application to vary a premises licence held by Botanist Unit 2.42, 67 Boar Lane, Leeds, LS1 6HW

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Little London & Woodhouse		
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 the premises licence held by New World Trading Company (UK) Limited for Botanist Unit 2.42, 67 Boar Lane, Leeds, LS1 6HW.

The application is made to vary the layout of the premises in order to extend the external area. It is proposed for the extended area to operate in accordance with the current conditions of the operating schedule inclusive of CCTV coverage, drinking and dining to cease at midnight, the area being adequately monitored, signage requesting customers to keep noise to a minimum and all tables and chairs being removed at the end of each evening.

Members should note that these premises reside within the 'Amber Zone' of the Leeds City Centre Cumulative Impact Area.

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

The application has attracted a representation from West Yorkshire Police requesting further information on the above mentioned measures. At the time of writing this report no response from the applicant's representative has been received.

1 Purpose of this Report

- 1.1 To advise Members of an application made under Section 34 of the Licensing Act 2003 ("the Act") to vary a premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of a representation.

2 History of Premises

- 2.1 An application for the initial grant of this premises licence was received by the Licensing Authority on 2nd July 2012.
- 2.2 The application attracted representations from both West Yorkshire Police and Leeds City Council Health & Safety Service, offering suggested measures to uphold the relevant licensing aims. These measures were agreed by the applicant and each authority subsequently withdrew their representation.
- 2.3 The application was granted as requested, subject to the agreed measures being incorporated in to the operating schedule.
- 2.4 Details of the current premises licence including all of the conditions can be viewed at Appendix A of this report.

3 The Application

- 3.1 The applicant is New World Trading Company (UK) Limited.
- 3.2 In summary the application is to extend the external area to operate in accordance with the conditions already attached to the licence which govern its use, including the following:
 - It will be covered by the CCTV system;
 - No drinking and dining will be permitted after 00:00 hours;
 - The area will be monitored;
 - Signs will be displayed requesting customers keep noise to a minimum; and
 - All tables and chairs will be removed and stored away at the end of the evening.

4 The Operating Schedule

- 4.1 The applicant considers that the existing measures are sufficient to promote the licensing objectives and that no further measures are necessary.

5 Location

- 5.1 A map which identifies the location of these premises is attached at Appendix B.

6 Representations

- 6.1 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.

Representations from Responsible Authorities

- 6.2 The application has attracted a representation from West Yorkshire Police which remains outstanding and a matter for Members consideration. The representation requests further information on the measures governing the use the external area, a copy of which can be viewed at Appendix C of this report.

Other representations

- 6.3 There are no other representations.

7 Cumulative Impact Policy

- 7.1 The premises are located within the 'Amber Zone' of the Leeds City Council Cumulative Impact Area.
- 7.2 Cumulative impact means the potential impact on the promotion of the licensing objectives due to significant number of licensed premises concentrated in one area.
- 7.3 An applicant wishing to vary a licence for premises which fall within any of the cumulative impact areas must identify, through their operating schedule, the steps they intend to take so that the council and responsible authorities can be satisfied that granting this variation would not add to the impact already being experienced.
- 7.4 Details of the cumulative impact policy specific to this area and an outline of the evidence behind the reason for setting this policy is attached at Appendix D.
- 7.5 Members are directed to paragraphs 7.67 to 7.70 of the Statement of Licensing Policy which provides examples of how an application may be considered as demonstrating there will be no impact on the licensing objectives and the matters that the council would not normally take into consideration.

8 Equality and Diversity Implications

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

9 Options Available to Members

- 9.1 The licensing subcommittee 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.

9.2 Members of the licensing subcommittee 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.

10 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy

Details of premises licence

For: Botanist



This document provides details of the premises licence issued to the stated premises and is not a licence itself.

Licence number: PREM/03213/004

Premises the licence relates to: Botanist, Unit 2.42, 67 Boar Lane, Leeds, LS1 6HW

Date licence first effective: 16th August 2012

Date current version effective from: 23rd November 2017

Licensable activities authorised by the licence:

Sale by retail of alcohol
Every Day 10:00 - 02:00

Provision of late night refreshment
Every Day 23:00 - 02:30

Performance of live music
Every Day 10:00 - 02:00

Performance of recorded music
Every Day 10:00 - 02:00

Opening hours of the premises:

Everyday 08:00 - 02:30

Premises licence holder(s):

New World Trading Company (UK) Limited, 2 Malt Street, Knutsford, Cheshire, WA16 6ES

Designated premises supervisor:

Elliot Fox

Access to the premises by children

Access to the premises by children is restricted

Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
 - a. unauthorised access or occupation (e.g. through door supervision), or
 - b. outbreaks of disorder, or
 - c. damage
2. 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.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. The responsible person must 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 -

- a. games or other 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 in a manner which carries a significant risk of undermining a licensing objective;
 - 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 in a manner which carries a significant risk of undermining a licensing objective;
 - d. 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 glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 6. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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 either -

- a. a holographic mark, or
- b. an ultraviolet feature.

7. The responsible person must 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: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml;
- b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and
- c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

- a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b. "permitted price" is the price found by applying the formula $P = D + (D \times V)$ where -
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

Additional details in respect of licensable activities authorised by this licence

Provision of late night refreshment

Location of activity: Indoors

Performance of live music

Location of activity: Both indoors and outdoors

Performance of recorded music

Location of activity: Both indoors and outdoors

All activities

Non standard timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An extra hour on the day when British Summertime begins.

