

LICENSING SUB-COMMITTEE

**MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 16TH OCTOBER, 2018 AT 10.00 AM**

MEMBERSHIP**Councillors**

G Harper - Little London and Woodhouse;
G Wilkinson - Wetherby;
Member to be confirmed

A G E N D A

Item No	Ward	Item Not Open		Page No
2			<p><u>PRELIMINARY PROCEDURES</u></p> <p>ELECTION OF THE CHAIR</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

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

Item No	Ward	Item Not Open		Page No
5			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><u>HEARINGS</u></p>	
6	Rothwell		<p>APPLICATION TO VARY A PREMISES LICENCE HELD BY DELI 46, 46 CARLTON LANE, ROTHWELL, LEEDS, LS26 0DJ</p> <p>To receive and consider the attached report of the Chief Officer, Elections and Regulatory</p> <p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	1 - 44



Report author: **Mr Shaam Amin**
0113 378 5029

Report of the Head of Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 16th October 2018

Subject: Application to vary a premises licence held by Deli 46, 46 Carlton Lane, Rothwell, Leeds, LS26 0DJ

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

Summary of main issues

This is an application to vary a premises licence, made by Mr Atabak Karvani Dilmaghani, for Deli 46 46 Carlton Lane, Rothwell, Leeds, LS26 0DJ

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

The application has attracted representations from other persons.

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 The premises was a shop offering groceries and off sales of alcohol. The premises licence was transferred July 2018 into the name of the current premises licence holder.
- 2.2 A copy of the existing licence is attached at Appendix A.

3 The application

- 3.1 The applicant is Mr Atabak Karvani Dilmaghani,
- 3.2 Briefly the application is to:
 - Add sale of alcohol for on sales - Sunday to Thursday - 12:00 until 22:00 Friday & Saturday - 12:00 until 23:00
 - Add recorded music - Sunday to Thursday - 09:00 until 22:00 Friday & Saturday - 09:00 until 23:00
 - Vary the plans of the premises to outline its refurbishments from a shop to a café/deli
 - Add control measures from the pro forma risk assessment to promote the licensing objectives

4 The operating schedule

- 4.1 The applicant proposes to promote the licensing objectives by taking the additional steps identified in the application form and pro forma risk assessment which is attached at Appendix B.

5 Location

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

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 There have been no representations from responsible authorities.

Other representations

6.3 The application has attracted representations from members of the public (described as 'other persons' in the legislation).

6.4 Entertainment Licensing is in receipt of four individual letters of objection including two letters from the ward councilors, all of which are opposed to this application on the grounds of public nuisance & public safety.

6.5 In order to protect personal data, redacted copies of the representations are attached at Appendix D. 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 for 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. 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 impact on the licensing objectives.

7.3 There are no licensed premises in the vicinity therefore a list of nearby premises cannot be included.

8 Equality and diversity implications

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

9 Options available to Members

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

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

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

10 Background papers

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

Premises Licence**Appendix A****Part A Schedule 12 Licensing Act 2003****Part 1 – Premises Details****Postal address of premises, or if none, ordnance survey map reference or description**

Value Stores, 46 Carlton Lane, Rothwell, Leeds, LS26 0DJ

Licensable activities authorised by this licence

Sale by retail of alcohol

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

Opening hours of the premises

The hours of licensable activities for the premises are as above. There are no regulated opening hours for non-licensable activities.

Alcohol is sold for consumption off the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Mr Atabak Karvani Dilmaghani



Daytime Contact Telephone Number:



Current Email Address:



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

Mr Atabak Karvani Dilmaghani



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

Personal licence number: [REDACTED]

Licensing authority: [REDACTED]

Licence issued under the authority of Leeds City Council



Miss Jane Wood
Licensing Officer
Entertainment Licensing
Elections, Licensing and Registration

Annex 1 – Mandatory Conditions

1. No supply of alcohol may be made under this licence
 - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
 - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

- a. a holographic mark, or
 - b. an ultraviolet feature.
4. 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.

