

Details of premises licence

For: Botanist



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

Licence number: PREM/03213/004

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

Date licence first effective: 16th August 2012

Date current version effective from: 23rd November 2017

Licensable activities authorised by the licence:

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

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

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

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

Opening hours of the premises:

Everyday 08:00 - 02:30

Premises licence holder(s):

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

Designated premises supervisor:

Elliot Fox

Access to the premises by children

Access to the premises by children is restricted

Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
 - a. unauthorised access or occupation (e.g. through door supervision), or
 - b. outbreaks of disorder, or
 - c. damage
2. No supply of alcohol may be made under this licence
 - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
 - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- a. games or other activities which require or encourage, or are designed to require or encourage individuals to -
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 6. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

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

7. The responsible person must ensure that -

- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml;
- b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and
- c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

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

Public safety

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

50. The premises shall maintain an Incident log.

The prevention of public nuisance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Protection of children from harm

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

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

None