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

9. A full CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
10. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
11. Signage specifying CCTV is in operation will be displayed.
12. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
13. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
14. Plans indicating the position of CCTV cameras to be submitted to WYP prior to the premises opening.
15. An appropriate number of SIA registered door staff shall be employed at the premises from 9pm onwards. A risk assessment shall be carried out to determine the number of door staff who shall be on duty each evening.
16. A register of those door staff employed shall be maintained at the premises and shall include:

- (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
17. Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry to the venue. Any person within the venue who appears to be intoxicated or who is behaving in a disorderly manner will be given care and consideration when being asked to leave the venue.
 18. The Premises Licence Holder will adopt a zero tolerance policy towards illegal drugs within the premises.
 19. Not to allow entry to the premises of any person who is notified to the DPS by WYP as being a person of bad character by way of association to other persons or by conviction of the courts.
 20. Food shall be available until 22:00 daily.
 21. 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.
 22. 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).
 23. The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
 24. The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
 25. The CCTV system will contain the correct time and date stamp information.
 26. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days continuous footage which will be of good quality.
 27. A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.
 28. 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.
 29. A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.
 30. The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.
 31. 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.
 32. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was

reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

33. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.
34. A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.
35. A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.
36. There will be a communication link via radio to other venues in the city centre. This will be the system recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police
37. Such communication link will be kept in working order at all times when licensable activities are taking place
38. The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.
39. Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by West Yorkshire Police / British Transport Police (e.g. football match days)
40. The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.
41. Drinks, open bottles and glasses will not be taken from the curtilage premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.
42. The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises
43. The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives.
44. The layout of the premises will be substantially as depicted on the plan submitted in support of the application for the new premises licence. This includes the seating depicted thereon, and any application to vary the layout will be subject to prior consultation with West Yorkshire Police.

Public safety

45. A first aid box will be available at the premises at all times.
46. The occupancy capacity of the premises shall be identified by way of a risk assessment in conjunction with the Fire Authority.
47. The numbers and deployment of bar staff shall be identified by way of Risk Assessment.
48. Regular safety checks shall be carried out by staff.
49. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

50. The premises shall maintain an Incident log.

The prevention of public nuisance

51. Noise from amplified music shall not be such as to cause noise nuisance to the occupants of nearby premises.

52. Waste collection services shall be facilitated by the Trinity central service system.

53. A Dispersal Policy will be formulated and adhered to.

54. A queue management policy will be formulated and adhered to.

55. Smokers will be directed to the designated smoking area . A Smoking Policy shall be formulated and adhered to.

56. The exterior of the building shall be cleared of litter during non-operational hours prior to opening and whilst the premises is open.

57. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner having regard to the occupants of nearby premises.

58. After 23:00 doors and windows at the premises are to remain closed whilst any form of regulated entertainment is taking place, save for access and egress.

59. Music - consideration will be given to the volume levels, type of music played coupled with the usage of lighting levels designed to encourage the gradual dispersal of patrons during the last part of the evening.

60. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.

61. Staff members (including door personnel if any) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.

62. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.

63. We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises.

64. We will actively discourage our customers from assembling outside the premises at the end of the evening.

65. We will come to an arrangement with a private hire taxi firm whose telephone number will be provided to customers to use on the basis that such company will operate a ring back system and not sound horns when collecting their fare. Any patrons awaiting the arrival of a taxi will be encouraged to wait inside the premises.

66. Consideration will also be given to staff departures. Staff will be instructed to leave the premises quietly and to request that any waiting taxis do not leave their engines running or sound their horns whilst waiting.

67. Staff will monitor any queuing for entry to the premises and ensure so far as is possible that any noise from queuing patrons is kept to a minimum.

68. At least one CCTV camera will be positioned at the entrance of the premises to capture images of all customers entering or leaving.

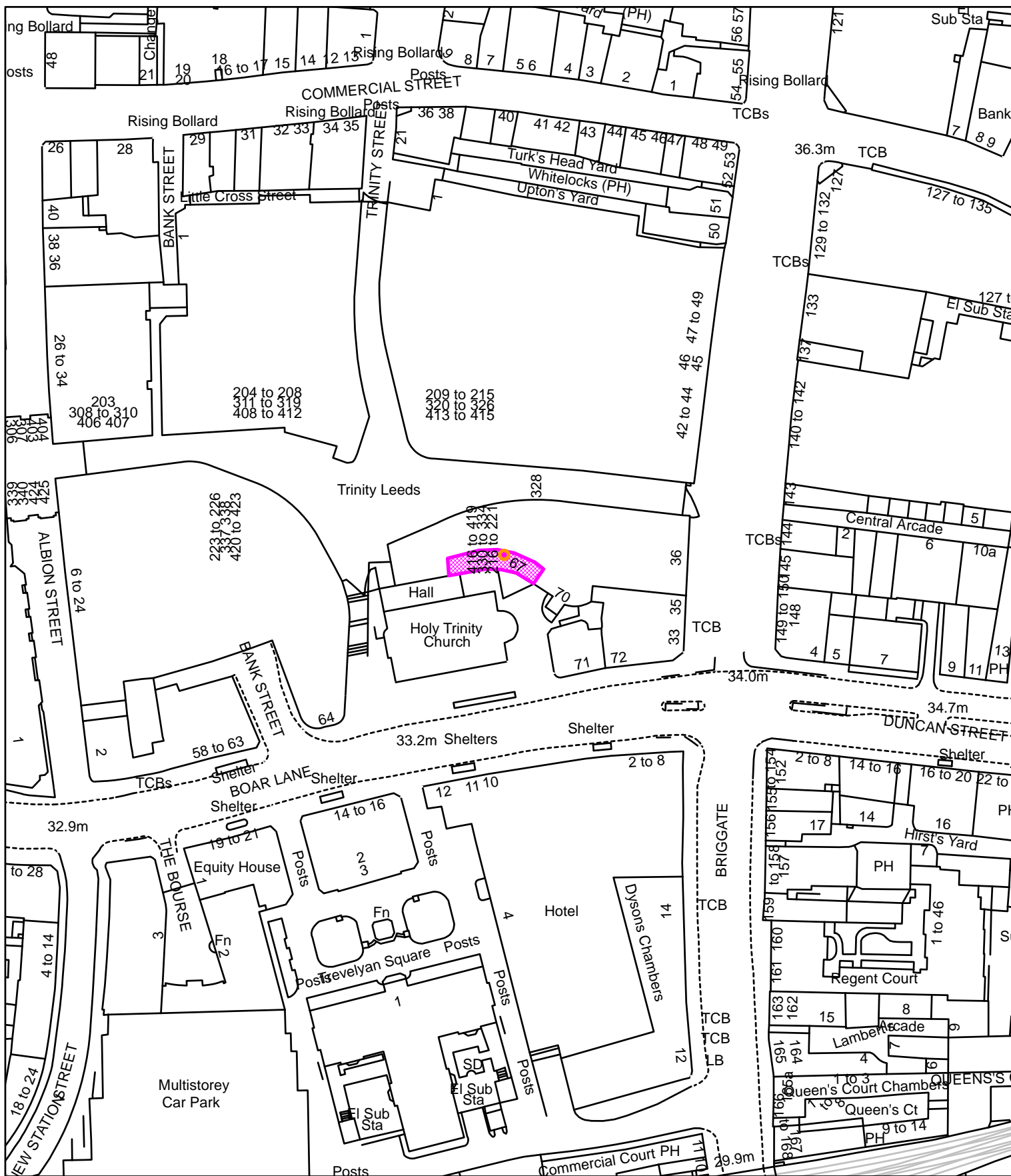
69. Any person who tries to gain entry to the premises and appears intoxicated or who is involved in disorderly conduct shall be denied access to the premises.
70. A delineated smoking area will be provided for those patrons of the premises who wish to smoke.
71. The smoking area will be in range of the CCTV system.
72. No drinks will be allowed in the smoking area after 00:00 hours
73. Management will ensure that a nominated member of staff will supervise the smoking area after 00:00 hours.
74. Suitable receptacles will be provided and maintained for the disposal of cigarette litter within the smoking area.
75. Signs will be displayed within the smoking area requesting customers keep noise to a minimum.
76. Patrons who disregard signage and/or verbal instructions may not be readmitted to the premises and may be barred from the premises in future.
77. A designated member of staff will be employed to monitor the outside area whilst it is in use.
78. Waiter/waitress service will be provided. Members of staff will ensure that tables are cleared quickly, and all glass removed at regular intervals.
79. No open containers will be allowed to be taken for consumption from the outside seating area.
80. Drinking and dining use of the external seating area will cease at 00:00.
81. The area will be in range of the premises CCTV system.
82. There will be no regulated entertainment permitted outside the premises beyond midnight.
83. Tables and chairs will be cleared of diners and drinkers by midnight.
84. At the end of the evening all tables and chairs will be removed and stored away.
85. Prior to the premises commencing trade a Smoking Policy will be formulated and delivered to the Environmental Protection Team at Leeds City Council.