Embedded restrictions

5. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

6. The above restrictions do not prohibit:

- a. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- b. the sale of alcohol to a trader or club for the purposes of the trade or club;

7. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating schedule

None

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

None

Annex 4 – Plans

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

PREM/00865/004

Appendix B SA



PREM7

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

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **ATABAK KARVANI DILMAGHANI** (insert name(s) of applicant)
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description

46 CARLTON LANE

Post town

ROTHWELL

Post code

LS26 0DJ

Telephone number of premises (if any)

Non domestic rateable value of premises

£

Part 2 – Applicant Details

Daytime contact telephone number

Email address (optional)

Current postal address if different from premises address

Post Town

Postcode

Part 3 - Variation

Please tick as appropriate

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

Yes ☒ No ☐

If not, from what date do you want the variation to take effect?

Day	Month	Year

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes ☐ No ☒

Please describe briefly the nature of the proposed variation (please read guidance note 2)

SMALL COFFEE BAR IDEAL
SPECIALISING IN COFFEES, JUICES, A SELECTION
OF SANDWICHES AND A RANGE OF WINES AND
PROSECCOS

WE WILL BE OPEN 7 DAYS A WEEK.

SUNDAY - THURSDAY 9 00 - 22 00

FRIDAY + SATURDAY 9 00 - 23 00

OUTDOOR PRIVATE SEATING AREA (THE BALCONY,
NEXT TO THE ENTRANCE)

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

--

Part 4 - Operating Schedule

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

Please tick all that apply

Provision of regulated entertainment

- | | | |
|----|--|-------------------------------------|
| a) | play (if ticking yes fill in box A) | <input type="checkbox"/> |
| b) | films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) | indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) | boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) | live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) | recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) | performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) | anything of a similar description to that falling within (e) (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

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

Sale by retail of alcohol (if ticking yes fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for performing play (please read guidance note 6)		
Fri					
Sat					
Sun					
			Non standard timings Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left please list (please read guidance note 7)		

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of a films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Fri					
Sat					
Sun					
			Non standard timings Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left please list (please read guidance note 7)		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			
Fri			Non standard timings Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 7)
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left please list (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 6)		
Fri					
Sat					
Sun					
			Non standard timings Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left please list. (Please read guidance note 7)		

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5) MINIMAL BACKGROUND MUSIC UNAMPLIFIED		
Mon	9 00	22 00			
Tue	9 00	22 00			
Wed	9 00	22 00			
Thur	9 00	22 00	State any seasonal variations for the playing of recorded music (please read guidance note 6) N/A		
Fri	9 00	23 00			
Sat	9 00	23 00			
Sun	9 00	22 00			
			Non standard timings Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left please list (please read guidance note 7) N/A		

G

Performance of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri					
Sat			Non standard timings Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 7)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
			Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the entertainment of a similar description to that falling within (e) (f) or (g) (please read guidance note 6)		
Thur					
Fri					
Sat			Non standard timings Where you intend to use the premises for the entertainment of a similar description to that falling within e) f) or g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Fn					
Sat					
Sun					
			Non standard timings Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 7)		

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for providing dancing facilities (please read guidance note 6)		
Mon	12 00	22 00			
Tue	12 00	22 00			
Wed	12 00	22 00			
Thur	12 00	22 00	Non standard timings Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	12 00	23 00			
Sat	12 00	23 00			
Sun	12 00	22 00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

THERE WILL BE NO ACTIVITIES HARMFUL TO CHILDREN
 I E NO FILMS GAMBLING / LIVE ACTS
 ALL MUSIC IS PICKED TO ENSURE IT IS SUITABLE

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	9 00	22 00	N/A
Tue	9 00	22 00	
Wed	9 00	22 00	
Thur	9 00	22 00	Non standard timings Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 7) N/A
Fri	9 00	23 00	
Sat	9 00	23 00	
Sun	9 00	23 00	

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

CURRENTLY THE ADDRESS IS AN OFF LICENSE,
I WANT TO BE ABLE TO CHANGE THE LICENSE
TO ALLOW FOR THE SALE AND CONSUMPTION
OF ALCOHOL ON THE PREMISES

Please tick ✓ yes

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

☒
☐

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

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

M

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

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 11)

