

Originator: Mrs Bridget Massey

Tel: 0113 2474095

# Report of the Assistant Chief Executive (Corporate Governance)

Report to the	Licensing	Sub Committee
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Date:

10th January 2011

Subject:

Application for the Grant of a Premises Licence for Unit 5A Moor

Allerton Centre Leeds LS17 5NY

Electoral Wards Affected:	Specific Implications For:
Alwoodley	Equality and Diversity  Community Cohesion
Ward Members consulted (referred to in report)	Narrowing the Gap

# **Executive Summary**

This report informs members of an application for the grant of a Premises Licence for premises situated at 5A Moor Allerton Centre, King Lane, Moortown, Leeds, LS17 5NY, trading as Unit 5A.

This is an application for the Grant of a Premises Licence to allow the following licensable activities:

Sale of Alcohol

Recorded Music

Every Day 12:00 – 14:00 & 17:00 – 23:00

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

# 1.0 Purpose of this Report

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

# 2.0 History of Premises

2.1 The premises was granted a licence in 2006 for the following activities and times:

Recorded Music Sale of Alcohol

Every Day 11:00 to 23:00 Hours.

The Licence was revoked due the Premises Licence Holder becoming insolvent.

## 3.0 The Application

- 3.1 The applicant is LAW 6788 Ltd,
- 3.2 The location of the premises can be found on the map attached as Appendix A.
- 3.3 A copy of the application and operating schedule are attached as Appendix B to this report. For the assistance of members, the Operating Schedule shows:
- 3.4 <u>Proposed licensable activities</u>

Sale by retail of alcohol Performance of recorded Music

#### 3.5 Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Sale by retail of alcohol

Every Day	12:00 - 14:00
Every Day	17:00 - 23:00

Performance of recorded Music

Every Day	12:00 - 14:00
Every Day	17:00 - 23:00

## 3.6 <u>Proposed times when the premises is open to the public</u>

The premises propose to open to the public between the following hours

Everyday	12:00 - 14:00
Everyday	17:00 - 23:00

### 3.7 Steps to promote the licensing objectives

As offered by the applicant in Part P of the application

#### 3.8 Proposed Designated Premises Supervisor

Mei Chun Law is nominated as the Designated Premises Supervisor.

## 4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

West Yorkshire Police

Members are invited to consider Appendix C of this report.

## 5.0 Matters Relevant to the Application

- 5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- In the making of their decision Members are obliged to have regard to the national guidance and the council's licensing policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

#### 6.0 Options available to members

- 6.1 The licensing sub-committee must take such of the following steps as it considers necessary 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.
- 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 <u>necessary</u> in order to promote the licensing objectives.