Protection of children from harm

86. A "Challenge 21" Policy shall be implemented and maintained at the premises.
87. All staff will be trained in the law regarding the sale of alcohol to underage persons. This training will be documented and repeated at six monthly intervals.
88. The venue will only accept photographic driving licences, passports, HM forces cards, National Identity cards or a form of identification with the "PASS" hologram.
89. A Refusals Log to record all attempts to purchase alcohol by those under 18 shall be kept on site and all refused sales recorded. The refusals log will be made available to the Police or other Responsible Authority on request.

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

None







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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Key

	On licence		Late night refreshment
	Off licence		Other

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Leeds District Licensing Department

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First Floor
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Elland Road
Leeds
LS11 8BU

Tel: 0113 3859414

Email:

catherine.arkle@westyorkshire.pnn.police.uk

25th April 2018

**Rebecca Ingram
Kuit Steinart Levy LLP
3, St,Mary's Parsonage
Manchester
M3 2RD**

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

**RE: THE BOTANIST, UNIT 2.42, 67, BOAR LANE, LEEDS, LS1 6HW
APPLICATION TO VARY PREMISES LICENCE – LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for a new premises licence at the above address.

The premises are situated in an area of the Leeds City Centre, which is currently subject to a policy of Cumulative Impact, as identified in the current 2014-2018 Statement of Licensing Policy of Leeds City Council.

This particular area of the City, is classed as being an “amber area”.

In accordance with the licensing authority’s document quoted above, as an amber area, on receipt of relevant representations to promote the licensing objectives, it is the council’s policy to seek additional measures, to address the problems associated within that area.

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. public safety

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However, West Yorkshire Police are also of the opinion that the said objectives could be met should you be prepared to offer more details around the extra measures you have proposed, those being as below:

- It will be covered by the CCTV system at the premises – **how many cameras will cover the area and where will they be mounted? I understand that both HolyTrinity Church and 71, Boar Lane (Burger King) are listed buildings, and therefore may not be able to have cameras fixed to their exteriors.**
- No drinking and dining will be permitted after 00:00;
- The area will be monitored – **who will it be monitored by, how long and how often please?**
- Signs will be displayed requesting customers keep noise to a minimum;
- All tables and chairs will be removed and stored away at the end of the evening – **the current exterior tables and chairs are not stored away. Where will the proposed furniture be stored please?**

When the initial telephone enquiry was made regarding this application I highlighted my particular concerns around the issues with drug users in the immediate area. We have seen a spike in calls for service around this drug use and in the one month period from 01/02/18 to 01/03/18 we received 71 calls for service. Over half of these calls necessitated the attendance of an ambulance, most occurring between 11:00hrs and 18:00hrs throughout the week. There are clear clusters of incidents with one being Boar Lane and the area around Holy Trinity Church. As such, if the premises licence were to be varied and granted to include the extra seating area, customers of The Botanist would be in close proximity to all this activity, and West Yorkshire Police would have concerns in relation to an increase in crime and disorder, and the undermining of the public safety licensing objective.

