



## LICENSING SUB-COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 21ST AUGUST, 2018 AT 10.00 AM

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### MEMBERSHIP

#### Councillors

M Harland - Kippax and Methley;  
G Wilkinson - Wetherby;  
Member to be confirmed

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**Agenda compiled by:  
Governance Services  
Civic Hall  
LEEDS LS1 1UR  
Tel No: 0113 3788662**

# A G E N D A

Item No	Ward	Item Not Open		Page No
2			<p><b><u>PRELIMINARY PROCEDURES</u></b></p> <p><b>ELECTION OF THE CHAIR</b></p> <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></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>	

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

Item No	Ward	Item Not Open		Page No
5			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><b><u>HEARINGS</u></b></p>	
6	Kirkstall		<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR KIRKSTALL ABBEY RUINS, CLOISTERS, CHURCH &amp; VISITOR CENTRE ABBEY ROAD, KIRKSTALL, LEEDS, LS5 3EH</b></p> <p>To receive and consider the attached report of the Head of Elections, Licensing and Registration.</p>	1 - 44
7	Hunslet and Riverside		<p><b>APPLICATION TO VARY A PREMISES LICENCE HELD BY UPSTAIRS BAR, 28 - 32 BRIDGE END, LEEDS, LS1 4DJ</b></p> <p>To receive and consider the attached report of the Head of Elections, Licensing and Registration</p> <p><b><u>Third Party Recording</u></b></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> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>	45 - 78



Report author: Miss Charlotte  
Deighton  
0113 378 5029

## Report of Chief Officer Elections and Regulatory

### Report to the Licensing Sub Committee

Date: 21st August 2018

**Subject: Application for the grant of a premises licence for Kirkstall Abbey Ruins, Cloisters, Church & Visitor Centre Abbey Road, Kirkstall, Leeds, LS5 3EH**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Kirkstall		
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 Leeds City Council (Leeds Museums & Galleries Service), for Kirkstall Abbey Ruins, Cloisters, Church & Visitor Centre Abbey Road, Kirkstall, Leeds, LS5 3EH.

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

The application has attracted representations from other persons.

## **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 Leeds City Council (Leeds Museums & Galleries Service).
- 3.2 The proposed designated premises supervisor is Elaine Francis-Truett.
- 3.3 In summary the application is for:

### *Activity*

*Performance of plays, Performance of recorded music, Performance of live music, Exhibition of films, Performance of dance  
Everyday 07:00 - 23:00.*

*Late night refreshment - Everyday 23:00 - 00:00*

*Sale by retail of alcohol - Everyday 11:00 - 22:30*

### *Non standard timings*

*No non-standard timings for bank holidays or special occasions are proposed.*

## **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 West Yorkshire Police in their capacity as a responsible authority which may be found at Appendix C.
- 6.3 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with West Yorkshire Police. A copy of the agreement 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 2 individual letters of objections from members of the public.
- 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 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





## Crime and Disorder

### CCTV

Does the premises have CCTV?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES	
Was the siting and standard agreed with West Yorkshire Police (WYP)?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with WYP?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
The premises have a duly licensed Data Controller under the Data Protection Act 1998	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If NO	
Have you consulted WYP about whether CCTV should be installed?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
(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 <b>The need for CCTV coverage for evening events will be risk assessed on a case by case basis</b>	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	✓

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

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

Suggested measures	Code	✓
The minimum number of door supervisors for the premises is two Please specify days and hours door supervisors operate on the premises	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	7PF023	✓

premises		
The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any 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 <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Does the policy include	
• recording any search	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
• seizing drugs/weapons found	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
• informing the police of any search and seizure	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
<b>Where risk assessed and deemed necessary</b> a policy for searching patrons at the entrance to premises will be adopted <b>by the event management company</b> 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 <b>by the event management company</b> and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police	7PF028	✓
<b>Where risk assessed and deemed necessary</b> , notices will be prominently displayed at the entrances of the premises which state <ul style="list-style-type: none"> <li>• a search will be conducted as a condition of entry to premises,</li> <li>• Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register</li> <li>• 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</li> <li>• 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</li> </ul>	7PF029	✓

substances		
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## 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 YES  NO  N/A

Has this been agreed with WYP? YES  NO  N/A

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

### Proof of Age

Have you adopted a proof of Age Scheme? YES  NO  N/A

Have all staff been instructed of the steps required to prevent under age sales of alcohol? YES  NO  N/A

Glass and Bottles YES  NO  N/A

Do you have a policy for the frequent collection of glasses and bottles?

Do you take steps to prevent glasses/bottles being removed from the premises, e.g instruction to door/bar staff, display of notices? YES  NO  N/A

Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary? YES  NO  N/A

### Alcohol Designated Public Places Orders

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

Suggested 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	
<b>or</b>		
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	
<b>or</b>		
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>  <b>Unbreached cans</b> 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	✓
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises <b>at relevant events</b>	7PF040	✓
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas	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	✓
<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	N/A

<u>Membership of a Recognised Body</u>	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you belong to a Licensees Association/Body	
If YES, please state which body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<u>Exclusion from Premises</u>	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you operate a system of excluding customers who are known to cause problems?	
If YES	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• is this your own system or	
• a system run by a local licensees body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>



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

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	✓

<b>Is your premises predominantly a restaurant?</b>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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

<b>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?</b>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 5 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	✓

## General Housekeeping

Do you have procedures for the inspection of

- |                                                      |                                                                                                  |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| • Furnishings and fabrics                            | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> |
| • Suspended decorations/lights/amplification systems | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| • Guarding to stairs/balconies/landings/ramps        | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| • Condition of floor surfaces                        | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> |
| • Provision of safety glazing                        | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> |

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	N/A
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?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has the risk of scalding or burns been assessed?	

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

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	N/A
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	N/A
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  NO  N/A

If yes, please give details

Strobes, lasers and smoke machines may be used at specific events

Suggested measures	Code	✓
<b>The event management company will incorporate</b> a written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects <b>into their management plan</b> and staff will be appropriately trained	7PF081	✓
No strobes, lasers or smoke machines will be used at the premises <b>unless the event management company</b> has a clearly displayed a 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? YES  NO  N/A

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

Suggested 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 <b>within legally allowed limits</b> 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	N/A
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	N/A
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	N/A
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	N/A
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?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please identify the steps taken to prevent nuisance caused by litter	
Litter bins are provided on site in numbers appropriate to the size of the event Regular litter picking takes place to ensure litter does not become a nuisance	
<ul style="list-style-type: none"> <li>• Provision of litter bins <span style="float: right;"><input checked="" type="checkbox"/></span></li> <li>• Display of notices to customers <span style="float: right;"><input type="checkbox"/></span></li> <li>• Warnings/advice on packaging <span style="float: right;"><input type="checkbox"/></span></li> <li>• Instructions to staff to periodically clear litter from the street around the premises <span style="float: right;"><input checked="" type="checkbox"/></span></li> <li>• Other (please specify) <span style="float: right;"><input type="checkbox"/></span></li> </ul>	