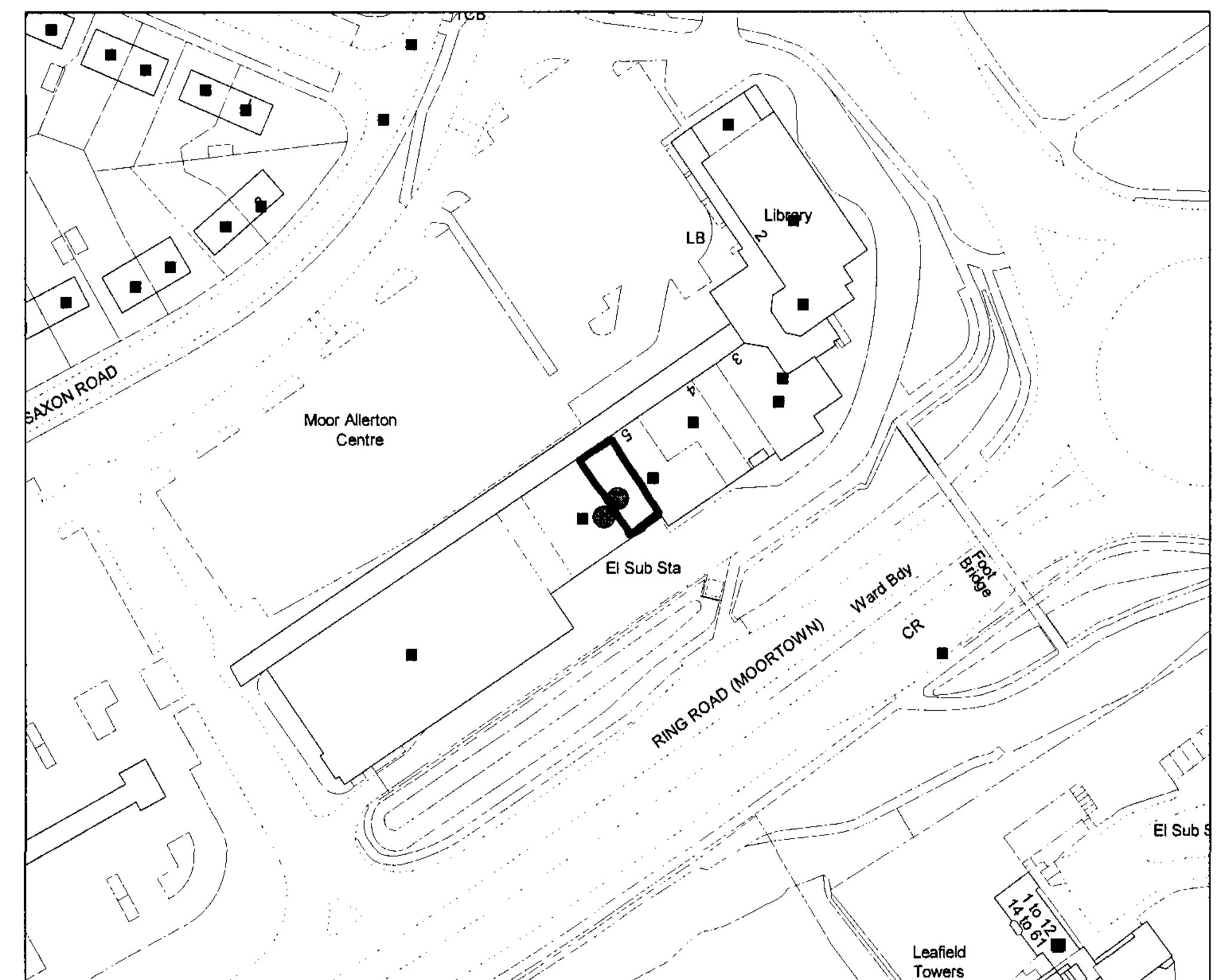
#### **Background Papers**

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

# 5 a Moor Allerton Centre

# King Lane Moortown Leeds LS17 5NY





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Organisation	Not Set
Department	Not Set
Comments	
Date	29 December 2010
SLA Number	Not Set

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

(1)

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(2) We LAW 6788 LTD

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

#### Part 1 - Premises details

Postal address of premises or, if none, Ordnance S Unit 5A Moor Allerton Centre	Survey map reference or description
Post town Leeds	Post code: LS17 5NY
Telephone number at premises(if any)	01132 687 799
Non-domestic rateable value of premises	£33,750

# Part 2 - Applicant details

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

a)	an individual or individuals*	please complete section (A)
b)	a person other than an individual*	
	i. as a limited company	please complete section (B)
	ii. as a partnership	please complete section (B)
	iii. as an unincorporated association; or	please complete section (B)
	iv. other (for example a statutory corporation)	please complete section (B)

Insert name and address of relevant licensing authority and its reference number (optional)

Insert name(s) of applicant

	a recogniseo ciub		<b>i</b> .	please complete section (B)
d)	a charity			please complete section (B)
e)	the proprietor of an educational establishmen	nt		please complete section (B)
f)	a health service body			please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of independent hospital			please complete section (B)
h)	the chief officer of police of a police force in England and Wales			please complete section (B)
* If y	ou are applying as a person described in (a) o	r (b) please	confirm	n: Please tick ✓ yes
	I am carrying on or proposing to carry on	a business		
	<ul> <li>I am carrying on or proposing to carry on which involves the use of the premises for</li> </ul>	or licensable	e activi	ties; or
	I am making the application pursuant to			
	- a statutory function; or			
	<ul> <li>a function discharged by virtue of l</li> </ul>	Her Majesty	's prero	gative
(A) Mr [	INDIVIDUAL APPLICANTS (fill in as applicab  Mrs	le) Ms 🔲		Other title
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Mr [	Mrs Miss	Ms 🔲	·	
Mr [	Mrs Miss ame	Ms 🔲	·	
Mr [	Mrs Miss	Ms 🔲	,	example, Rev)
Mr [	Mrs Miss ame	Ms	,	example, Rev)
Mr [ Surn Curr	Mrs Miss ame	Ms  First name	,	Please tick ✓ yes
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Mr [ Surn I am Curr Post Dayti	Mrs Miss ame  18 years old or over  Tent postal address if different from premises and town  town  ime contact telephone number  il address	Ms	S	Please tick ✓ yes