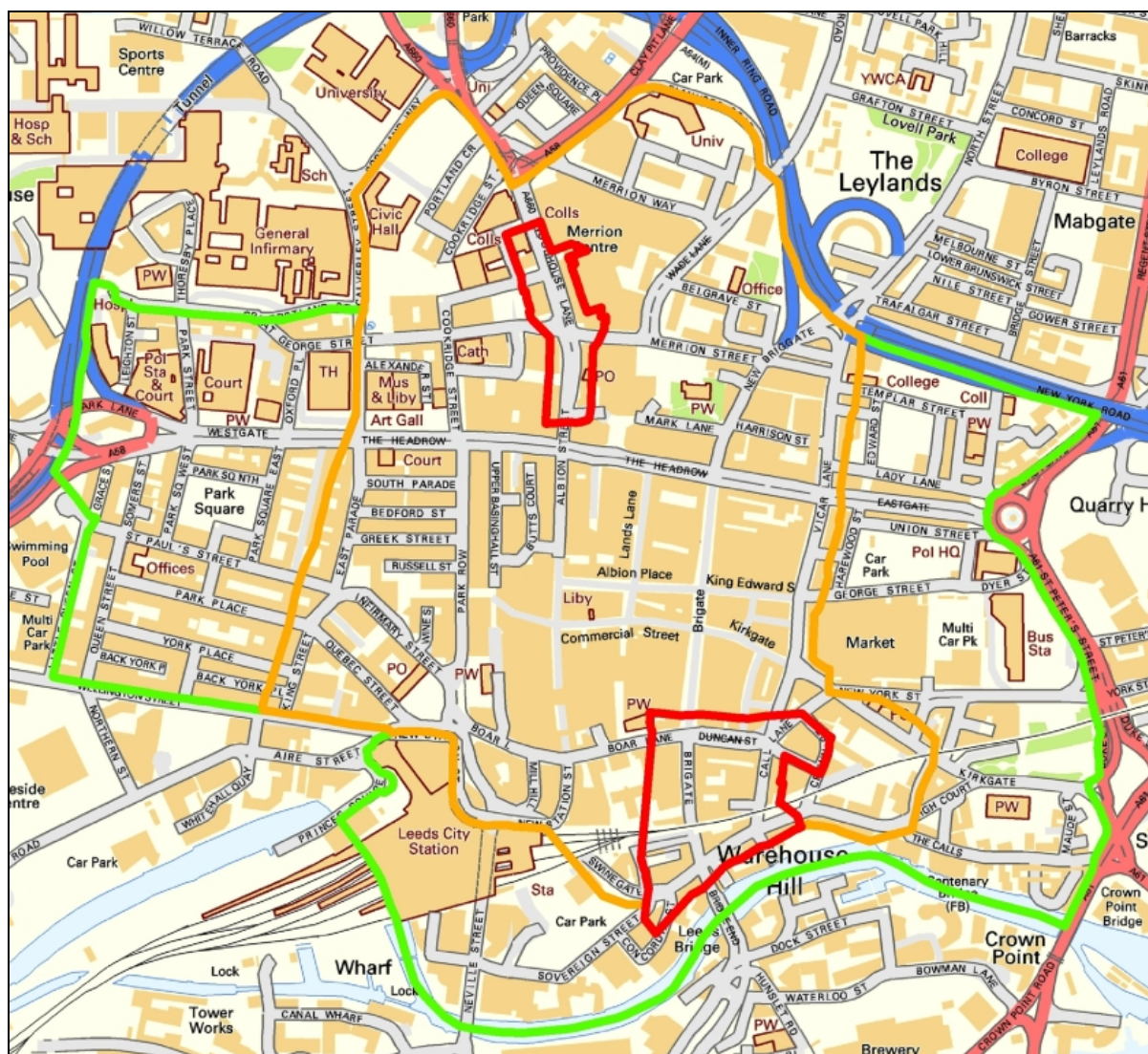
Yours sincerely

Cath Arkle
PC 5548
Leeds District Licensing

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Cumulative Impact Assessment

City Centre



Area 1 relates to the city centre. West Yorkshire Police has shared information and statistics that show that the nature of the city centre is such that the cumulative impact of licensed premises leads to problems that aren't experienced in other parts of the city and this can be attributed to the density of licensed premises in specific areas. The number and close proximity of venues on a street can result in difficulties in identifying individual premises as causing problems and so action planning and reviewing individual licences is not possible.

The closure or opening of businesses can have a dramatic effect on reported crime and incidents in an area. While problems at individual premises are dealt with using action planning and the review process, there are areas in Leeds city centre which become saturated as new businesses open or existing businesses change their style of operation.

In addition the council recognises that a previous problem area can be improved by the introduction of new styles of business types, such as food led premises like restaurants and seeks to encourage this.

The dynamic nature of the city centre has created difficulties in setting a policy that will be relevant for five years until the next formal review of the Licensing Policy. Therefore the council has adopted an approach of designating areas within the city centre CIP as 'red' or 'amber' based upon an analysis of crime and disorder in the night time economy and will review these areas on an annual basis.

Areas that are considered highly saturated and that are experiencing particularly high levels of crime, disorder and/or nuisance will be designated as red areas. The policy states that the council will seek to refuse all applications in these **red areas** on the basis that the impact on the licensing objectives is at such a level that the area cannot support any more premises opening or extending their operation and that the council will only grant applications in the red zone in exceptional cases. Exceptional does not mean that an application is innovative or novel, but that it allows Members to make an exception to their policy. Those exceptional cases would be where the premises can demonstrate that they will not impact on the issues already being experienced in the area, i.e. by containing their operation within the hours of the daytime and early evening economy.

Any variation that will effectively increase the occupancy of premises will be viewed in a similar light to a new application as it may increase the available capacity in the same way a new premises in that area would, which in the red area would be unacceptable. Similarly new businesses seeking to introduce a new concept, and so attract different people into the area, may be acceptable in the amber area but in the red area the problems are exacerbated by the sheer number of people on the street during the peak hours and introducing a new or extended business, even with a different concept, would add to the impact rather than reduce it.

Management controls such as door staff will not be adequately effective in preventing an increase in the number of people within the red zone.

The **amber area** is an area which is of concern, based upon an analysis of issues within the night time economy that are relevant to the licensing objectives, and the council will expect applicants to offer additional measures tailored to the problems in that area. Applicants are strongly advised to consult with West Yorkshire Police and the licensing authority during their application process. By working together, the responsible authorities and businesses can establish working practices that reduce crime and disorder and so benefit the long term aims of the city to be a vibrant, thriving economy.

All other areas within the city centre CIP will be designated **green areas** where good quality applications will be generally be more acceptable even though the area is a CIP area.

It is the council's policy, on receipt of relevant representations, to

- refuse new and variation applications in the red area
- to seek additional measures for new and variation applications in the amber area
- to seek good quality applications for application in the green area

This applies to alcohol led premises such as bars, pubs and nightclubs, and for premises seeking late night refreshment such as takeaways and late opening restaurants.

Extra scrutiny is given to applications which appear to adopt a number of different styles during their trading. For example businesses that purport to be food led but seek late opening hours may be judged to be predominantly alcohol led due to their late night activities. It is for the applicant to demonstrate how their business will not impact on the licensing objectives.

Changes in the last year

There are two distinct areas in the city where extra police resources are deployed on a regular basis. These areas are the Call Lane area and the Albion Street/ Woodhouse Lane area. Premises in those areas have deployed street marshals at their own expense in the past as it has been recognised that incidents on the street require extra attention and that early intervention can prevent an escalation in the severity of incidents on the street. However in recent years this scheme has fallen away and the violent crime rate has increased.