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	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES what steps do you take to ensure that the procedure(s) works?	
The nearest residential properties are 166 metres away from the abbey SIA Registered door staff are employed and used where queues are likely to form to manage the queues Any queues are formed within the Abbey Park	



and do not spill out onto footpaths or roads The nominated supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary

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 <b>at specific events where this is deemed necessary</b>	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)?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If so, do you only provide the adult entertainment at certain times/days of the week?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is your premises located near to premises which are children orientated?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

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 <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
-----------------------------------------	--------------------------------------------------------------------------------------------------

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?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
--------------------------------------------------------	--------------------------------------------------------------------------------------------------

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 <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Do you provide young persons discos or similar entertainment?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

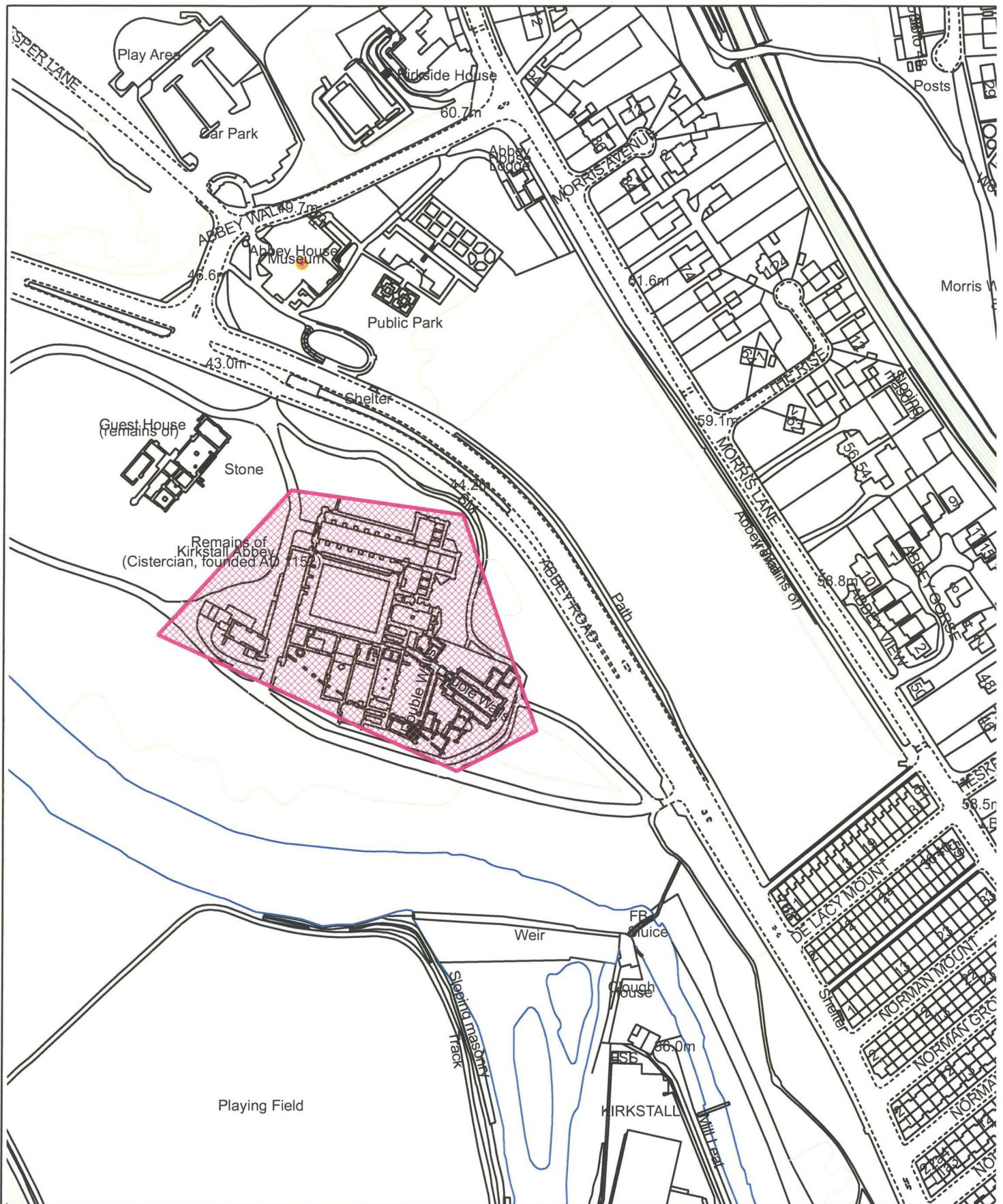
Suggested measures	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times	7PF111	N/A
For closely seated 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	N/A
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	N/A
Close supervision will be held when children use balconies and other raised areas	7PF114	N/A

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	
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------	--

### Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES state measures used The Youth Curator who organises and runs workshops for 11-18 year olds is DBS checked	
Are your premises located near any adult orientated premises e.g. an adult retail sex shop or amusement arcade?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all <b>relevant</b> 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	N/A



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Key

 On licence

 Late night refreshment

 Off licence

 Other

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

Tel: 0113 3859417  
Email:  
sarah.blenkhorn@westyorkshire.pnn.police.uk

30<sup>th</sup> July 2018

**Elaine Francis-Truett**  
**Kirkstall Abbey**  
**Abbey House Museum**  
**Abbey Walk**  
**Leeds LS5 3EH**

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

**RE: Kirkstall Abbey, Abbey Road, Kirkstall, Leeds, LS5 3EH**  
**APPLICATION FOR NEW 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 which we received on 27<sup>th</sup> February 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. 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.

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.

## NOT PROTECTIVELY MARKED

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 under the Licensing Act 2003 (in **addition** to those that you may have already offered), for the premises-:

**Kirkstall Abbey,  
Abbey Road,  
Kirkstall,  
Leeds,  
LS5 3EH**

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:**

A suitable Closed Circuit Television (CCTV) system will be operational at the premises. The need for CCTV coverage for evening events will be risk assessed on a case by case basis and temporary CCTV cameras installed where appropriate.

Any temporary CCTV cameras will carry the same conditions imposed as the permanent CCTV cameras and will be in accordance with West Yorkshire Police guidelines.

The number of door staff will be risk assessed by Premises Licence Holder.

A standard management plan and risk assessment will be produced for all in-house events addressing prevention of crime and disorder, public nuisance, public safety and protection of children from harm. General site wide risk assessments and emergency procedures are also in place (as found on the premises application-to be deleted if already included as condition)

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.

**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.

Sarah Blenkhorn  
Leeds District Licensing Officer  
West Yorkshire Police

### **PART 2 – to be completed by the applicant or applicant's representative:**

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

Name & Address of Premises:

**Kirkstall Abbey,  
Abbey Road,  
Kirkstall,  
Leeds,**

NOT PROTECTIVELY MARKED

**NOT PROTECTIVELY MARKED**

**LS5 3EH**

I / We .....