Mr []	Mrs	Miss	Ms 🔲	Other ti (for example, R	tle ev)
Surname			First name	S	
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E-mail addre	ess			<u></u>	
Please prov	gistered number		partnership of	or other joint ve	appropriate please nture (other than a ned.
Name	· · · · · · · · · · · · · · · · · · ·				
LAW 6788	LTD				
Address					
Unit 5A Moor Allert	on Centre				
Leeds West Yorks LS17 5NY	shire				
Registered	number (where a	applicable) 072053	0	<u></u>	
Description	n of applicant (for	example partnersh	ip, company,	unincorporated a	ssociation etc.)
Telephone	number (if any) 0	1132 687 799	<u></u>		
E-mail add	ress (optional)		· · · · · · · · · · · · · · · · · · ·		

SECOND INDIVIDUAL APPLICANT (if applicable)

When do you want the premises licences to start?		•	*					
	Day		Month	<u> </u>	Year			
If you wish the licence to be valid only for a limited period, when do you want it to end?	Day			<u> </u>	lea			
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If 5,000 or more people are expected to attend the premises a any one time, please state the number expected to attend	at			N	/ <u>A</u>			
Please give a general description of the premises (please read g	guidance	note	1)		· · · · · · · · · · · · · · · · · · ·	<u>.    </u>	······································	
Chinese restaurant with provision of 80 cover								
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Month Year

What licensable activities do you intend to carry on from the premises? (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Prov	rision of regulated entertainment	Please tick √ yes
		ricase lick v yes
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	$\overline{\mathbf{Z}}$
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	
Prov	ision of entertainment facilities for:	
i)	making music (if ticking yes, fill in box I)	
j)	dancing (if ticking yes, fill in box J)	
k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	
Prov	rision of late night refreshment (if ticking yes, fill in box L)	
Sup	ply of alcohol (if ticking yes, fill in box M)	$\square$

In all cases complete boxes N, O and P

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Play	\$	·	Will the performance of a play take place indoors or outdoors or both
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Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for performing plays (please read guidance note 4)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the n, please list (please read guidance note 5)
Sat			
Sun			
B Film			Will the exhibition of films take place indoors or outdoors or both
Stand	lard days al e read guidand		- please tick (please read guidance note 2)
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Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)
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Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick (please read guidance note 2)
Day	Start	Finish	Indoors Outdoors Both
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Wed			State any seasonal variations for the performance of live music (please read guidance note 4)
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	17:00	23:00	
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	17:00	23:00	
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	17:00	23:00	
Sun	12:00	14:00	• • • • • • • • • • • • • • • • • • •
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fallicor (gase Day Mon Tue Sat	ard days and start	that (e), (f) timings	Will this entertainment take place indoors or outdoors or both - please tick  (please read guidance note 2)    Indoors

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			(please read guidance note 4)
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<u> </u>			<u> </u>
for entertainment of a similar description to that falling within J or K  Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing
			Will the entertainment facility be indoors or outdoors or both - please tick ☑ (please read guidance note 2)
Day	Start	Finish	Indoors L Out oors L Both L
Mon			Please give further details here (please read guidence note 3)
Tue			
Wed			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)
Thur			
Fri			n-standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within j or ker at different times from those listed in the column on the left, please list
Sat			(please read guidance note 5)
Sun			
		<u> </u>	

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors of both - please tick ✓ (please read guidance note 2)
Day	Start	Finish	Indoors 🔲 Outdoors 🔲 Both
Mon	~		Please give further details here (please read guidance note 3)
Tue			
Tuc		<u></u>	
Wed			State any seasonal variations in the provision of late night refreshment (please read guidance note 4)
Thur	<u> </u>		
Fri	<b></b> -·		No standard timings. Where you intend to use the premises for the provision late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			
M			
Stand	ply of ald	nd timings	Will the sale of alcohol be for consumption - please tick box ✓ (please read guidance note 7)
Day	read guidane Start	Finish	On the premises 🔲 Off the premises 🔲 Both 🗹
Mon		14:00	State any seasonal variations for the supply of alcohol
: 		<del></del>	(please read guidance note 4)
	17:00	23:00	
Tue	12:00	14:00	
	17:00	23:00	
Wed	12:00	14:00	
	17:00	23:00	
Thur	12:00	14:00	Non-standard timings. Where you intend to use the premises for the supply of
	17:00	23:00	alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	12:00	14:00	
	17:00	23:00	
Sat	12.00	14:00	
	12:00 17:00	23:00	
C			
Sun	12:00	14:00	
	17:00	23:00	