As police resources are reducing each year, priorities have been realigned. There has been a small reduction in the number of arrests for drunk and disorderly again this year but an increase in assault. The increase in assaults could be due to early intervention methods being cut back, such as the street marshalling scheme and intervention at an early level (i.e. arresting people for being drunk and disorderly), and so the low level offences are escalating to the more serious assault charge.

The issues with disorder in the street on Call Lane has led to a road closure between 11pm and 5am on the Friday, Saturday and Sunday night which took effect in October 2015. The sheer numbers of people, often intoxicated, in the street during these hours highlights the need for the overall capacity of the red area to decrease, not increase. Further work is ongoing with the operators in Hirsts Yard to reduce criminality in this area.

The Council continues to receive applications within the areas designated as red. There has been a trend for existing operators to apply for minor and full variations to bring into use areas which were unlicensed previously. In all cases the premises licence holder has undertaken to keep their capacity the same. However this trend for increasing the licensed area is concerning as the ability to control capacity is difficult. Any application seeking an increase in floor space, even without an increase in stated capacity, can expect close scrutiny.

Police Crime Reporting

West Yorkshire Police has produced a crime report “*Leeds City Centre: Night Time Economy Related Crime*” dated September 2017 which has been referred to when reviewing the red and amber zones for 2017. This report is referred to as the Police report in this document. It uses reported crime figures from 01/09/2015 – 31/08/2017. The police report only compares statistics from the last two years, as the statistics are not comparable going further back than that due to the changes in the way in which crime is recorded. The following data tables and key findings (signified by bullet points) have been extracted from the police report.

City Centre

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	38	52	14	37%
Assault	1300	1524	224	17%
Drunk And Disorderly	255	267	12	5%
Public Order	291	389	98	34%
Robbery	95	146	51	54%
Theft From Person	1168	1453	285	24%
Theft Non Specific	1518	1554	36	2%
Total	4665	5385	720	15%

Figure 1 shows the breakdown of occurrence type 01/09/2015 – 31/08/2017

Licensed Premises Flag

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	3	4	1	33%
Assault	251	263	12	5%
Drunk And Disorderly	15	15	0	0
Public Order	11	21	10	91%
Robbery	2	1	-1	-50%
Theft From Person	488	453	-35	-7%
Theft Non Specific	537	586	49	9%
Total	1307	2650	36	103%

Figure 2 shows the offences flagged as license premises involved 01/09/2015 – 31/08/2017

Alcohol involved flag

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	14	18	4	29%
Assault	331	347	16	5%
Drunk And Disorderly	203	180	-23	-11%
Public Order	39	59	20	51%
Robbery	11	15	4	36%
Theft From Person	43	35	-8	-19%
Theft Non Specific	27	20	-7	26%
Total	668	674	6	1%

Figure 3 shows the offences flagged as alcohol involved 01/09/2015 – 31/08/2017

Offences by day or night time economy

DTE

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change	% Change
Affray	6	10	4	67%
Assault	288	320	32	11%
Drunk And Disorderly	35	30	-5	-14%
Public Order	149	214	65	44%
Robbery	29	38	9	31%
Theft From Person	352	599	247	70%
Theft Non Specific	674	705	31	5%
Total	1533	1916	383	25%

Figure 4 shows the offences during the DTE (06:00 – 17:59) between 01/09/2015 – 31/08/2017

NTE

Occurrence Type	01/09/2015 - 31/08/2016	01/09/2016 - 31/08/2017	Change +/-	% Change
Affray	32	42	10	31%
Assault	1012	1204	192	19%
Drunk And Disorderly	220	237	17	8%
Public Order	142	175	33	23%
Robbery	66	108	42	64%
Theft From Person	816	854	38	5%
Theft Non Specific	844	849	5	5%
Total	3132	3469	337	11%

Figure 5 shows the offences during the NTE (18:00 – 05:59) between 01/09/2015 – 31/08/2017

The tables clearly show that there has been an increase in crime across the city centre. The police report conclusions state:

- An analysis of the examined offences shows overall offending in the City Centre has increased by 15% compared with the previous examined period.
- During 01/09/2016 and 31/08/2017, Assaults and Theft from Person offences have seen the highest increases in terms of volume compared with the previous year. Robbery offences have experienced the greatest percentage change. All examined offences experienced an increase in volume.
- As seen in previous reporting, Assaults and Theft (Non Specific) have the highest number of offences with a licensed premises flag and experienced the greatest increases during the period.
- Assaults continue to be the highest alcohol related crime, followed by Drunk and Disorderly offences. While Drunk and Disorderly offences saw a decrease, Public Order offences increased.
- Theft and Assault offences are the top offence categories for both the day time economy and night time economy.
- In both the examined periods there are more reports of 'off street' offences than 'on street'. The number of assaults occurring 'off street' are fairly similar in both years. There are more assaults reported to occur 'on street'.

Street Level Data

The tables below relate to Leeds City Centre night time economy offending only (18:00 to 05:59) and show the top ten streets and the top ten streets of increasing concern for the night time economy offending. The table shows the percentage of the street compared with the city centre total as shown in Figure 5.

Top 10 Street Names	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016 -2017	Change +/-
BRIGGATE	572	18.3%	631	18%	59
CALL LANE	531	17%	565	16.8%	34
ALBION STREET	263	8.4%	294	8.7%	31
WOODHOUSE LANE	213	6.8%	248	7.3%	35
BOAR LANE	140	4.5%	178	5.2%	38
COOKRIDGE STREET	99	3.2%	116	3.4%	17
THE HEADROW	88	2.8%	109	3.2%	21
MERRION STREET	113	3.6%	98	2.9%	-15
GREAT GEORGE ST	76	2.7%	95	2.8%	19
HEATONS COURT	72	2.3%	79	2.3%	7

Top 10 Street Names Of Increasing Concern	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016-2017	Change +/-
BRIGGATE	572	18.3%	631	18%	59
CALL LANE	531	17%	565	16.8%	34
ALBION STREET	263	8.4%	294	8.7%	31
WOODHOUSE LANE	213	6.8%	248	7.3%	35
BOAR LANE	140	4.1%	178	5.2%	38
THE HEADROW	88	2.6%	109	3.2%	21
GREAT GEORGE ST	76	2.2%	95	2.8%	19
PARK ROW	21	0.6%	40	1.1%	19
KIRKGATE	27	0.8%	34	1%	7
BRIDGE END	16	0.5%	30	0.9%	14

These clearly show that there has been no improvement over the last year with Briggate and Call Lane areas are responsible for 35% of crime reported in the city in the last year. 16% of crime was reported in the other red area of Albion Street/Woodhouse Lane.

