



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 19TH JUNE, 2018 AT 10.00 AM

MEMBERSHIP

Councillors

H Bithell – Kirkstall

J Heselwood – Bramley and Stanningley

G Wilkinson - Wetherby

**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><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	Otley and Yeadon		<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR NEST/GENE 1 SILVER LANE, YEADON, LEEDS, LS19 7ZX</p> <p>To consider a report by the Head of Elections, Licensing and Registration which sets out details of an application for the grant of a premises licence for "Nest/Gene" at 1 Silver Lane, Yeadon, Leeds, LS19 7ZX.</p> <p>(Report attached)</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> <ol 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 - 20



Report author: Miss Janice Archibald
0113 378 5029

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 19th June 2018

Subject: Application for the grant of a premises licence for Nest/Gene 1 Silver Lane, Yeadon, Leeds, LS19 7ZX

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

Summary of main issues

This is an application for the grant of a premises licence, made by Follow The Golden Rule Limited, for Nest/Gene 1 Silver Lane, Yeadon, Leeds, LS19 7ZX.

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

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

1 Purpose of this report

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a new premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

2 History of the premises

- 2.1 This is the first application for a premises licence for these premises. The premises are to be a cocktail led bar with food offering.

2.2 The application

- 2.2 The applicant's name is Follow The Golden Rule Limited.
- 2.3 The proposed designated premises supervisor is Mr David Charles Watson
- 2.4 In summary the application is for:

Recorded music and sale of alcohol

Sunday to Thursday 11:00 to 23:00

Friday and Saturday 11:00 to midnight

Non standard timings

No non-standard timings for bank holidays or special occasions have been proposed.

The operating schedule

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

3 Location

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

4 Representations

- 4.1 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

- 4.2 Representations have been received from West Yorkshire Police in their capacity as a responsible authority.

- 4.3 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 C.

Other representations

- 4.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 4.5 The Licensing Authority is in receipt of three individual letters of objection, all of which are opposed to this application on the grounds of public nuisance.
- 4.6 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.

5 Licensing hours

- 5.1 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.
- 5.2 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.
- 5.3 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.
- 5.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix E.

6 Equality and diversity implications

- 6.1 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.

7 Options available to Members

- 7.1 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.

7.2 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.

8 Background papers

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

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Please see b), c), d) and e) below

b) The prevention of crime and disorder

- 1 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 time where members of the public are present on the premises
- 2 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)
- 3 The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises
- 4 The CCTV system will contain the correct time and date stamp information
- 5 The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality
- 6 The CCTV system will be capable of securing relevant pictures for review or export at a later date
- 7 SIA registered door supervisors will be used when risk assessed as being necessary

c) Public safety

- 8 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
- 9 A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner

d) The prevention of public nuisance

- 10 Licensable activities will be conducted and the facilities for licensable 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
- 11 Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises
- 12 There will be no external loudspeakers