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

In signing this document-:

- I / we agree with the measures proposed by 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, and furthermore,
- I / we confirm the premises will then operate in accordance with those measures agreed to.

**Signed:**

**Dated:**

**NOT PROTECTIVELY MARKED**

**NOT PROTECTIVELY MARKED**

**PART 3 – to be completed by the applicant or applicant’s representative:**

Proposed control measures under the Licensing Act 2003

Name & Address of Premises:

**Kirkstall Abbey,  
Abbey Road,  
Kirkstall,  
Leeds,  
LS5 3EH**

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 the West Yorkshire Police.

In this instance we understand that West Yorkshire Police will maintain their representation to my /our application, which will now proceed to a hearing before the Licensing Sub-Committee, at which I / we will be required to attend.

**Signed:**

**Dated:**

**NOT PROTECTIVELY MARKED**

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## NOT PROTECTIVELY MARKED

LS5 3EH

I/We LEEDS CITY COUNCIL (LEEDS MUSEUMS & GALLERIES SERVICE)

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

In signing this document:-

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

Signed: \_\_\_\_\_

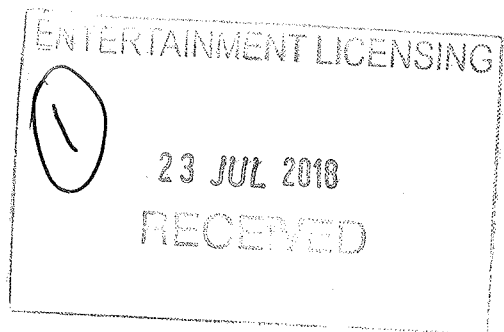
Dated: 30.07.18

NOT PROTECTIVELY MARKED

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PREM/04205/001

Appendix E



18/07/2018

Dear Sirs/Madams.

I Would like to object, strongly. To the granting of a license for events at Kirkstall Abbey on several grounds.

Firstly, noise. The Abbey sits in a valley, the sloping sides of which make for a natural auditorium where the sound is much greater higher up the slope than it is in the Abbey grounds itself. The noise generated by groups at events like Kirkstall Festival horrendous. We cannot have doors or windows open and can still hear them. Nor can we sit peacefully in the garden. As this type of event only occurs once or twice a year we put up with it but for it to happen on a more regular basis will be unbearable.

Secondly, the parking problems. There is just not enough parking areas for traffic attending events now. Although the council has provided yellow lines on the opposite side of the road to our house this has resulted in even more people parking on our side of the road and blocking visibility for us and our neighbours coming out of our drive. The junction of orris Lane, Spen Lane and Abbey walk is a notorious black spot for accidents, probably because traffic coming down Spen Lane, after negotiating the mini roundabout at the railway bridge, tend to speed up as they travel round the bend which prevents them seeing traffic waiting to turn right and definitely not seeing us trying to get out of our drive. It is dangerous in normal situations and we have had several near misses. It is increasingly dangerous for us when cars park on either side of our drive as it means traffic from both directions have only one side of the road to drive on. We have to edge out so carefully as we cannot see cars coming down Spen Lane in particular and have to hope they see our car nudging out before they hit us! It really needs double yellow lines on our side of the road from the entrance to Kepstorn close and the end of our cottages at least. And this is only once or twice a month, a hazard which will only increase with more events.

Thirdly, anti-social behavior. For example, drunks shouting and screaming as they walk home and litter dropping –plus, on one occasion we caught someone urinating against the hedge in our drive, causing stains, who then got into the car at the side of the drive.

May I say the long term residents of this area of Kirkstall are getting a raw deal these days. Commendable though it is to provide entertainment surely there are more suitable venues which will not affect the local residents. We have increasing number of

days when local roads are closed forcing us to take longer circuitous routes to get where we want, ie a 5 minute trip to Bramley took 40 minutes .

Lastly, events on a regular basis like the ones proposed, with the attendant problems which I have mentioned will really affect the value of property in the area detrimentally.

So please do not grant this licence which seems a good idea to people who can pack up and go home, but not to people who have to live with it. If you want to know what it is like I am willing to park my car at the end of your drive and play my radio full blast with the windows open for 8-12 hours.

Thank You

Yours



2


ENTERTAINMENT LICENSING

31 JUL 2018

RECEIVED

Dear Sirs

When walking round Kirkstall Abbey today, I was horrified to read of the planned alterations "being proposed" to the currently beautiful and peaceful Abbey. No objections to the craft/deli fair and 'occasional' shows now becoming more frequent - other entertainments.

However what is being planned is truly a nightmare - almost turning the Abbey into a theme park.

Not only is this going to cause more traffic problems on the already fairly congested A65, causing

PREM/04205/001 CD

more traffic, pollution but this plan will mean the Abbey will show signs of becoming over stressed by overuse, this is already becoming apparent in summer; plus the attendant vandalism & damaging "plastic" litter. We are all being urged to care for the environment & papers are constantly warning of the disaster of holding large rock concerts - Glastonbury etc - & the detrimental effect on the countryside & wildlife


However what with the Burby Rugby club recent pitch improvement & the refurbishment of the Keeper Gate pub nearby who are no doubt hoping for this planning application

---

to go thru, it already looks as if the deal is "in the bag" so to speak.

Let's just hope more people will express their own concerns of this extremely working proposal.

Yours sincerely



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## Issued premises licences and club certificates within an area

### **PREM/02271/020 - Kirkstall Abbey, Abbey Road, Kirkstall, Leeds, LS5 3EQ**

Sale by retail of alcohol	
Monday to Saturday	10:00 - 23:00
Sunday	12:00 - 22:30
Provision of late night refreshment	
Every Day	23:00 - 01:00
Performance of a play	
Every Day	08:00 - 23:00
Exhibition of a film	
Every Day	08:00 - 23:00
Indoor sporting events	
Every Day	08:00 - 23:00
Boxing or wrestling entertainment	
Every Day	08:00 - 23:00
Performance of live music	
Every Day	08:00 - 23:00
Performance of recorded music	
Every Day	08:00 - 23:00
Performance of dance	
Every Day	08:00 - 23:00
Entertainment similar to live music, recorded music or dance	
Every Day	08:00 - 23:00

### **PREM/02456/003 - Abbey House Cafe, Abbey Walk, Kirkstall, Leeds, LS5 3EH**

Sale by retail of alcohol	
Every Day	11:00 - 23:30
Provision of late night refreshment	
Every Day	23:00 - 00:00
Performance of a play	
Every Day	07:00 - 00:00
Exhibition of a film	
Every Day	07:00 - 00:00
Performance of live music	
Every Day	07:00 - 00:00
Performance of recorded music	
Every Day	07:00 - 00:00
Performance of dance	
Every Day	07:00 - 00:00
Entertainment similar to live music, recorded music or dance	
Every Day	07:00 - 00:00

### **PREM/00154/015 - Vesper Gate, Abbey Road, Kirkstall, Leeds, LS5 3NG**

Sale by retail of alcohol	
Every Day	10:00 - 23:30
Provision of late night refreshment	
Every Day	23:00 - 23:30
Exhibition of a film	
Every Day	10:00 - 23:30