The police report conclusions were:

- Briggate, Call Lane, Albion Street and Woodhouse Lane are the top streets for offending in the night time economy for both examined periods. These streets are located within the two city centre CIP red areas, supporting the view that both red areas should be maintained.

Red Area Comparisons

The stated crime figures and time analysis is taken from offences occurring within the red outlining square, between 18:00 – 05:59. Assaults, theft from person, theft non-specific, robbery and sexual offences have been included in this analysis.

Call Lane Red Area



<p>NTE: Year 2015– 2016 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 420 (+73) ▪ Robbery: 27 (+14) ▪ Sexual Offences: 26 (+6) ▪ Theft From Person: 487 (+77) ▪ Theft Non Specific: 382 (+27) <p>Time Analysis:</p> <p>Peak Time: 00:00 – 05:00</p> <p>Risk days: Thursday, Friday and Saturday</p>	<p>NTE: Year 2016 – 2017 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 495 (+75) ▪ Robbery: 37 (+10) ▪ Sexual Offences: 31 (+5) ▪ Theft From Person: 472 (-15) ▪ Theft Non Specific: 422 (+40) <p>Time Analysis:</p> <p>Peak Time: 23:00 – 04:00</p> <p>Risk days: Saturday/Sunday highest; also Thursday and Friday</p>
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Figure 8: Call Lane red area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

The police report conclusions were:

- The Call Lane red area remains the predominant hot-spot area. Geo-spatial analysis shows the main risk area within the city centre is the area of Call Lane and Briggate, as shown as Section 7.1. The highest concentration of offences remains in this area and has slightly extended compared with the previous 12 months, but still falling within the existing designated area. The peak time for offending in the Call Lane area is now 23:00 - 04:00.
- Within the Call Lane area, all the examined offences namely Assaults, Robberies, Sexual Offences and Thefts have increased during 2016 and 2017 with Assaults, Robberies and Theft offences seeing the largest increase.

Not only have all crimes increased in this area again this year by another 15%, the peak times have shifted from midnight to 5am to 11pm to 4am. The risk days have changed from Thursday, Friday and Saturday to Thursday to Sunday with Saturday and Sunday the highest. Most worrying are the increases in assault and theft from person.

This shows not only how important it is that the number of people using this area during the night time does not increase but that it would be desirable for the number of people using this area during peak hours to reduce. Therefore any change to the current licences, either new premises or any increase in the operation of the existing premises should not have the effect of increasing visitors to the area.

Furthermore the Council will be investigating ways in which assault and theft can be reduced, in liaison with the operators and agencies. LeedsBID has introduced teams of Purple Ambassadors who operate in a similar way to the street marshalling scheme, with officers patrolling the red areas and dealing with low level nuisance to prevent it from becoming the more serious crime of assault.

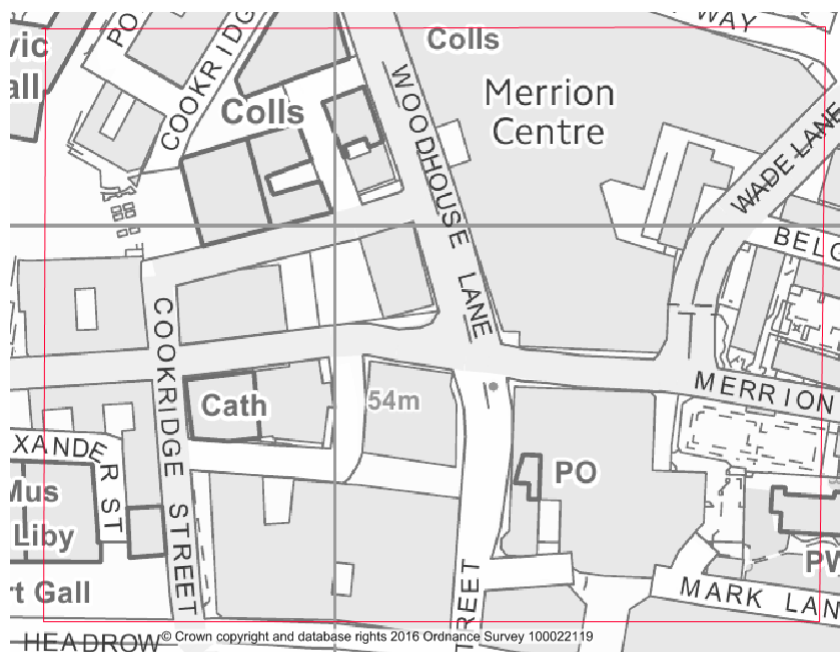
In the last year the Licensing Authority has received applications from:

- a premises on Albion Street seeking to increase their hours, which was refused;
- a premises on Hirsts Yard seeking to make structural changes and update conditions which was granted
- a premises on Call Lane which sought to add off sales to their current licence to allow people to use an outside area, which was granted

- a premises on Briggate which sought to increase their floor space but offered a number of stricter conditions which controlled capacity which was granted
- a premises on Briggate seeking a new application for late night refreshment which was refused
- a premises on Call Lane seeking alcohol in conjunction with food and closing prior to peak hours which was granted
- a premises on Call Lane which sought to extend their hours by one hour til midnight. This matter was outstanding as this assessment was finalised.

Any operator seeking a variation to their current licence must be mindful of the problems being experienced in the area and must ensure that the additional measures they offer will result in no impact on the licensing objectives. A responsible operator will always be seeking ways in which they can contribute to the efforts made to reduce the crime statistics, and would not be satisfied with merely maintaining the status quo.

