



Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 7th November 2011

Subject: Application to vary a premises licence in respect of White Swan, Cross Hills, Kippax, Leeds, LS25 7JP

| | | |
|---|---|--|
| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): | Kippax & Methley | |
| 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

1. This is an application to vary a premises licence in respect of White Swan, Cross Hills, Kippax, Leeds, LS25 7JP
2. The Variation is to install a bottle bar in the existing outside garage area. The activities and hours applied for are to remain the same as currently operating within the premises
3. Responsible authorities have been served with copies of the application and Ward Members have been notified of the application. Representations were received from West Yorkshire Police, Environmental Protection Team and Members of the Public . Support letters were also received from Members of the Public
4. A hearing to determine this application took place on Monday 3rd October 2011 and was adjourned at the Sub Committee's request.
5. At this hearing the Committee noted that there was willingness from the applicant , West Yorkshire Police and Environmental Protection to compromise on aspects of the application with regards to conditions.
6. The hearing for this application was to be reconvened with the 3 Members who heard the application initially

Recommendations

The Committee is asked to:

7. Consider the application and any relevant representations.
8. Take any of the steps detailed at 5.2, if any, they consider necessary for the promotion of the licensing objectives.

1.0 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 Background information

- 2.1 On the 27th July 2005 an application was received to convert and vary an existing premises licence. This application received representations from Environmental Health Services and West Yorkshire Police. The conditions which were offered by these authorities were agreed and placed on the Premises Licence and granted on the 19th February 2006.

An Application to transfer this licence to Enterprise Inns was received on the 2nd August 2010.

A further application to transfer this licence was received on the 18th April 2011 from Enterprise Inns to MIA Properties Leeds Limited.

A Minor Variation application was submitted on the 27th April 2011 which was for structural alterations to the inside of the premises only and therefore it was decided not to consult any of the relevant authorities. This minor variation application did not receive any public representations and as was therefore granted on the 15th May 2011.

On the 3rd August 2011 a variation application was received but due to errors made by the applicant it was sent back. This was resubmitted on the 12th August but pages were missing, these pages were received on the 16th August to complete this application.

- 2.2 A copy of the existing licence (including all conditions) is attached at Appendix A.

3 Main Issues

- 3.1 The applicant is MIA Properties Leeds Ltd,
- 3.2 The location of the premises can be found on the maps attached as Appendix B.

3.3 A copy of the application is attached as Appendix C to this report. For the assistance of members, the Operating Schedule shows:

3.3.1 Proposed licensable activities

Sale by retail of alcohol
Exhibition of a film
Indoor sporting events
Performance of live music
Performance of recorded music
Entertainment similar to live music, recorded music or dance

3.3.2 Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

| | |
|--|---------------|
| Sale by retail of alcohol | |
| Friday & Saturday | 10:00 - 01:00 |
| Sunday to Thursday | 10:00 - 00:00 |
| Exhibition of a film | |
| Every Day | 10:00 - 00:00 |
| Indoor sporting events | |
| Every Day | 10:00 - 00:00 |
| Performance of live music | |
| Every Day | 10:00 - 00:00 |
| Performance of recorded music | |
| Every Day | 10:00 - 00:00 |
| Entertainment similar to live music, recorded music or dance | |
| Every Day | 10:00 - 00:00 |

3.3.3 Proposed times when the premises is open to the public

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

| | |
|--------------------|---------------|
| Monday to Thursday | 10:00 - 00:30 |
| Friday & Saturday | 10:00 - 01:00 |
| Sunday | 10:00 - 00:30 |

3.3.4 Steps to promote the licensing objectives

The applicant proposes to take the steps identified in section "P" of the application form to promote the licensing objectives.

3.4 Proposed Designated Premises Supervisor

Howard Marsh is nominated as the Designated Premises Supervisor.

3.5 Relevant Representations

3.5.1 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.

3.5.2 Representations were received from the following Responsible Authorities:

West Yorkshire Police

Members are invited to consider Appendix D of this report.

Environmental Protection Team

Members are invited to consider Appendix E of this report.

3.5.3 Representations were received from interested parties. Members are invited to consider Appendix F of this report.

3.5.4 Letters of support have been received from interested parties. Members are invited to consider Appendix G of this report.

3.5.5 Since the 3rd October Responsible Authorities have had further discussions with the applicant and have submitted the following amended representations

West Yorkshire Police

Members are invited to consider Appendix H of this report

Environmental Protection Team

Members are invited to consider Appendix I of this report

3.6 Matters Relevant to the Application

3.6.1 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

3.6.2 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.