Indoor sporting events	
Every Day	10:00 - 23:30
Performance of recorded music	
Every Day	00:00 - 23:59

**PREM/01007 - General Store, 58 Queenswood Drive, Headingley, Leeds, LS6 3LG**

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

**PREM/00189 - Abbey House Museum, Abbey Walk, Kirkstall, Leeds, LS5 3EH**

Performance of live music (Norman Hall)	
Every Day	10:00 - 00:00
Performance of recorded music (Norman Hall)	
Every Day	10:00 - 00:00
Performance of dance (Norman Hall)	
Every Day	10:00 - 00:00
Entertainment similar to live music, recorded music or dance (Norman Hall)	
Every Day	10:00 - 00:00

**CPREM/00277 - Kirkstall Educational Cricket Club, Queenswood Drive, Headingley, Leeds, LS6 3HT**

Supply of alcohol	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of live music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of recorded music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Entertainment similar to live music, recorded music or dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

**CPREM/00089 - Burley RUFC, Abbey Road, Kirkstall, Leeds, LS5 3NG**

Sale by retail of alcohol	
Sunday	12:00 - 00:00
Supply of alcohol	
Monday to Saturday	11:00 - 00:00
Indoor sporting events	
Every Day	12:00 - 00:00
Performance of live music	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of recorded music	
Monday to Saturday	11:00 - 00:00
Sunday	12:00 - 00:00
Performance of dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

Entertainment similar to live music, recorded music or dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

**CPREM/00043/V01 - Queenswood Social Club, 77 Queenswood Drive, Headingley, Leeds, LS6 3HT**

Supply of alcohol	
Monday to Saturday	11:00 - 00:00
Sunday	11:00 - 23:00
Indoor sporting events	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Performance of live music	
Monday to Saturday	11:00 - 00:00
Sunday	11:00 - 23:00
Performance of recorded music	
Monday to Saturday	11:00 - 00:00
Sunday	11:00 - 23:00
Performance of dance	
Monday to Saturday	11:00 - 00:00
Sunday	11:00 - 23:00
Entertainment similar to live music, recorded music or dance	
Monday to Saturday	11:00 - 00:00
Sunday	11:00 - 23:00

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**Report author: Mr Matthew Nelson**  
**0113 378 5029**

**Report of the Chief Officer of Elections and Regulatory Services**

**Report to the Licensing Sub Committee**

**Date: Tuesday 21st August 2018**

**Subject: Application to Vary a Premises Licence held by Upstairs Bar, 28 - 32 Bridge End, Leeds, LS1 4DJ**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hunslet & Riverside		
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 Industrial Brewing Co Ltd in respect of Upstairs Bar, 28 - 32 Bridge End, Leeds, LS1 4DJ.

This application is made to allow the premises to authorise alcohol sales for consumption off the premises in addition to the already permitted consumption of alcohol on the premises. The application explains that is to allow patrons to take their drinks off the premises and consume them in the external area/beer garden only.

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

The application has attracted representations from West Yorkshire Police and a freehold proprietor of an adjacent property.

The representation by West Yorkshire Police suggested a single measure that was promptly agreed by the applicant. The representation on behalf of the freehold proprietor remains outstanding and a matter for members to consider.

## **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 representations.

## **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 Environmental Protection Team offering 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 above agreements.
- 2.4 An application for a minor variation was made by the applicant on the 11<sup>th</sup> July 2017 which proposed to authorise the sale of alcohol for consumption off the premises. The application on that occasion also attracted representations from both a local freehold proprietor and additionally a taxi firm expressing concerns regarding public safety and public nuisance.
- 2.5 Having carefully considered the application and the contents of each representation, the Licensing Authority felt that the application contains insufficient information on how the licensing objectives would be upheld resulting in the application being rejected entirely. This has led to the licence holder submitting the proposal under a full variation process in anticipation of it attracting further representations and the opportunity to have the application determined by a licensing sub-committee.
- 2.6 A copy of the current premises licence details can be found at Appendix A.

## **3 The Application**

- 3.1 The applicant is Industrial Brewing Co Ltd.
- 3.2 Briefly the application is to:
  - Add the retail by sale of alcohol for consumption off the premises in order to allow patrons to use the external area/beer garden. The application also mentions that use of the external area will be between 12:00 until 21:00 hours Monday to Sunday.
  - Members should note that the premises licence holder has recently made several applications for TENs to utilise the external area and Local Licensing Authority has not received any complaints/correspondence specific to these events.

## **4 The Operating Schedule**

- 4.1 The applicant considers that the existing measures are sufficient to promote the licensing objectives and 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 in their capacity as a responsible authority. The representation suggested an additional measure regarding the use of glassware during high risk events which was promptly agreed by the applicant. A copy of the representation and agreement can be found at Appendix C.

### Other Representations

- 6.3 The application has attracted a representation from the freehold proprietor of an adjacent property with concerns regarding crime and disorder, public safety and public nuisance. Member's attention is drawn to a copy of the representation at Appendix D of this report.
- 6.4 Following submission of the above representation, the Director of Industrial Brewing Co Ltd has liaised with the objector's representative in order to provide further information and facilitate an agreement. The representative has responded and confirmed their client's intention is to proceed with the objection.
- 6.5 A copy of the supplementary information along with objector's response is attached to this report at Appendix E.
- 6.6 In order to protect personal data all details in relation to the other party's representation/supplementary information has been redacted. Original copies will be available at the hearing for Members to consider.

## **7 Equality and Diversity Implications**

- 7.1 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.

## **8 Options Available to Members**

8.1 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.
- Reject whole or part of the application.

8.2 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.

## **9 Background papers**

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

## Details of premises licence

For: Upstairs Bar



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

**Licence number:** PREM/03625/009

**Premises the licence relates to:** Upstairs Bar, 28 - 32 Bridge End, Leeds, LS1 4DJ

**Date licence first effective:** 26th June 2015

**Date current version effective from:** 14th November 2017

### Licensable activities authorised by the licence:

Sale by retail of alcohol	
Every Day	11:00 - 01:00

Performance of recorded music	
Every Day	11:00 - 01:00

Entertainment similar to live music, recorded music or dance	
Every Day	11:00 - 01:00

### Opening hours of the premises:

Everyday	10:00 - 01:30
----------	---------------

### Premises licence holder(s):

Industrial Brewing Co Ltd, 28-32 Bridge End, Leeds, LS1 4DJ

### Designated premises supervisor:

Xenios Georgiou

### 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 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.
7. 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.





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 cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.
25. 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.
26. The CCTV system will contain the correct time and date stamp information.
27. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
28. 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.
29. 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.
30. The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
31. 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.
32. It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.
33. 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.
34. 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.
35. 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.
36. 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.
37. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.

38. 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.
39. 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.