State the name and details of the individual whom you wish to specify on the licence as premises supervisor Name HO YIN LEUNG MET CHUN LAW Address 22 TYNWALD DRIVE, LEEDS 172 BROADWAY. HORS FOR 74. LEEDS Post code LS17-6DS LS18 4HR

Personal Licence number (if known) being upplied for substitution of the licensing authority (if known) LEEDS CITY COUNCIL 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 8) N/A Hours premises are State any seasonal variations (please read guidance note 4) open to the public Standard days and timings (please read guidance note 6) Start Finish Day 14:00 12:00 Mon 17:00 23:00 12:00 14:00 Tue 17:00 23:00 Wed 12:00 14:00 17:00 23:00 Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list Thur (please read guidance note 5) 12:00 14:00 23:00 17:00 Fri 12:00 14:00 17:00 23:00 Sat 12:00 14:00 17:00 23:00

Sun

12:00

17:00

14:00

23:00

e) (please read guidance note 9)
t the licensed premises, showing the names, addresses and all personal licence holders.
of the person who is in overall charge of the are carried out, and this information will be retained for inspection on request to an authorised officer.
eport Register is maintained on the premises to record ejections from the premises. ed for inspection immediately on the request of an ch resulting in a seizure of drugs or offensive weapons of illegal substances will be provided and arrangements agreed with West Yorkshire Police.
to oversee general safety within the premises, and r of one member of staff per 80 occupancy or part gure.  The st
ation emanating from the premises from external plant

The premises supervisor will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

We request children mast be near an adult all time

	have made or enclosed payment of the fee	$\mathbf{Z}$
• 11	have enclosed the plan of the premises	
	have sent you copies of this application and the plan to respout thorities and others where applicable	<del></del>
	have enclosed the consent form completed by the individual I e premises supervisor, if applicable	wish to
• Iu	understand that I must now advertise my application	
	understand that if I do not comply with the above requirement pplication will be rejected	s my
	AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LE [5000 ], UNDER SECTION 158 OF THE LICENSING TEMENT IN OR IN CONNECTION WITH THIS APPLICATION	
	5 - Signatures (please read guidance note 10)	
<del>-</del>	ature of applicant or applicant's solicitor or other duly authorise ning on behalf of the applicant please state in what capacity.	d agent. (Please read guidance note 11)
Signat	iture At Length.	
Date	19/11/10	
Capac	city Agas Manager.	
(Please	oint applications signature of 2nd applicant, 2nd applicant's sole read guidance note 12) ning on behalf of the applicant please state in what capacity.	icitor or other authorised agent.
Signat		
Date		
	city	
Capac		correspondence associated
Conta	act name (where not previously given) and postal address for this application (please read guidance note 13)	
Conta with th	chis application (please read guidance note 13)  ynwald Drive rtown	
Conta with the Moor	his application (please read guidance note 13) ynwald Drive rtown	t code LS17 5DS

Please tick√ yes

#### **Notes for Guidance**

- 1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
- 2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
- For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
- Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 7. If you wish people to be able to consume alcohol on the premises please tick 'on the premises', if you wish people to be able to purchase alcohol to consume away from the premises please tick 'off the premises'. If you wish people people to be able to do both please tick 'both'.
- 8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 10. The application form must be signed.
- 11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
- 13. This is the address which we shall use to correspond with you about this application.



# PREM2

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

# Consent of individual to being specified as premises supervisor

I[ME] CHUM JAW
tuli name ot prospective premises supervisor
[177 BROADWAY HOPSFORTH LEGDS home address of prospective premises supervisor hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for
[Grant:] by [LAW 6788 Ltd.] type of application name of applicant
relating to a premises licence [] for number of existing licence, if any
[
[LAW 67.88 Ltd] concerning the supply of alcohol at name of applicant
[ LM: L. J. A. M.O.ov. Alleston. Centre]. I also name and address of premises to which application relates confirm that I am applying for, intend to apply for or currently hold a personal licence details of which I set out below.
Personal licence number [ Cumf. Upf. Lind
Personal licence issuing authority
[ Leed's Civy Council.] insert name and address and telephone number of personal licence issuing authority, if any
signed
Mec. M.L. name (please print)
71.—1911.—701.0dated