OUR DRINKS WILL BE KEPT OUT OF CUSTOMERS REACH

b) The prevention of crime and disorder

CCTV IS IN FULL SERVICE THE SALE OF ALCOHOL WILL BE MONITERED AND REFUSED TO ANYONE WHO MAY BE TOO INTOXICATED AND/OR DANGEROUS

c) Public safety

CCTV IN OPERATION INSIDE AND OUTSIDE WE RETAIN THE RIGHT TO REMOVE ANYONE DISORDERLY THERE WILL ALWAYS BE SOMEONE FIRST AID TRAINED ON SITE

d) The prevention of public nuisance

WASTE BINS ARE LOCATED BEHIND THE BUILDING AND ARE EMPTIED REGULARLY ANYONE ACTING DISORDERLY WILL BE REMOVED IMMEDIATLY

e) The protection of children from harm

WE WILL FULLY OPERATE 'CHALLENGE 25' AND ID'S WILL BE CHECKED REGULARLY

- Please tick ✓ Yes
- I have made or enclosed payment of the fee or ☒
 - I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
 - I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
 - I understand that I must now advertise my application ☒
 - I have enclosed the premises licence or relevant part of it or explanation ☒
 - I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (See guidance note 13) **If signing on behalf of the applicant please state in what capacity**

Signature

Date

22/08/18

Capacity

CURRENT PREMISES LICENCE HOLDER

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14) **If signing on behalf of the applicant please state in what capacity**

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town

Post code

Telephone number (if any)

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

Licensing Act 2003

ENTERTAINMENT LICENSING

Proforma Risk Assessment V7



24 AUG 2018

RECEIVED

Please complete the details below

Applicant name	ATABAK KARVANI, DILMAGHANI
Business name	DELI 46
Business address	46 CARLTON LANE ROTHWELL
Postcode	LS26 0DJ

Guidance about this document

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

How to use this document

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

Crime and Disorder

CCTV

Does the premises have CCTV?	YES <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 checked="" type="checkbox"/> NO <input 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 at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises	7PF001	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises	7PF003	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
The CCTV system will contain the correct time and date stamp information	7PF007	<input checked="" type="checkbox"/>
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality	7PF008	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>

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

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES <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 type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Are they Security Industry Authority (SIA) registered?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you specify a minimum number of door supervisors?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES, state the number of staff _____	
Days (and times) employed _____	
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a policy with the door supervisor or security company which covers	
• Vetting customers entering the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Is there a prominently displayed written search policy on the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Controlling customers entering, within or leaving the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Safeguarding the public within and immediately outside the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Notifying WYP at the earliest opportunity of any problems or incidents?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Exclusion of persons who have had too much to drink or appear inclined to disorder?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Daily Record Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Can you identify who was on duty at any particular time?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have an Incident Report Register?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Incident Report Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>

Suggested measures	Code	✓
The minimum number of door supervisors for the premises is _____ Please specify days and hours door supervisors operate on the premises	7PF018	n/a
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	n/a
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	n/a
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry	7PF021	n/a
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises	7PF022	n/a
The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises	7PF023	n/a

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	n/a
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer	7PF025	n/a

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 checked="" type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Does the policy include	
• recording any search	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• informing the police of any search and seizure	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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

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 <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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	n/a
Such communication link will be kept in working order at all times when licensable activities are taking place	7PF031	n/a
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	n/a
Any police instructions or directions given via the link will be complied with whenever given	7PF033	n/a
All incidents of crime or disorder will be reported via the link to an agreed police contact point	7PF034	n/a

Responsible Sale of Alcohol

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you take steps to prevent glasses/bottles being removed from the premises, e g instruction to door/bar staff, display of notices?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Alcohol Designated Public Places Orders</u>	
If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises	7PF035	✓
or		
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises	7PF036	✓
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises	7PF037	✓
or		
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises	7PF038	✓
<u>Glass and Bottles</u> Drinks, open bottles and glasses will not be taken from the premises at any time Empty bottles and glasses will be collected regularly and promptly Glass and other sharp objects will be stored and disposed of safely using suitable receptacles Receptacles will be secured and not accessible to the customers	7PF039	✓
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises	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	✓

Membership of a Recognised Body 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"/>
Exclusion from Premises Do you operate a system of excluding customers who are known to cause problems? If YES <ul style="list-style-type: none"> 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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Dispersal Policy 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	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Was this agreed with WYP (and BTP where applicable)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Are all bar and door staff trained on the policy?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" 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	n/a
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	n/a

Is your premises predominantly a restaurant? 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.	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
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Suggested measures	Code	✓
The premises shall be and remain predominantly food led	7PF046	n/a
An agreed number of covers will be maintained at all times the premises are operating. The number of covers will be _____	7PF047	n/a
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	n/a
Waiter/waitress service will be in operation throughout the premises in relation to orders for food and/or alcohol	7PF049	n/a
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	n/a