### **Public safety**

40. 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.
41. 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.
42. During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.
43. 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.
44. The Premises Licence holder will not allow the sale or supply of 'Legal Highs' on the premises.
45. Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
46. 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.
47. One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:
  - a) Each socket-outlet circuit will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or
  - b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

The current operation of all residual current devices 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.
48. 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.
49. 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.
50. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
51. The premises have a current Fire Risk Assessment.

52. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.
53. A suitably trained First Aider or appointed person will be provided at all times when the premises are open.
54. Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.
55. 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.
56. The maximum capacity of 300 will be clearly displayed with the maximum capacity for each separate floor space (ground and basement) clearly displayed.

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

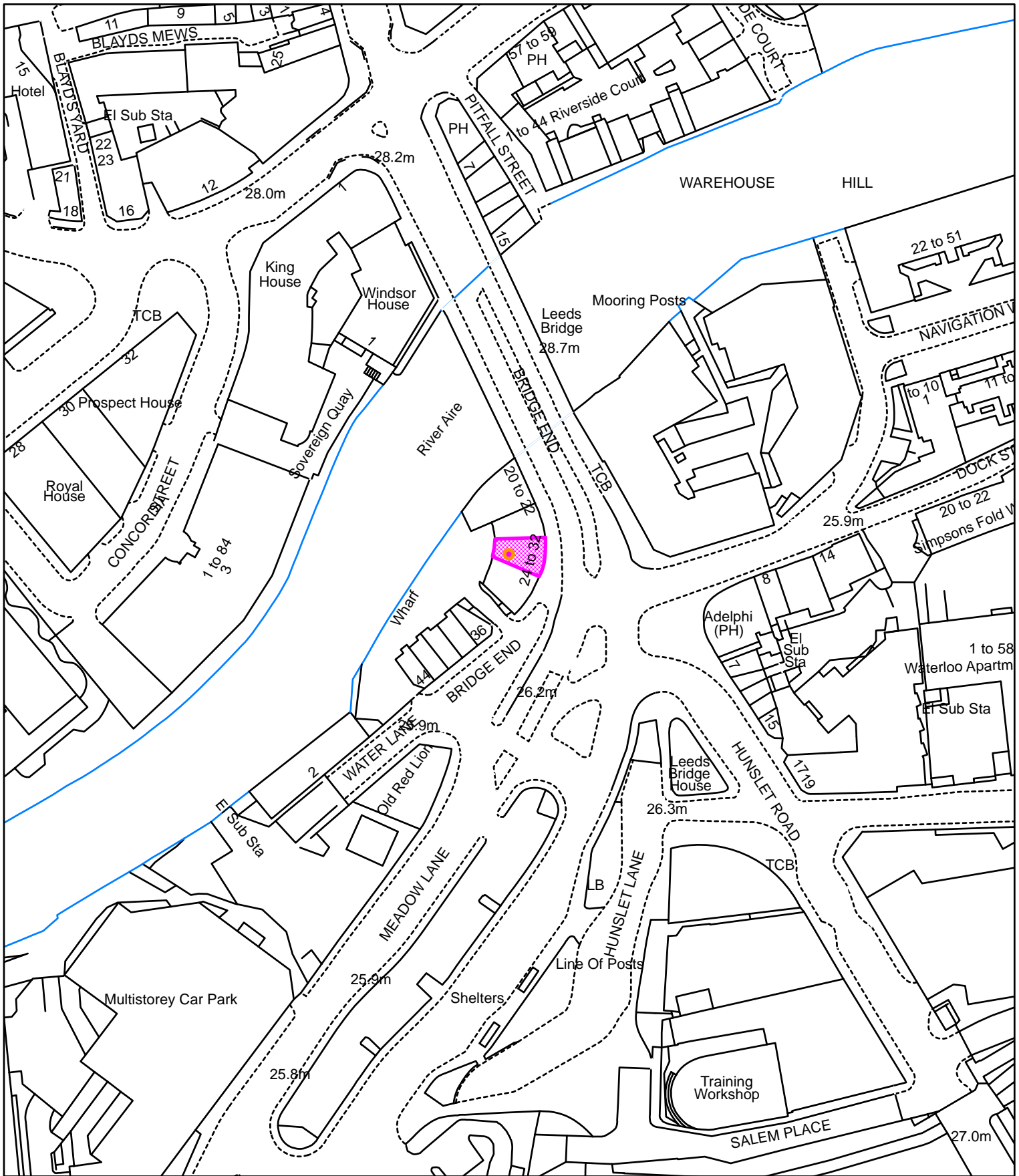
57. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent nuisance to adjoining properties.
58. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises after 23.00 hours until the commencement of permitted hours the following day.
59. There shall be no external loudspeakers.
60. Bottles will not be placed in any external receptacle between 23.00 hours and 07.00 hours the following day to minimise noise disturbance to neighbouring properties.
61. Noise from plant or machinery shall not cause a nuisance 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.
62. The activities of persons using the external areas shall be monitored after 23.00 hours and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.
63. 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.
64. Clear and legible notices will be displayed at exits and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.
65. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
66. 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.
67. Windows and doors will be closed after 21:00 hours every evening to limit disturbance during regulated entertainment.

### **Protection of children from harm**

68. People under 18 years of age will not be admitted.
69. Proof of age - the premises will operate a challenge 25 system.

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

None

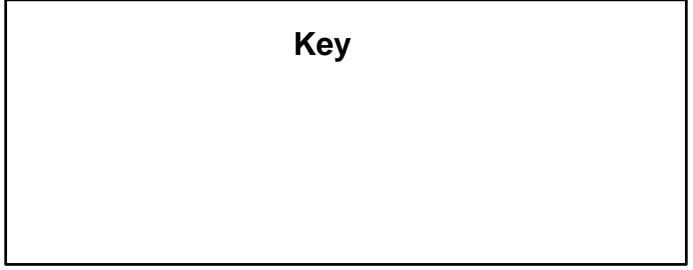


This map is based upon the Ordnance Survey's digital data with the permission of the Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office

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**NOT PROTECTIVELY MARKED**  
**Leeds District Licensing**



**Department** ENTERTAINMENT LICENSING

19 JUL 2018  
 RECEIVED

Your ref: \_\_\_\_\_  
 Our ref: \_\_\_\_\_

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

Tel: [REDACTED]  
 Email: [REDACTED]

17<sup>th</sup> July 2018

Industrial Brewing Co Ltd  
 c/o 24-32, Bridge End  
 Leeds  
 LS1 4DJ

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

**RE: UPSTAIRS DOWNSTAIRS, 24-32, BRIDGE END, LEEDS, LS1 4DJ  
 APPLICATION TO VARY A PREMISES LICENCE – LICENSING ACT 2003:  
 POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for the above premises, received at the address above.

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**

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:-

**UPSTAIRS DOWNSTAIRS  
24-32, BRIDGE END  
LEEDS  
LS1 4DJ**

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:**

- Where high category football matches are played in Leeds, or other events taking place are deemed high risk, and the Police have reasonable held concerns relating to public disorder connected with the football or the events, no glassware will be allowed in the external area to the rear of the premises.