e) The protection of children from harm

13 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

Checklist

Please tick to indicate agreement

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

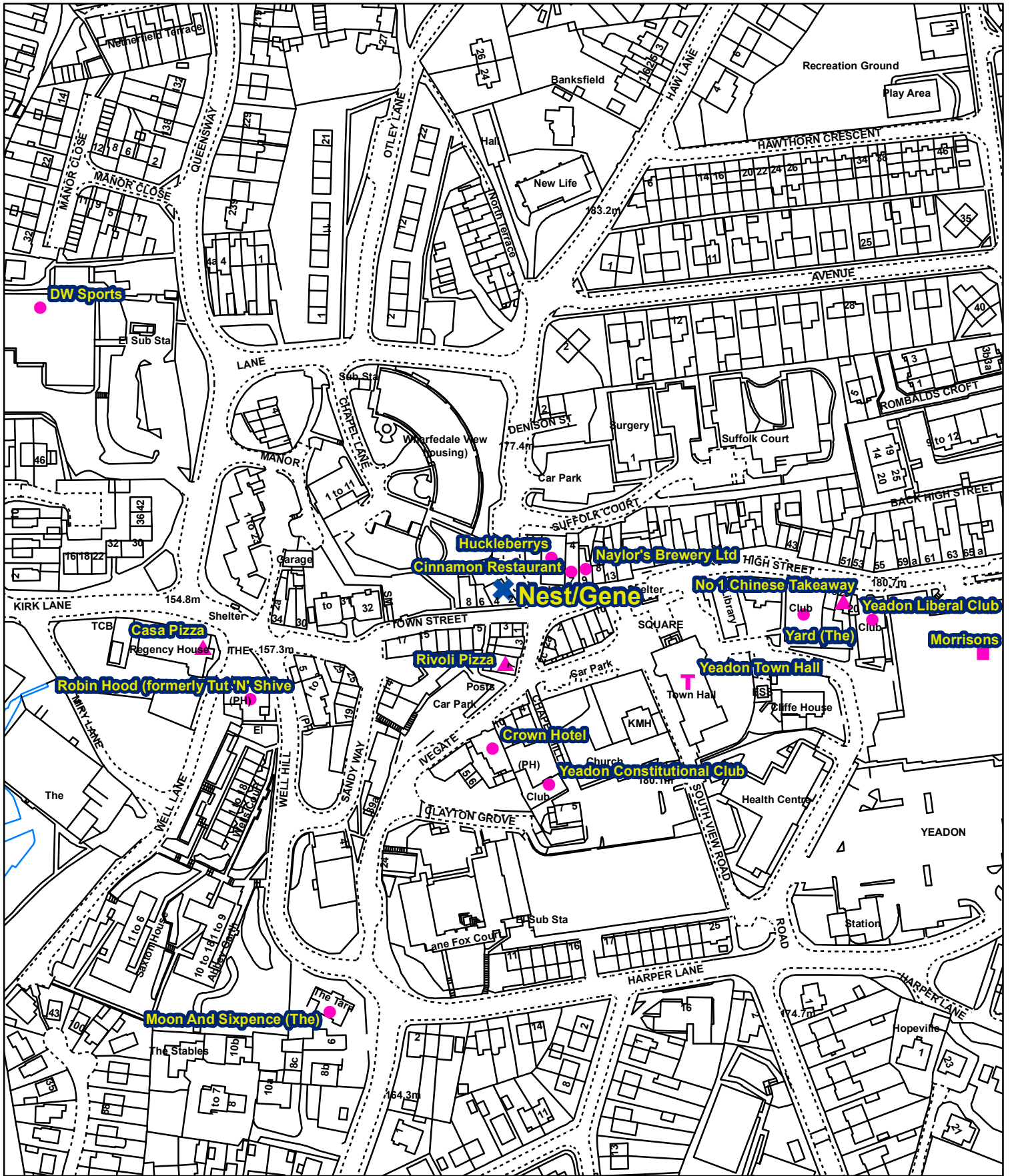
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

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

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11) If signing on behalf of the applicant, please state in what capacity

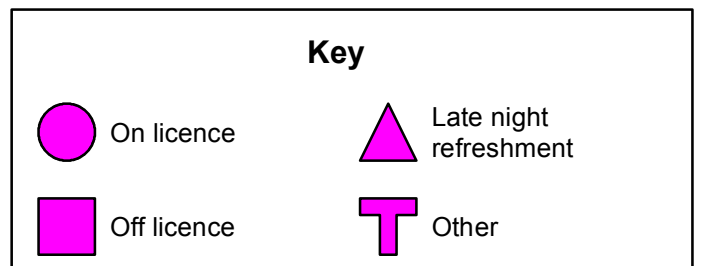
Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I
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This 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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14 MAY 2018