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

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" 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	n/a ✓
Price lists will be clearly displayed at each table and at each entrance to the premises	7PF052	n/a ✓
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	n/a ✓
Any person on the premises who can be observed from outside the premises will be properly and decently dressed	7PF054	n/a ✓
Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence	7PF055	n/a ✓
Relevant entertainment will only be performed by the entertainer There must be no audience participation There must be no physical contact between entertainers	7PF056	n/a ✓
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	n/a ✓
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	n/a ✓
Sex toys must not be used and penetration of the genital area by any means must not take place	7PF059	n/a ✓
Customers will not be permitted to throw money at the entertainers	7PF060	n/a ✓
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	n/a ✓
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	n/a ✓

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	✓
A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.	7PF066	✓
The Premises Licence holder will not allow the sale or supply of 'Legal Highs' on the premises.	7PF067	✓
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	7PF068	✓
Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept and made available at the request of an authorised officer. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.	7PF069	✓
<p>One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models</p> <p>a) Each socket-outlet circuit will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or</p> <p>b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA</p> <p>The current operation of all residual current devices will be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>	7PF070	✓

General Housekeeping

Do you have written procedures for the inspection of

- Furnishings and fabrics
- Suspended decorations/lights/amplification systems
- Guarding to stairs/balconies/landings/ramps
- Condition of floor surfaces
- Provision of safety glazing

YES ☒ NO ☐ N/A ☐

YES ☒ NO ☐ N/A ☐

YES ☒ NO ☐ N/A ☐

YES ☒ NO ☐ N/A ☐

YES ☒ NO ☐ N/A ☐

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

Fire Safety

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

In compiling a fire risk assessment you must consider the following

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

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

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

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

Refreshments

Do you prepare hot food / drinks in proximity to the public?	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 <u>3</u>	
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	✓
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times	7PF078	✓
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times	7PF079	✓
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures	7PF080	✓

Special Effects

Do you use special effects on the premises, e.g. strobes, lasers, smoke machines or fireworks? If yes, please give details	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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Suggested measures	Code	✓
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be appropriately trained	7PF081	n/a
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use	7PF082	n/a

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

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Identify where sources of noise may occur outside your premises

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

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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

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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 inaudible at the nearest noise sensitive premises	7PF084	✓
There will be no external loudspeakers	7PF085	✓
Bottles will not be placed in any external receptacle after 23 00 hours and 07 00 hours to minimise noise disturbance to neighbouring properties	7PF086	✓
Noise from plant or machinery will be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery will be regularly serviced and maintained to meet this level	7PF087	✓

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

Litter

Does the premises sell takeaway food, drinks or other produce/packaging which may generate litter/waste?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If YES, please identify the steps taken to prevent nuisance caused by litter	
<ul style="list-style-type: none"> Provision of litter bins Display of notices to customers Warnings/advice on packaging Instructions to staff to periodically clear litter from the street around the premises Other (please specify) 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>

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

Transport/Pedestrian Movement

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises?	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?	
<p>WE HAVE A CAR PARK DIRECTLY NEXT TO US ADDITIONALLY, THERE IS A BUS STOP A FEW METRES AWAY OUR BUILDING IS DETACHED</p>	

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

Protection of Children from Harm

Entertainment of an Adult Nature

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)?	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 type="checkbox"/> NO <input checked="" 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 checked="" 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 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