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

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

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

 Cath Arkle  
Leeds District Licensing Officer

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

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

**NOT PROTECTIVELY MARKED**



Name & Address of Premises:

**UPSTAIRS DOWNSTAIRS  
24-32, BRIDGE END  
LEEDS  
LS1 4DJ**

I / We ..... Industrial Brewing Co Ltd .....

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

In signing this document-:

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

**Signed:**



**Dated:**

18/07/2018

**NOT PROTECTIVELY MARKED**

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Your Ref:

Our Ref: [REDACTED]

Date: 19 July 2018

The Entertaining Licensing Section  
Leeds City Council  
Civic Hall  
Leeds  
LS1 11UR

**BY E-MAIL ONLY**

Dear Sirs

**Our client: [REDACTED]**  
**Re: Industrial Brewing Co Limited /Xenios Georgiou**  
**Objection to Application to vary a Premises Licence**  
**Premises Licence Number PREM/03625/007**

We write in response to the above matter and the Application under reference number PREM/03625/010 dated 22<sup>nd</sup> June 2018.

We are instructed by [REDACTED], the freehold proprietors of [REDACTED]. Our clients' property is adjacent to the building known as [REDACTED].

To the rear of 20-32 Bridge End lies an area of land known as the "rear yard". This land is subject to a right of way for the benefit of our clients. This right of way has caused considerable issues for our clients in the past which culminated in Court proceedings against the previous proprietor of the bar premises at 24-32 Bridge End.

An Order was made in Leeds County Court on 3<sup>rd</sup> September 2002 that, provided amongst other things, that the rear yard would be left open for use [REDACTED] and that the then proprietor of the bar premises would not obstruct or interfere with our clients' right of way over the yard at the rear of and adjacent to the properties at 20-32 Bridge End, Leeds.

Despite recent correspondence to the proprietor of Upstairs and Downstairs, Xenios Georgiou our clients continue to suffer obstruction and interference of the right of way due to the parking of vehicles owned or under the control of the proprietor of the bar or their employees. For the past few weeks the proprietor has had a car on the right of way permanently for 24 hours. We intend to take out a separate action against him on this matter.

The Application herein seeks, in very general terms, the variation of the existing premises licence "*to allow the patrons to utilise the outside area*". The "*outside area*" is not defined nor identified within the Application nor is there, within the rear yard or surrounding premises any identifiable "*outside area*" which would be suitable for patrons to occupy.

Our clients reserve the right to object further once the Applicant identifies the location and extent of any outside area.

In any event, our clients object to the variation on the following grounds:-

1. Significant proportions of the properties located at Bridge End are used as office space and have been offices for a long period of time. It is simply not appropriate for there to be patrons consuming alcohol in the rear yard; this will undoubtedly cause more noise, leave more litter, and be more of a nuisance to our clients as well as other individuals who run businesses from this area. The rear yard continues to be used by our clients for access into the building as well as being an entrance for customers and employees who are visiting the premises and it is inconceivable to think that our clients will need to pass through crowds of patrons consuming alcohol in order to reach their office.
2. The rear yard is not an open unoccupied space as it contains a car park used by our clients and at least two other companies who have offices in the same area. In the interest of public safety, it would not be safe for patrons to consume alcohol in this area whilst cars are regularly moving to and from the parking spaces. Furthermore, there is the issue of damage to vehicles; be this from litter, glass bottles, or the patrons themselves. The vehicles parked in this area do not always belong to our clients, but can be visitor's cars. Not only does this pose an extra risk to customer's parking their cars in this area but it is uninviting and unprofessional if there are patrons crossing the car parking area and blocking the road. It is not practical or safe to expect a car park and a drinking area to be located in the same place.
3. There is also the River Aire behind the rear yard which poses a risk to patrons if they are able to wander freely and consume alcohol in this area. Thought must be given to the fact that it may not be the best location for a drinking area so close to the edge of the river which poses as a further risk, besides the car park, to patrons without proper segregation or enclosure.
4. There are also a number of residential units occupying the higher floors of the building at Bridge End. Patrons who are outside drinking in the rear yard will cause a disturbance to those who live in the flats above overlooking the rear yard and who are not accustomed to the level of noise which will occur if patrons are allowed to drink outside, especially those flats that are occupied by families with children who may be more susceptible to the nuisance caused by patrons being allowed to drink outside, or if children are allowed to be in the rear yard then there is a greater risk of underage drinking in this area or the risk of a child being hurt by a vehicle due to the close proximity of the car park.
5. As above, the rear yard is subject to a right of way for the benefit of our clients. Any "outside area" provided to patrons would need to have ready access to that area from the bar and then, presumably, would be offered tables and chairs or drink stands which would obstruct or our clients' access and use of the right of way. The patrons would also cause a hazard and blockage.

Please take into account the above considerations.

Yours faithfully

A black rectangular redaction box covering the signature of the sender.

**Nelson, Matthew**

---

**From:** [REDACTED]  
**Sent:** 22 July 2018 23:17  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Licence Variation 24-32 Bridge End  
**Attachments:** picture 1.JPG; picture 2.JPG; picture 3.JPG; picture 4.JPG; picture 5.JPG; picture 6.jpg; picture 7.jpg; picture 8.jpg; picture 9.jpg; 17721-01.pdf

Dear [REDACTED],

I recently received a redacted representation from Leeds City council entertainment licensing, and by its content I deduced that it was sent by yourselves on behalf of [REDACTED].

I would like to resolve this amicably, so will briefly outline my case:

1. [REDACTED] has a 12 foot wide "right of way" at the rear of 24-32 Bridge end, this does not entitle him to park his car, his secretary's car, his work men's vans, his clients cars, have a skip there from 27<sup>th</sup> March to 8<sup>th</sup> May, or to use as a bin store. (photos 1 to 5)
2. [REDACTED] has written to the court in the case between [REDACTED] stating that he owns the parking area behind 24-32 Bridge end. The case was dismissed based on the fact that [REDACTED] clearly does not own the land (photos 6-9)
3. I have been using part of the car parking as a licensed beer garden, using Temporary Event Notices, for several weekends without encroaching on [REDACTED] access, or causing an other nuisance (photo 10)
4. The proposed beer garden will not encroach on [REDACTED] access see PDF.

I do not wish to take this further, and in the interests of compromise I am happy to allow [REDACTED] to continue storing his bins in the parking area in exchange for him to withdraw his objection.

Should you require any futher information please do not hesitate to contact me,

Kind regards;

[REDACTED]









RD  
group.co



SKIP will be  
~~collected this afternoon~~  
moved Thursday  
2/5/18  
Before 12 noon  
(sorry drive delayed)

PLEASE WOULD YOU LEAVE  
ACCESS CLEAR FOR THE LORRY?  
THANK YOU

SKIP will  
~~be collected this afternoon~~  
moved Thursday  
2.5.18.