Leeds District Licensing Department

Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Tel: 0113-2414023
Fax: 0113-2413123
Email:
bob.patterson@westyorkshire.pnn.pelice.uk

Website:

Your ref:

Our ref: BP/LICENSING OFFICER/CHINESE REST. MOOR ALLERTON CENTRE

15th December 2010

LAW 6788 Ltd.
Unit 5A Moor Allerton Centre
Leeds
LS17 5NY

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

RE: CHINESE RESTAURANT UNIT 5 MOOR ALLERTON CENTRE LEEDS LS17 5NY.

NEW PREMISES LICENCE - LICENSING ACT 2003:

POLICE - LETTER OF REPRESENTATION - 'QUALIFIED' OBJECTION:

Thank you for submitting your application for the above premises, received at the address above on 24<sup>th</sup> November 2010.

West Yorkshire Police are of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives.

We therefore confirm that we are submitting a formal representation against your application on the grounds of-:

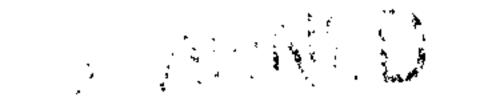
- 1. the prevention of crime & disorder
- 2. the prevention of public nulsance, and
- the protection of children from harm.

However, West Yorkshire Police are also of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule, in <u>addition</u> to what you may have offered in your application.

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

Should you be in agreement with the suggested measures then please signify this by completing and signing Part 2 of the enclosed form and return the complete document to this office as soon as possible, but no later than 20<sup>th</sup> December 2010.

NOT PROTECTIVELY MARKED



Upon receipt of your consent at Part 2, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

Alternatively should you disagree with the proposed measures, then please complete Part 3 and again return the complete document to this office as soon as possible, but no later than 20<sup>th</sup> December 2010.

#### PART 1 - to be completed by the Responsible Authority:

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

CHINESE RESTAURANT UNIT 5 MOOR ALLERTON CENTRE LEEDS LS17 5NY

Having considered the application under the Licensing Act 2003 for the above premises, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives:

- the prevention of crime & disorder
- the prevention of public nuisance
- the protection of children from harm

#### Measures / Additional measures proposed:

- The Premises Licence Holder, Designated Premises Supervisor and all members of 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;
- At all times that the premises licence has effect, there shall be a minimum number of 70 table covers maintained on the ground floor of the premises, in order that the sale, supply and consumption of alcohol is ancillary to the service of table meals.

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

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

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

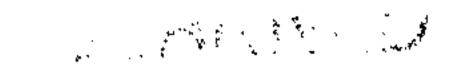
**Bob Patterson** 

Leeds District Licensing Officer

West Yorkshire Police

Date:

NOT PROTECTIVELY MARKED

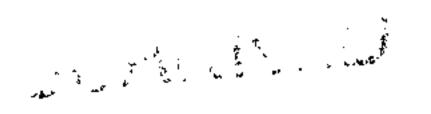


# PART 2 - to be completed by the applicant or applicant's representative:

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

Name & Address of Premises:
CHINESE RESTAURANT
UNIT 5 MOOR ALLERTON CENTRE
LEEDS
LS17 5NY

confirm that I am / we are the applicant / the applicants representative (delete as appropriate) for the premises as stated above.
<ul> <li>In signing this document-:</li> <li>I / we agree with the measures proposed by West Yorkshire Police,</li> <li>I / we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises, and furthermore,</li> <li>I / we confirm the premises will then operate in accordance with those measures agreed to.</li> </ul>
Signed:
Dated:



# PART 3 - to be completed by the applicant or applicant's representative:

Proposed control measures under the Licensing Act 2003

Name & Address of Premises: CHINESE RESTAURANT UNIT 5 MOOR ALLERTON CENTRE LEEDS LS17 5NY

confirm that I am / we are the applicant / the applicants representative (delete as appropriate) for to premises as stated above.	hε
I / We formally advise that we are not prepared to accept the proposed measures as suggested by t West Yorkshire Police.	he
In this instance we understand that West Yorkshire Police will maintain their representation to my /o application, which will now proceed to a hearing before the Licensing Sub-Committee, at which I / we was be required to attend.	
Signed:	
Dated:	
•	