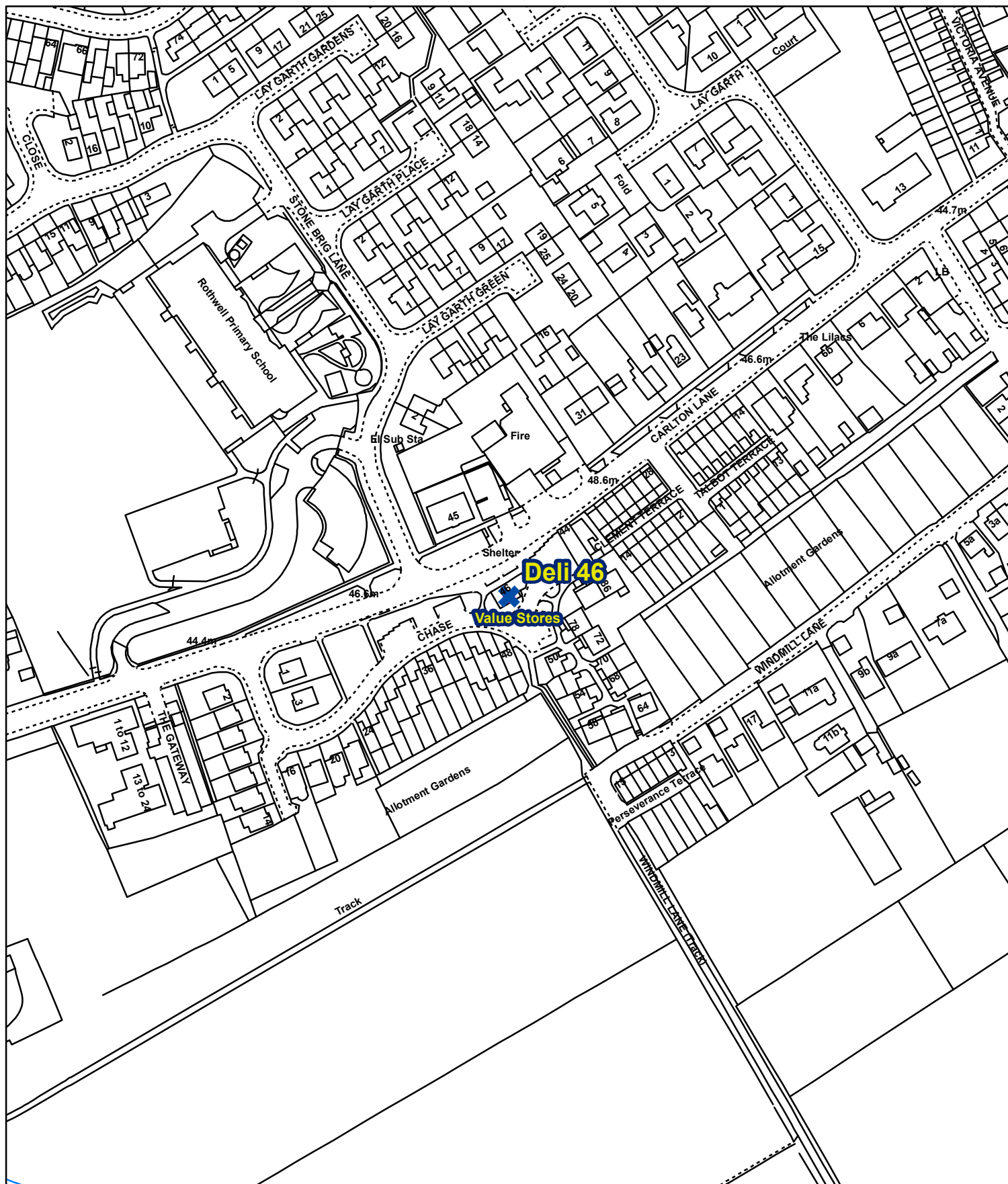
Do entertainment performances include performances by children and young persons under 18 years of age?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
NOTE The Children (Performance) Regulations 1968 as amended – continue to apply but are not conditions 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 type="checkbox"/> NO <input checked="" 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 type="checkbox"/> N/A <input checked="" 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

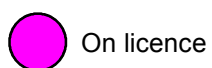


This map is based upon the Ordnance Survey's digital data with the permission of the Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office

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Key



On licence



Late night refreshment



Off licence



Other

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Entertainment Licensing

From:
Sent:
To:
Subject:



Appendix D

PREM/00865/004 - Deli 46 - 46 Carlton Lane, Rothwell, Leeds

Hello,

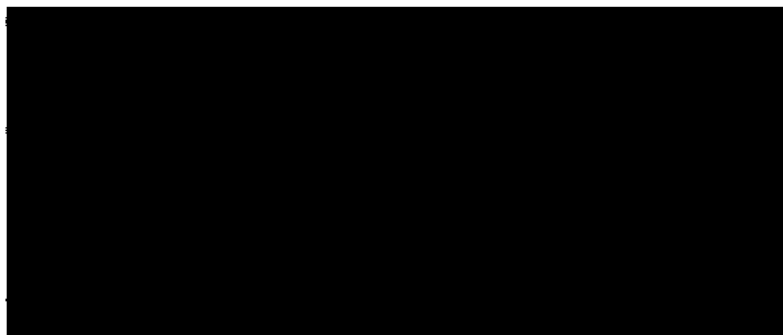
I would like to object to the license application for the above premises.