Musson, Martyn

APPENDIX C
PREM/04180/001 SA

From: Forrest, Natasha <Natasha.Forrest@westyorkshire.pnn.police.uk>
Sent: 14 May 2018 08:27
To: Entertainment Licensing Paddy Whur
Cc: [REDACTED]
Subject: FW: Police Representation Gene/Nest, Yeadon [NOT PROTECTIVELY MARKED]

Classification NOT PROTECTIVELY MARKED

Good Morning,

Subject to the agreed measures on the application for Gene/Nest, along with the below conditions being incorporated into the premises licence, I can confirm that West Yorkshire Police withdraw their representation

- '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
- The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, admissions refusals and ejections from the premises
- The Incident Report Register will 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
- The Incident Report Register will be produced for inspection immediately on the request of an authorised officer
- 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'

Many Thanks,

Natasha Forrest

Leeds District Licensing
Leeds District Headquarters
Elland Road, Leeds, LS11 8BU
Internal [REDACTED]
External 0113 385 9417

From: Emma Holmes [mailto:emma@woodswhur.co.uk]
Sent: 09 May 2018 11:26
To: Forrest, Natasha <Natasha.Forrest@westyorkshire.pnn.police.uk>
Cc: Paddy Whur <paddy@woodswhur.co.uk>
Subject: RE: Police Representation Gene/Nest, Yeadon [NOT PROTECTIVELY MARKED]

Hi Natasha,

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DREM/04180/001

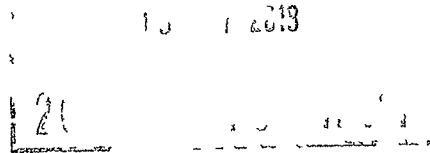
APPENDIX D

ENTERTAINMENT LIC

16 MAY 2018

RECEIVED

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR



Dear Sir/Madam

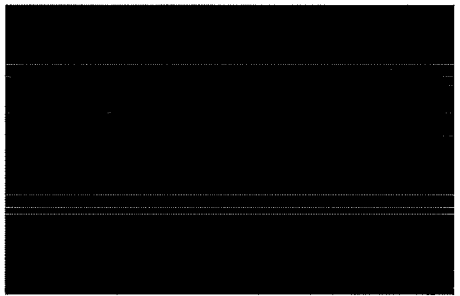
I am writing to register my objection to the application for a premises license by THE GOLDEN RULE LIMITED for 1 Silver Lane, Yeadon, Leeds LS14 7ZX

I currently live behind the building of 1 Silver Lane with my partner and two young children and it is normally quiet during the early hours of the morning. I am concerned about the potential for noise/disturbance, damage to my property and anti-social behaviour during the opening hours of the premises, particularly if there are customers leave after midnight having drunk significant quantities of alcohol.

This license application has aided me in my decision to terminate my tenancy, as I believe it would



Yours sincerely



Kimberly Head

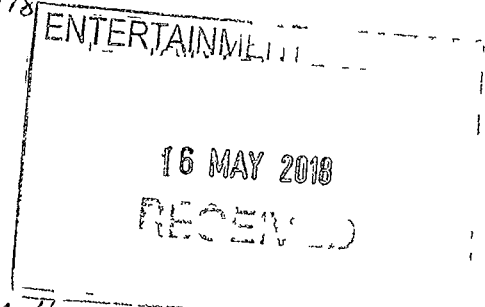
My contact details are

adversely affect my family as well as the other residents living in the vicinity

PREM/04180/001

TO
 ENTERTAINMENT AND LICENSING DEPT
 LEEDS CITY COUNCIL
 CIVIC HALL
 LEEDS LS1 1UR.

1573718



DEAR SIR/MADAM,

I WOULD LIKE TO EXPRESS

MY STRONGEST OBJECTIONS TO THE SUGGESTION THAT THE PREMISES ON THE CORNER OF YEADON HIGH ST AND TOWN ST NAMELY 1, SILVER LANE SHOULD BE ALLOWED A LICENCE FOR A PUBLIC HOUSE SUPPLYING STRONG DRINK ACCOMPANIED BY ENTERTAINMENT FOR THE FOLLOWING REASONS

1 THE PROPERTY IS ADJOINING ONE WHICH HAS JUST PUT IN PLANNING PERMISSION FOR A ONE BEDROOM FLAT WHICH WOULD NOT BE PRACTICAL IF THE ABOVE CAME TO PASS.