(sorry drive delayed)

PLEASE WOULD YOU LEAVE  
ACCESS CLEAR FOR THE LORRY?  
THANK YOU









BETWEEN

[REDACTED]

Claimant

V

[REDACTED]

Defendant

---

Witness Statement

---

I, [REDACTED] of 20-22 Bridge End, Leeds, LS1 4DJ, will say as follows:

1. I am a Chartered Accountant and a Director of [REDACTED] and [REDACTED].  
[REDACTED] The offices are situated at Bridge End, Leeds, which includes the Car Park adjacent to the buildings. I enclosed confirmation by way of a Companies House search.
2. Due to a recent Trinity Centre opening nearby our offices I have noticed an increase in random vehicles parking on my land preventing myself and my employees from parking their vehicles. As such, we contracted with the Claimant to provide a Car Parking Enforcement service on the land known as Bridge End, Leeds.
3. This entailed the Claimant erecting several warning notices informing any motorists that the land was private and that parking was restricted to authorised permit holders only. If an unauthorised vehicle was identified parking on the land the Claimant was contacted to attend the Car Park and issue and enforce the Terms and Conditions.
4. The authority is contained in an agreement dated the 26 June 2008. The Claimant is authorised to issue Parking Charge Notices where vehicles are parked on site in a manner not permitted under the Terms and Conditions. The Terms and Conditions are clearly set out on the signage at the site,

5. The Claimant is authorised to pursue and retain all outstanding Parking Charge Notices, at its discretion, by way of debt recovery and/or court action. All revenue derived from the Parking Charge Notices is the sole property of the Claimant for stemming the costs of this service at their own expense.

**STATEMENT OF TRUTH**

I believe the contents of this witness statement are true

Date 13-4-17.

Sign. 



**VEHICLE CONTROL SERVICES LIMITED**  
**BOUNDARY PLANS AND SITE INSTRUCTIONS**

CONTRACT No: 1991/VCS/ndh

COST CENTRE No: V01123

CONTACT NAME: [REDACTED]

CONTRACT PERIOD: From: 01/07/08  
To: 30/06/09

TEL No: 0113 245 0268

FAX No: N/A

E - MAIL: N/A

WEB SITE: N/A

CAR PARK ADDRESS: Bridge End, Leeds, LS1 4DJ

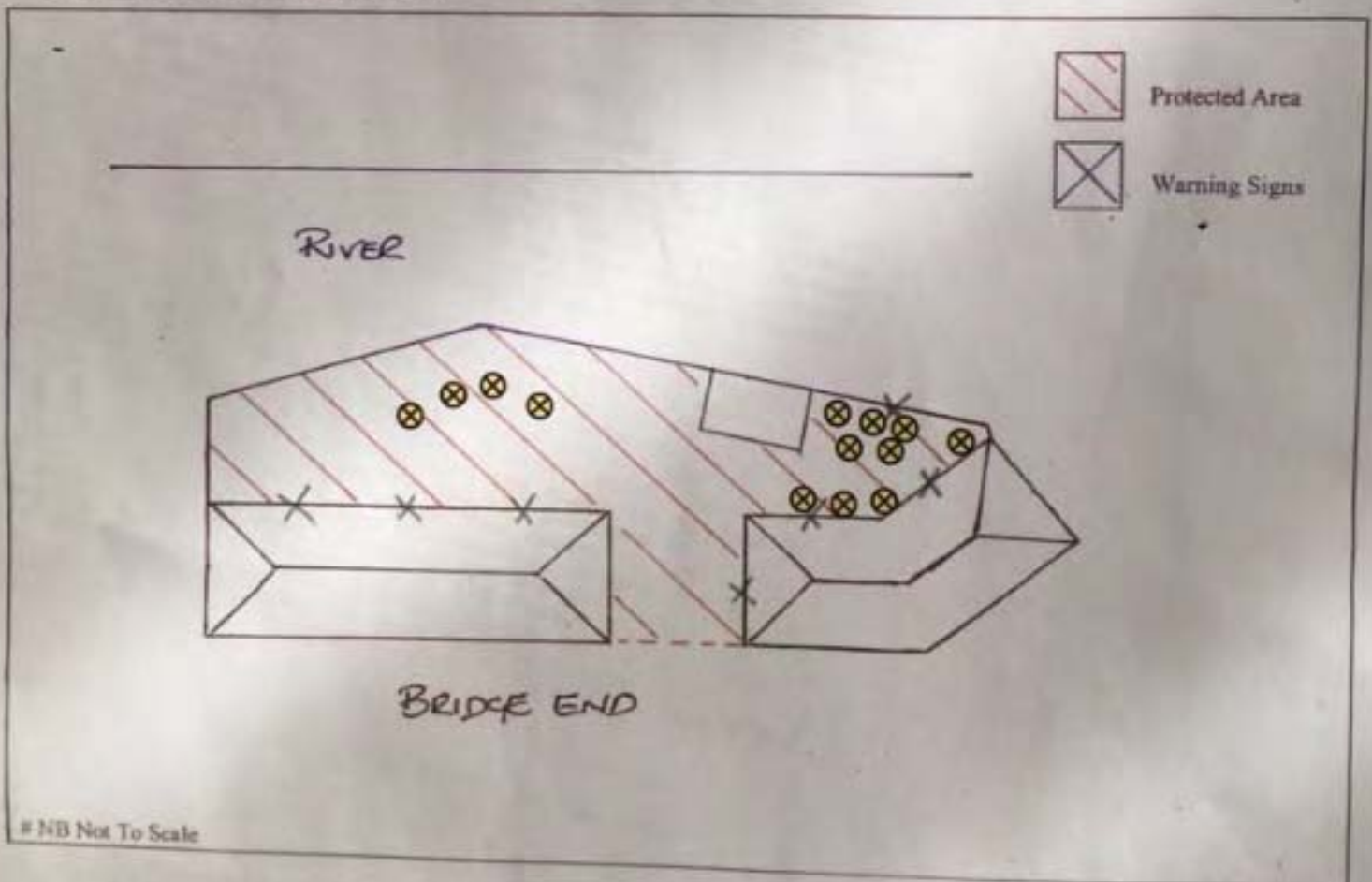
No. OF CAR PARK SPACES: Unknown

No. OF SIGNS: 7 (Seven)

HOURS OF SERVICE: 24 Hours ~ 7 Days per Week

SPECIAL INSTRUCTIONS: Authorised Users Only / Enforce Only on Client Request.

**MAP OF CAR PARK & SIGNS:**



**I FULLY AGREE TO THE ABOVE INSTRUCTIONS LAID DOWN HEREIN AND CAN CONFIRM THAT THIS IS A TRUE EXAMPLE OF OUR LAWFUL SITE BOUNDARIES.**

AUTHORISED TO SIGN FOR AND ON BEHALF OF: WINE & CO.

SIGNATURE

POSITION

DATE

BRANCH / TEAM

Claim Number	COQZ96J7
Date	10 May 2017



[REDACTED]	1 <sup>st</sup> Claimant Ref VC01464934
[REDACTED]	1 <sup>st</sup> Defendant Ref

Before Deputy District Judge Lord sitting at the County Court at Huddersfield, Queensgate House, Queensgate, Huddersfield, West Yorkshire, HD1 2RR.