Albion Street / Woodhouse Lane Red Area



<p>NTE: Year 2015 – 2016 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 228 (+64) ▪ Robbery: 3 (+2) ▪ Sexual Offences: 7 (-2) ▪ Theft From Person: 126 (-2) ▪ Theft Non Specific: 150 (+19) <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 00:00 - 0400 ▪ Secondary : 23:00 – 00:00 <p>Risk days: Monday, Friday, Saturday</p>	<p>NTE: Year 2016 – 2017 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 251 (+23) ▪ Robbery: 8 (+5) ▪ Sexual Offences: 14 (+7) ▪ Theft From Person: 151 (+25) ▪ Theft Non Specific: 147 (-3) <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 23:00 - 0400 ▪ Main Peak : 01:00 – 03:00 <p>Risk days: Saturday</p> <p>Secondary days: Monday, Tuesday, Thursday</p>
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Figure 9 Map showing the Albion Street red area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

The police report conclusions were:

- Within the Albion Street / Woodhouse Lane Red area, the hot-spot areas have remained the same in both examined periods, specifically the bottom of Woodhouse Lane and top of Albion Street, as shown in Section 7.2. During the period 2016 to 2017, the peak time is shown as between 01:00 – 03:00.

In the last year the Licensing Authority has received one application from a premises on Albion Street seeking to increase their hours, which was refused.

However the overall 9% increase in crime and the lengthening of the peak hours is worrying. As with the Call Lane/Lower Briggate area this shows not only how important it is that the number of people using this area during the night time does not increase but that it would be desirable for the number of people to reduce. Therefore any change to the current licences, either new premises or any increase in the operation of the existing premises should not have the effect of increasing visitors to the area.

As with the Call Lane area the Council will be investigating ways in which assault and theft can be reduced, in liaison with the operators and agencies. LeedsBID has introduced teams of Purple Ambassadors who operate in a similar way to the street marshalling scheme, with officers patrolling the red areas and dealing with low level nuisance to prevent it from becoming the more serious crime of assault.

Cross Belgrave Street / Merrion Street / New Briggate:

The following area is not a designated 'red area' in the existing CIP; although, it has been noted as an emerging area of popularity during the 'Night Time Economy'.



<p>NTE: Year 2015 – 2016 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 108 (+28) ▪ Robbery: 8 (+2) ▪ Sexual Offences: 8 (+2) ▪ Theft From Person: 96 (+11) ▪ Theft Non Specific: 112 (-6) <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 01:00 – 04:00 Secondary peak: 23:00 – 00:00 and 04:00 – 05:00 <p>Risk days: Thursday, Friday and Saturday</p>	<p>NTE: Year 2016 – 2017 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 57 (-51) ▪ Robbery: 8 (no change) ▪ Sexual Offences: 7 (-1) ▪ Theft From Person: 50 (-46) ▪ Theft Non Specific: 48 (-64) <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 00:00 – 04:00 Secondary peak: 23:00 – 00:00 and 04:00 – 05:00 <p>Risk days: Friday and Saturday</p>
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Figure 10: Map showing New Briggate area for the period 01/09/2015 - 31/08/2016 and 01/09/2016 - 31/08/2017

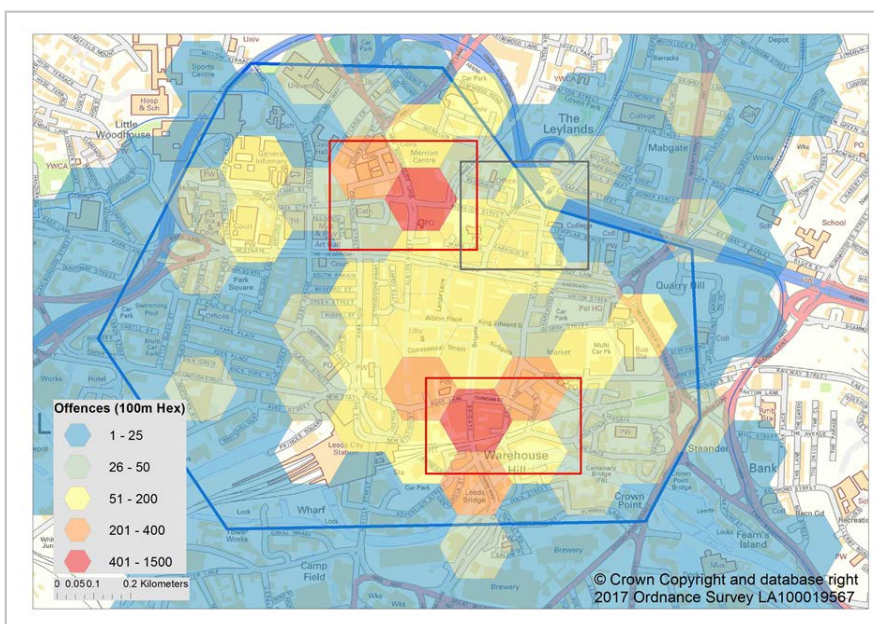
The police report conclusions were:

- The Cross Belgrave Street/Merrion Street/New Briggate areas were noted as an emerging area of concern for the period 2015 – 2016 however several associated offence types have seen reductions over the last 12 month period.

As reported in previous years, this area in Leeds has been developed in the north of the city and is proving very popular. The lengthening of the hot spot period is common with the two red areas however there has been a dramatic reduction in crime across the board.

This area remains in the amber area this year, as this provides the most flexibility to negotiate with applicants regarding safeguards that can be put in place. .