2 10 YARDS AWAY A TENANT THAT HAS LIVED THERE FOR 5 YEARS HAS BEEN PUSHED INTO GIVING NOTICE AT THE THOUGHT THAT IT MAY HAPPEN.

3 A NEWLY BUILT ELDERLY PERSONS RESIDENTIAL HOME IS ON THE MAIN ROUTE

PTO

HOME FOR DRUNKEN LEAVING AT 1230 AND
IS LIKELY TO CAUSE PUBLIC NUISANCE AND
DISORDER.

THE ADJOINING CAR PARK IS LIKELY TO
SUFFER UNSOCIAL BEHAVIOUR AND TRESPASS
FROM DRINKERS AND DELIVERY WAGONS

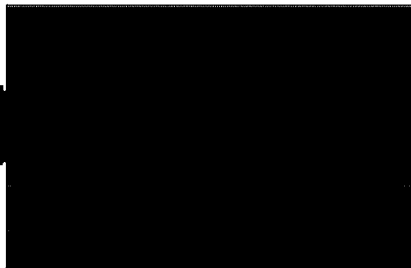
THERE IS ALREADY AMPLE PROVISION OF
DRINKING ESTABLISHMENTS IN THE
SURROUNDING AREA THAT IS NOT AS
NEAR TO RESIDENTS

AN EXAMPLE OF THE TYPE OF ROWDY
BEHAVIOUR THAT HAPPENED JUST UP THE
ROAD LED TO AN INTERVENTION THAT
CAUSED A DEATH

ANOTHER PLOT IS IN 2 DOORS UP
AND ONE ACROSS THE ROAD HAS JUST
CLOSED DOWN

Yours Faithfully

OWNER OF



APPENDIX D

Comments for Licensing Application PREM/04180/001

Application Summary

Application Number: PREM/04180/001

Address: 1 Silver Lane Yeadon Leeds LS19 7ZX

Proposal: Premises Licence - New Application

Case Officer: Miss Janice Archibald

Customer Details

Name: Mr Jeremy Wray

Address: [REDACTED]

Comment Details

Commenter Type: Society

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 6:48 AM on 11 May 2018 I oppose this application for the following reasons.

1. Noise and nuisance. There will be a large increase in noise at unsocial times i.e. half past midnight on a weekend, 11.30 pm other days, when people leave the bar.

2. Increase in traffic and noise from traffic at these times. Car doors slamming from taxis is inevitable.

Both these points are unfair on local residents and particularly the elderly living next door at Wharfedale View.

3. Health and safety. This junction already has a 'bad bend' where there has been numerous accidents. With deliveries during the day and taxis picking up at night this will increase the risk.

APPENDIX E

Issued premises licences and club certificates within an area



PREM/00210/014 - Crown Hotel, 12 Ivegate, Yeadon, Leeds, LS19 7RE

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

PREM/02218/024 - Yard (The), 16 High Street, Yeadon, Leeds, LS19 7PP

Sale by retail of alcohol	
Friday & Saturday	09:00 - 00:00
Sunday to Thursday	09:00 - 23:00
Exhibition of a film	
Friday & Saturday	09:00 - 00:00
Sunday to Thursday	09:00 - 23:00
Indoor sporting events	
Friday & Saturday	09:00 - 00:00
Sunday to Thursday	09:00 - 23:00
Performance of live music	
Friday & Saturday	09:00 - 00:00
Sunday to Thursday	09:00 - 23:00
Performance of recorded music	
Friday & Saturday	09:00 - 00:00
Sunday to Thursday	09:00 - 23:00
Performance of dance	
Friday & Saturday	09:00 - 00:00
Sunday to Thursday	09:00 - 23:00
Entertainment similar to live music, recorded music or dance	
Friday & Saturday	09:00 - 00:00
Sunday to Thursday	09:00 - 23:00