4 Corporate Considerations

4.1 Consultation and engagement

4.1.1 The application was subject to a 28 days consultation period in accordance with the Licensing Act 2003. Blue site notices were placed by the applicant on the premises and these were checked by Liaison and Enforcement Officers during the consultation period. The application was advertised in a newspaper circulating in the local area. Representations received during this 28 day consultation.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The council has adopted a Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003 and in which care has been taken in matters of equality, diversity and human rights. This policy is reviewed every three years. The council has completed equality, diversity, cohesion and integration screening and impact assessments with regards to the consultation process undertaken during the review of the policy.

4.3 Council Policies and City Priorities

4.3.1 When determining an application the licensing sub committee must have regard for the Licensing Act 2003 Statement of Licensing Policy which sets out the principles the council will use to exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the council will refer to the policy when making its decisions.

4.3.2 The licensing regime contributes to the following aims:

By 2030, Leeds will be fair, open and welcoming

- Local people have the power to make decisions that affect them
- There is a culture of responsibility, respect for each other and the environment
- Our services meet the diverse needs of our changing population
- Everyone is proud to live and work

By 2030, Leeds' economy will be prosperous and sustainable

- Opportunities to work with secure, flexible employment and good wages

By 2030, all Leeds' communities will be successful

- Communities are safe and people feel safe

4.3.3 The licensing regime contributes to the following city priorities:

Best city... for communities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

4.4 Resources and Value for Money

- 4.4.1 The licensing process, including the licensing sub committee, generates a cost to the council. The majority of these costs are covered by the application fee. The fees are set by Statute, and there is little option to increase the fee to cover all the cost. However, the Police Reform and Social Responsibility Bill, due to receive Royal assent in November 2011, may allow local authorities to set their own fees in the future based on full cost recovery.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Applicants and people making representations are able to challenge the licensing sub-committee's decision by appealing to the Magistrates Court. Legal advice is provided during the sub committee hearing and during deliberations to mitigate the risk to the council.

4.6 Risk Management

- 4.6.1 Full training and legal advice is provided to members sitting on Licensing Sub Committee in order to mitigate the risk of legal challenge

5 **Conclusions**

- 5.1 An application has been received under the Licensing Act 2003 which is brought before a licensing sub committee for determination.
- 5.2 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
- Grant the variation application as requested.
 - Grant the variation application 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.
- 5.3 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 necessary in order to promote the licensing objectives.

6 **Recommendations**

The committee is asked to:

- Consider the application and any relevant representations
- Take any of the steps detailed at 5.2, if any, they consider necessary for the promotion of the licensing objectives.

7 Background Papers

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

Premises Licence

Public Register Copy

Premises Licence Number:

PREM/00708/004

Initial licence issued from:

24th November 2005

Current licence effective from:

16th May 2011

Appendix A

Premises Address: White Swan, Cross Hills, Kippax, Leeds, LS25 7JP

Licensable activities authorised by this licence: Sale by retail of alcohol; Exhibition of a film; Indoor sporting events; Performance of live music; Performance of recorded Music; Entertainment similar to live music, recorded music or dance;

Times for licensable activities

Sale by retail of alcohol

Friday & Saturday 10:00 - 01:00

Sunday to Thursday 10:00 - 00:00

Exhibition of a film

Every Day 10:00 - 00:00

Indoor sporting events

Every Day 10:00 - 00:00

Performance of live music

Every Day 10:00 - 00:00

Performance of recorded Music

Every Day 10:00 - 00:00

Entertainment similar to live music, recorded music or dance

Every Day 10:00 - 00:00

Opening hours of premises

Monday 10:00 - 00:30

Tuesday 10:00 - 00:30

Wednesday 10:00 - 00:30

Thursday 10:00 - 00:30

Friday 10:00 - 01:00

Saturday 10:00 - 01:00

Sunday 10:00 - 00:30

Alcohol sales are permitted for consumption both on and off the premises

Premises Licence Holder(s): MIA Properties Leeds Ltd, 5 Kingsley Drive, Townville, Castleford, WF10 3PS

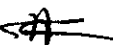
Registered number of holder(s): 07544484

Designated Premises supervisor: Howard Marsh

**Access to the premises by children is restricted.
Detailed in full on Part A of this licence.**

Licence Issued under the authority of Leeds City Council



Mrs Emma White 
Licensing Officer
Entertainment Licensing
Licensing and Registration

Licence produced on 16/05/2011

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 admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made
 - a. By the British Board of Film Classification (BBFC,) Where the film has been classified by the Board, or
 - b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or,
 - c. where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.
5. The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. games or 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- 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;
- d. provision of free or discounted alcohol in relation to the viewing on the premises of a

sporting event, where that provision is dependent on -

- i. the outcome of a race, competition or other event or process, or
 - ii. the likelihood of anything occurring or not occurring;
 - e. 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 glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

9. The responsible person shall 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. 1/2 pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml; and
 - b. customers are made aware of the availability of these measures

Embedded restrictions attached to the licence by virtue of grandfather rights.