This building used to be a local general store which was a preferable use to that of a restaurant as a store offered the ability for local residents to shop locally. However, one of the drawbacks of having a store directly onto a busy highway is that there was no parking solely associated with that establishment and it meant that vehicles would park on the main road and cause queueing traffic due to the very narrow passing distance and that it is a bus route and the main route between Lofthouse, Robin Hood and Middleton.

Change of use to a restaurant would entail that this type of parking disruption would be amplified as customers would not be parking up to dip in and dip out to make a purchase they would be there for the duration of a meal. Therefore, on the grounds of public nuisance and public safety, the increased on road parking would be undesirable. Furthermore, if diners choose to partake in alcohol consumption as part of their dining experience the largest proportion of them would be either dropped off or picked up by relatives or taxi drivers, often late at night. The disruption associated with these vehicle movements would be significant for local residents as they are generally associated with raised voices and slamming doors, if not illegal car horn use, so this too would constitute a public nuisance and could potentially be an issue of protecting children from harm as this activity would be taking place when children would be in bed in properties in close proximity to the proposed restaurant.

The parking that the applicant specifies as being appropriate, for restaurant users, on Windmill Chase is actually associated solely with the residential properties on that street and have been constructed in such a manner to recognise the constricted parking potential in the design of those properties. Any potential occupation of these spaces therefore, by restaurant users, (particularly if left overnight due to consumption of alcohol) would potentially lead to issues of crime and disorder as there is already a history of dispute between residents and commercial operators over occupational parking space.

Many thanks



Entertainment Licensing

From:
Sent:
To:
Subject:

Re: Application no. is PREM/00865/004

Dear sirs

I object to the above application on a number of grounds.

Granting this licence could lead to a serious breach of crime and disorder. The outlet is in a residential area with no parking. The applicant erroneously claims that adjacent parking would be available. This is designated for residents who would not take kindly to it being usurped by his restaurant and could become pro active.

In addition, the serving of on sales alcohol could increase significantly crime and disorder caused by rowdy patrons leaving late at night the worse for wear. In a residential area this is unacceptable.

- The Prevention of Crime and Disorder

The application should not be allowed in the grounds of public nuisance. Patrons would be allowed to leave very late at night and intoxicated creating noise which would be classed as a public nuisance. Given how residential this area is this application is unacceptable.

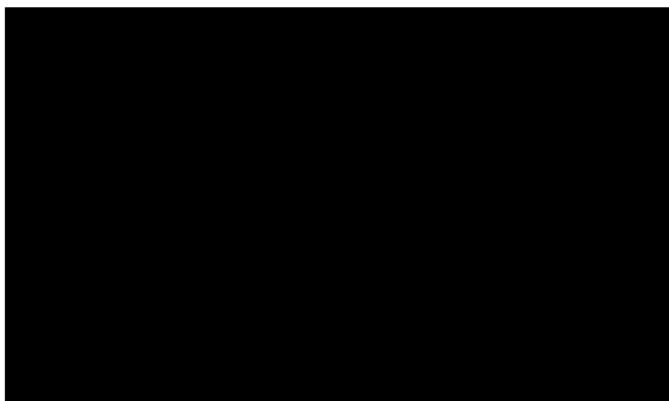
Public Safety is at risk from intoxicated diners leaving late at night and potentially driving whilst under the influence. What measures will the applicant take to ensure this doesn't happen? It probably isn't his responsibility, but the impact will be as a result of the granting of this licence. Therefore this application should be refused.

Young children are potentially at risk if this application goes ahead.

The premises are opposite a very busy primary school. After every school clubs, social events and parents events take place weekly. Given there is no parking and that some diners may be under the influence of alcohol what guarantees does the applicant make that all children at the school, or living on all the surrounding estates would be safe. My understanding is that if there is one per cent risk to a child then the application should be refused.

Granting this licence would also increase the noise that local residents would be subjected to and therefore should be refused.