PREM/01503 - Rivoli Pizza, 7 Ivegate, Yeadon, Leeds, LS19 7RE

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

PREM/00174 - Yeadon Town Hall, Town Hall Square, High Street, Yeadon, Leeds, LS19 7PP

Sale by retail of alcohol	
Every Day	12:00 - 00:00
Provision of late night refreshment	
Every Day	23:00 - 00:00
Performance of a play	
Every Day	10:00 - 23:00

Exhibition of a film	
Every Day	10:00 - 23:00
Indoor sporting events	
Every Day	10:00 - 23:00
Boxing or wrestling entertainment	
Every Day	10:00 - 23:00
Performance of live music	
Friday & Saturday	10:00 - 00:00
Sunday to Thursday	10:00 - 23:30
Performance of recorded music	
Friday & Saturday	10:00 - 00:00
Sunday to Thursday	10:00 - 23:30
Performance of dance	
Every Day	10:00 - 23:00
Entertainment similar to live music, recorded music or dance	
Every Day	10:00 - 23:00

PREM/00694/012 - Robin Hood, The Green, Yeadon, Leeds, LS19 7EP

Sale by retail of alcohol	
Sunday	11:00 - 23:30
Performance of live music	
Monday to Saturday	10:00 - 23:00
Sunday	11:00 - 23:00
Performance of recorded music	
Monday to Saturday	10:00 - 00:00
Sunday	11:00 - 23:30
Performance of dance	
Monday to Saturday	10:00 - 23:00
Sunday	11:00 - 23:00

PREM/01948/003 - Cinnamon Restaurant, Manchester House, 7 High Street, Yeadon, Leeds, LS19 7SP

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

PREM/04155/001 - Naylor's Brewery Ltd, 9 High Street, Yeadon, Leeds, LS19 7SP

Sale by retail of alcohol	
Every Day	12:00 - 23:00
Performance of live music	
Friday to Sunday	17:00 - 23:00
Performance of recorded music	
Every Day	12:00 - 23:00

PREM/02243/004 - Casa Pizza, 15 The Green, Yeadon, Leeds, LS19 7EP

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

PREM/00818/013 - Morrisons, High Street, Yeadon, Leeds, LS19 7PP

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

PREM/02917/003 - Il Sogno, 69 High Street, Yeadon, Leeds, LS19 7SP

Sale by retail of alcohol	
Every Day	11:30 - 23:30
Provision of late night refreshment	
Every Day	23:00 - 23:30
Performance of recorded music	
Every Day	11:30 - 00:00

PREM/00524/003 - No 1 Chinese Takeaway, 20 High Street, Yeadon, Leeds, LS19 7PP

Provision of late night refreshment	
Friday & Saturday	23:00 - 02:00
Sunday to Thursday	23:00 - 00:00

CPREM/00112 - Yeadon Liberal Club, High Street, Yeadon, Leeds, LS19 7PP

Supply of alcohol	
Monday to Thursday	11:00 - 23:00
Friday & Saturday	11:00 - 00:00
Sunday	12:00 - 23:00
Indoor sporting events	
Monday to Thursday	11:00 - 23:00
Friday & Saturday	11:00 - 00:00
Sunday	12:00 - 23:00
Performance of live music	
Monday to Thursday	11:00 - 23:00
Friday & Saturday	19:00 - 00:00
Sunday	19:00 - 23:00
Performance of recorded music	
Every Day	00:00 - 23:59
Performance of dance	
Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30
Entertainment similar to live music, recorded music or dance	
Friday & Saturday	11:00 - 00:00
Sunday	12:00 - 23:00

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