Upon hearing the Defendant in person and hearing the Solicitor for the Claimant

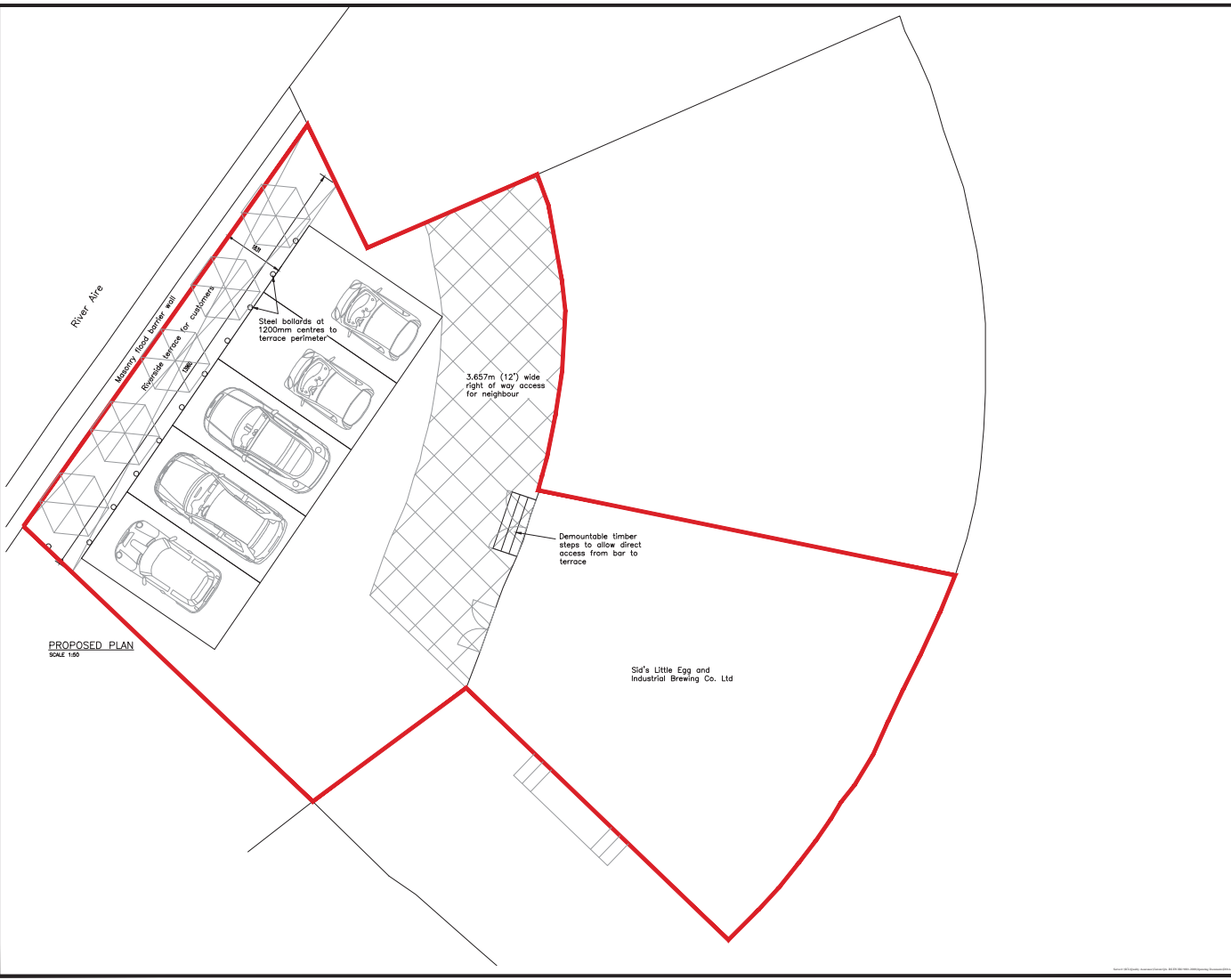
**IT IS ORDERED THAT**

1. The Claimant's Claim is dismissed.

Dated 10 May 2017

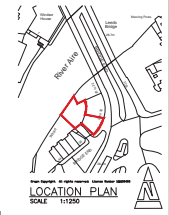






REVISIONS			
No.	Description	Date	By

- GENERAL NOTES:
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS & SPECIFICATIONS.
  2. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LATEST BUILDING REGULATIONS.
  3. ALL DIMENSIONS TO BE CHECKED ON SITE.
  4. ALL DIMENSIONS IN MILLIMETRES.
  5. DO NOT SCALE FROM THIS DRAWING.



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**CONSULTING CIVIL AND STRUCTURAL ENGINEERS**

PROPOSED RIVERSIDE TERRACE FOR CUSTOMERS AT INDUSTRIAL BREWING CO. LTD. 24-32 BRIDGE END LEEDS

PROPOSED PLAN	
SCALE	DATE
1:50, 1:250 @ A1	MAY 2017
1:500, 1:250 @ A2	DRAWN BY: HJS
	CHECKED BY: PSS
<b>SIMBA CONSULTANTS Ltd.</b>	
17 St. Martin Avenue	Leeds
LS2 7AD	West Yorkshire
Tel: 0113 262 3546	Fax: 0113 262 3762
Email: <a href="mailto:enquiries@simba.co.uk">enquiries@simba.co.uk</a>	Web: <a href="http://www.simbaconsultants.co.uk">www.simbaconsultants.co.uk</a>
DRAWING No.	REVISION
17721/01	-



**Nelson, Matthew**

---

**From:** [REDACTED]  
**Sent:** 24 July 2018 14:23  
**To:** Entertainment Licensing  
**Subject:** 75676.004/Upstairs Downstairs, 28-32 Bridge End Leeds LS1 4DJ  
**Attachments:** 10.pdf

Dear Sirs

We write further to our letter of objection dated 19<sup>th</sup> July 2018 in respect of the above matter.

We have heard directly from the Applicant following the deduction that the objection was filed by ourselves.

As set out in our letter dated 19<sup>th</sup> July 2018 we have not seen any plans or definition otherwise as to the “outside area” which the Applicant seeks to use for his patrons. The Applicant has subsequently submitted to us a copy of the attached plan along with the statement of “*the proposed beer garden will not encroach on [REDACTED] access see PDF*”. The PDF is the attached plan which is dated May 2017 and, we believe, was attached to the Applicant’s previous application to vary the Premises Licence submitted in 2017. That application was considered by yourselves and rejected.

The attached plan shows, that between the river and the five car parking spaces, a “riverside terrace for customers” which is to be divided by steel bollards. The plan also shows “demountable timber steps” to allow direct access from bar to terrace. This is shown adjacent to the premises but sits on the hatched area which is land over which our client enjoys a right of way as previously set out.

Our client’s objections remain and we should be grateful if you could take the above issues in to consideration.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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