Yours sincerely



PREM/00865/004

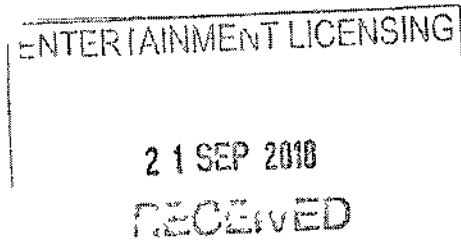
Musson, Martyn

From
Sent
To
Subject

PREM/00865/004 - Deli 46 - 46 Carlton Lane, Rothwell, Leeds

Hello,

The Prevention of Public Nuisance
Public Safety
The Protection of Children from Harm

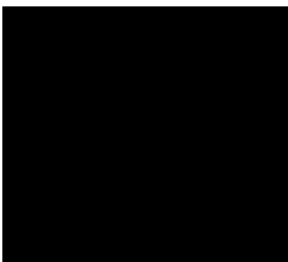


Planning permission for an extension to these premises has already been denied for reasons which equally apply to this licence application

In the Public Nuisance section of the application for an alcohol licence submitted by the applicant it states "We have a car park directly next to us " This is untrue There are a limited number of parking bays which were provided for residents of Windmill Chase at the time that it was built This cannot be described as a car park in the normal sense of the word as Google Maps will quickly confirm The operation of this building as a restaurant will be without any designated customer or staff parking Customers using this parking will create a public nuisance to the residents of Windmill Chase

A further public nuisance would occur if customers park on Carlton Lane, a busy road leading out of Rothwell A bus stop is situated immediately opposite the building A fire station, primary school, and zebra crossing are all in the immediate vicinity Vehicles parked on Carlton Lane would constitute both a public nuisance and raise issues of public safety and child protection

For these reasons I wish to object to the granting of an alcohol licence for these premises

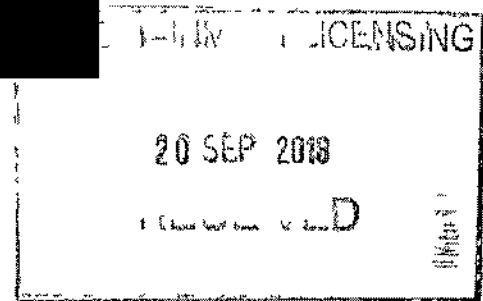


PREM/00865/004 SA

Entertainment Licensing

From
Sent
To
Subject

Objection to license application



Dear Licensing Department,

Vacant shop unit adjacent to Windmill Chase on Carlton Lane,

I would like to object to the license application for the above premises

The above building was a general store and now is being changed to that of a restaurant. By changing this property to a restaurant there will be a lot of traffic coming by the front of the building which is already rather busy as it is the main road through Rothwell, there will also be a lot of traffic coming on to Windmill Chase at the back of the building [REDACTED]

I already know first hand that there is only parking available at the back for residents only, there as already been arguments and violence between neighbours arguing over parking spaces and in some cases damage done to peoples cars when certain neighbours have been angered by someone taking what they believe to be their parking space. The police have been involved on several occasions because of this. With this in mind I know that the problem will be escalated by visitors to the restaurant, workers and delivery vehicles.

The road at the back of the shop is 20mph but this is ignored quite a lot and traffic speeds round the corner and up the street to the back of the building, with this restaurant there will be more of this and there are children [REDACTED] playing on the street with their bikes and scooters etc, it only takes one child to be hit by traffic coming into the street, this will be an increased chance due to increase in traffic.

This is also a takeaway and so there will be rubbish chucked around and I can see gangs of teenagers hanging around with takeaways and alcohol outside the restaurant.

I also, along with other parents in the area don't want junk food on my doorstep and my children purchasing it when they are older, [REDACTED] I will also struggle to not go and I have just lost quite a lot of weight, I'm sure flyers with money off will be extra enticement which is not what me or my family and other families who are trying to be healthy want.

The closing hours of the restaurant will also make for unwanted noise with customers going home (possibly quite drunk) making noise and my children may get woken up. There may be times when customers have arguments from being too drunk and fight with each other which will cause the police to be called.

What I have written shows that on the grounds of public nuisance, public safety and health the issue of an alcohol license for this building should be objected.

I do hope this is enough for this objection not to be rejected this time as I really do oppose to this going ahead and want my objection to be accepted.

Regards

[REDACTED]