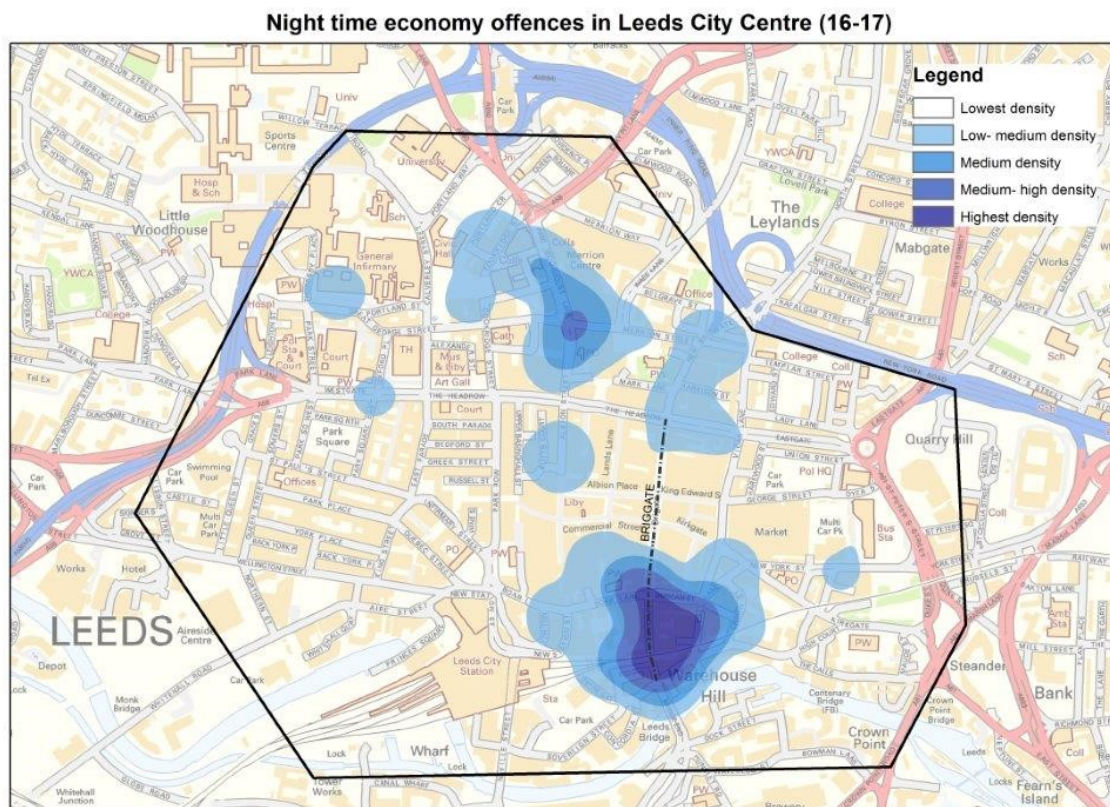
Night Time Related Offences



The Police Report provides two new maps which show the overall spread of night time offences across the area. The 100m Hex grid shows that the main “hotspot” areas detailed previously (shown as red rectangles on the map) cover the main areas of concern, and that the “emerging” area identified previously (grey rectangle) is no longer covering a major offence hotspot. There

are also no “new” areas of concern (that would be orange or red) outside the current localities.

The map below shows the density of night-time offences across the defined area and the concentration of where offences have occurred, highlighted by darker areas. Briggate (highlighted by a dotted line) has the highest density.



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City Centre A&E Assault data

A&E data was provided for the period 01/09/2016 – 31/08/2017. A notable proportion did not have a location address or did not specify an exact address, for example “on street” or “on bus”. Detailed location data is no longer provided therefore the proportion directly associated with the City Centre cannot be assessed.

Road Traffic Incidents

The below table shows the breakdown of Road Traffic Incidents 01/09/2015 - 31/08/2017. The figures have been derived from the red line area “Leeds City Centre” as shown in Section 3.

Incident Type	DTE		DTE Total	NTE		NTE Total	Total
	2015-2016	2016-2017		2015-2016	2016-2017		
Highway Disruption	132	142	274	86	68	154	428
OPL	11	10	21	34	47	81	102
Road Related Offence	62	93	155	68	67	135	290
RTC - Damage Only	316	332	648	165	181	346	994
RTC - Serious Injury	8	14	22	6	6	12	34
RTC - Slight Injury	96	107	203	54	44	98	301
Total	625	698	1323	413	413	826	2149

Figure 12 shows the breakdown of Road Traffic Incidents 01/09/2015 - 31/08/2017.

Day Time Economy – Top Streets

The below tables show the top ten streets and the top ten streets of increasing concern for road traffic incidents during the daytime economy.

	2015 - 2016	2016 - 2017	Change		2015 - 2016	2016 - 2017	Change
Top Ten Street Names				Top 10 Street Names Of Increasing Concern			
THE HEADROW	26	43	17	THE HEADROW	26	43	17
A58	26	40	14	A58	26	40	14
WELLINGTON ST	26	37	11	WELLINGTON ST	26	37	11
A58(M)	21	31	10	A58(M)	21	31	10
INNER RING ROAD	25	30	5	GREAT GEORGE ST	17	29	12
GREAT GEORGE ST	17	29	12	ALBION ST	15	22	7
WOODHOUSE LANE	22	24	2	CLAY PIT LANE	14	20	6
CROWN POINT RD	17	23	6	A61	11	17	6
ALBION STREET	15	22	7	GEORGE ST	6	11	5
CLAY PIT LANE	14	20	6	BOAR LANE	8	12	4

Figure 13 shows the top streets 01/09/2015 – 31/08/2017 or road traffic incidents during the day time economy.

Night Time Economy – Top Streets

The below tables show the top ten streets and the top ten streets of increasing concern for road traffic incidents during the night time economy hours.

	2015 - 2016	2016 - 2017	Change		2015 - 2016	2016 - 2017	Change
Top 10 Street Names				Top 10 Street Names of Increasing Concern			
THE HEADROW	19	22	3	SWINEGATE	4	14	10
WOODHOUSE LANE	21	17	4	BRIGGATE	4	12	8
ALBION STREET	16	18	2	CROWN POINT RD	4	12	8
A58	16	16	0	CALL LANE	7	12	5
BOAR LANE	18	14	-4	GREAT GEORGE ST	12	16	4
WELLINGTON ST	13	15	2	INNER RING ROAD	12	16	4
GREAT GEORGE ST	12	16	4	CALVERLEY ST	6	10	4
INNER RING ROAD	12	16	4	VICAR LANE	3	6	3
CLAY PIT LANE	13	14	1	MERRION STREET	7	10	3
A58(M)	11	12	1	PARK SQUARE	0	3	3

Figure 14 shows the top streets 01/09/2015 – 31/08/2017 for road traffic incidents during the night time economy.

The police report conclusions were:

- During the NTE the main hot-spots for Road Related Incidents were around The Headrow, Woodhouse Lane and Albion Street with a smaller concentration around Boar Lane and Wellington Street

Conclusion

With the police report conclusions in mind the Licensing Authority has determined that the red areas be maintained. Merrion Street/Cross Belgrave Street area and the Boar Lane areas will continue to be closely monitored.

The increase in theft and violent crime in the two red areas is concerning. The council will work with the businesses and partners to establish if further work can be done to reduce these crime figures over the next 12 months and to establish if the Purple Ambassador Scheme has a positive effect on reducing low level crime and disorder.

The Licensing Committee will bear in mind that in the next 12 months there may be significant changes to the way late night levies can be introduced and may also consider the option of an early morning restriction order if these figures do not significantly reduce over the next 12 months.

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