10. Alcohol shall not be sold or supplied except during the hours stated on this licence and:
- a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 - b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
11. The above restrictions do not prohibit:
- a. the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first thirty minutes after above hours;
 - b. the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals.
 - c. consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol

to any person residing in the licensed premises;

- d. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
- e. the sale of alcohol to a trader or club for the purposes of the trade or club;
- f. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
- g. the taking of alcohol from the premises by a person residing there; or
- h. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- i. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

12. Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

Annex 2 – Conditions consistent with the Operating Schedule

Additional details in respect of Licensable Activities authorised by this licence

13. Sale by retail of alcohol

Non Standard Timings:

[10.00] New Year's Eve - [24.00] New Years Days [10.00] - [01.00] the following Bank Holiday weekends, Christmas Eve and Boxing Day.

14. Exhibition of a film

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Video entertainment on TV screens and amusement machines.

Non Standard Timings:

When hours for sale of alcohol are extended on Bank Holidays, Christmas Eve and Boxing Day these hours are also extended.

15. Indoor sporting events

Activity Details:

To permit pub games that attract an audience, whether by advertisement or spontaneously.

Non Standard Timings:

When hours for sale of alcohol are extended on Bank Holidays , Christmas Eve & Boxing Day these hours are also extended

16. Performance of live music

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Live [Acoustic/Amplified] music and amplified voice [all performances will be limited to end at [00.00] to minimise nuisance

17. Performance of recorded Music

Location where activity will take place:

This activity will take place indoors.

Activity Details:

Recorded music, including jukebox and karaoke, with or without a DJ, during normal business or as part of functions, and including audience participation.

Non Standard Timings:

When hours for sale of alcohol are extended on Bank Holidays, Christmas Eve and Boxing Day these hours are also extended.

18. Entertainment similar to live music, recorded music or dance

Location where activity will take place:

This activity will take place indoors.

Non Standard Timings:

When hours for sale of alcohol are extended on Bank Holidays, Christmas Eve & Boxing Day these hours are also extended.

19. Concerns in respect of children

None

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

20. Adopt the Check 21 proof of age scheme in accordance with guidance issued by West Yorkshire Police.
21. Participate in a local pub watch scheme or licensing association (where one exists) that is recognised by West Yorkshire Police.
22. Where non standard timings are listed for any Bank Holiday period and there is no intention of the venue to utilise the additional hours during any part of that period, the venue to provide at least 10 days prior written notice to the Police.
23. When permission is sought for the sale or supply of alcohol during non-standard hours

(excluding bank holidays listed within the application from), the applicant shall apply for a Temporary Event Notice, giving West Yorkshire Police at least 10 clear working days written notice.

Public safety

24. 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
25. Regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come in contact, must be undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
26. During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public
27. 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. These will be made available at the request of an authorised officer
28. If used, any temporary electrical wiring and distributions will be inspected by a suitably qualified and competent person before they are put into use. An inspection record/certificate will be retained for inspection by an authorised officer
29. 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
30. All floor surfaces will be suitably slip resistant , kept in good condition and free of obstructions to prevent slips, trips or falls
31. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scalds or burns to them
32. A suitably trained First Aider or appointed person will be provided at all times when the premises are open
33. Adequate and appropriate First Aid equipment and materials will be available on the premises
34. 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
35. Where strobes, lasers, smoke machines or any other special effects equipment may be used, a written health and safety policy covering all aspects of their use will be provided, and staff will be appropriately trained
36. No strobes, lasers, smoke machines or any other special effects, 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

The prevention of public nuisance

37. Noise shall be inaudible at the nearest noise sensitive premises after 23:00 hours and when entertainment takes place on a regular basis at all times
38. No bottles shall be placed in the external receptacle after 23:00 hours to minimise noise

disturbance to adjoining properties

39. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises 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. The activity or persons leaving the premises shall be monitored and they shall be reminded to leave quietly where necessary

The protection of children from harm

40. Children under 16 will not be permitted to sit or stand at the point of sale (Bar)

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.

Appendix B

| Key | |
|-----|---|
| □ | Non-Premises Licence / Terminated Licence |
| ■ | Private Members Club |
| * | Community Premises (With Alcohol) |
| * | Community Premises (Without Alcohol) |
| ◆ | Entertainment Only |
| ◇ | Outdoor Space – High Capacity |
| + | Late Night Refreshment |
| ▲ | Off Licence |
| ● | On Licence (Primary Use) |
| ■ | On Licence (Secondary Use) |

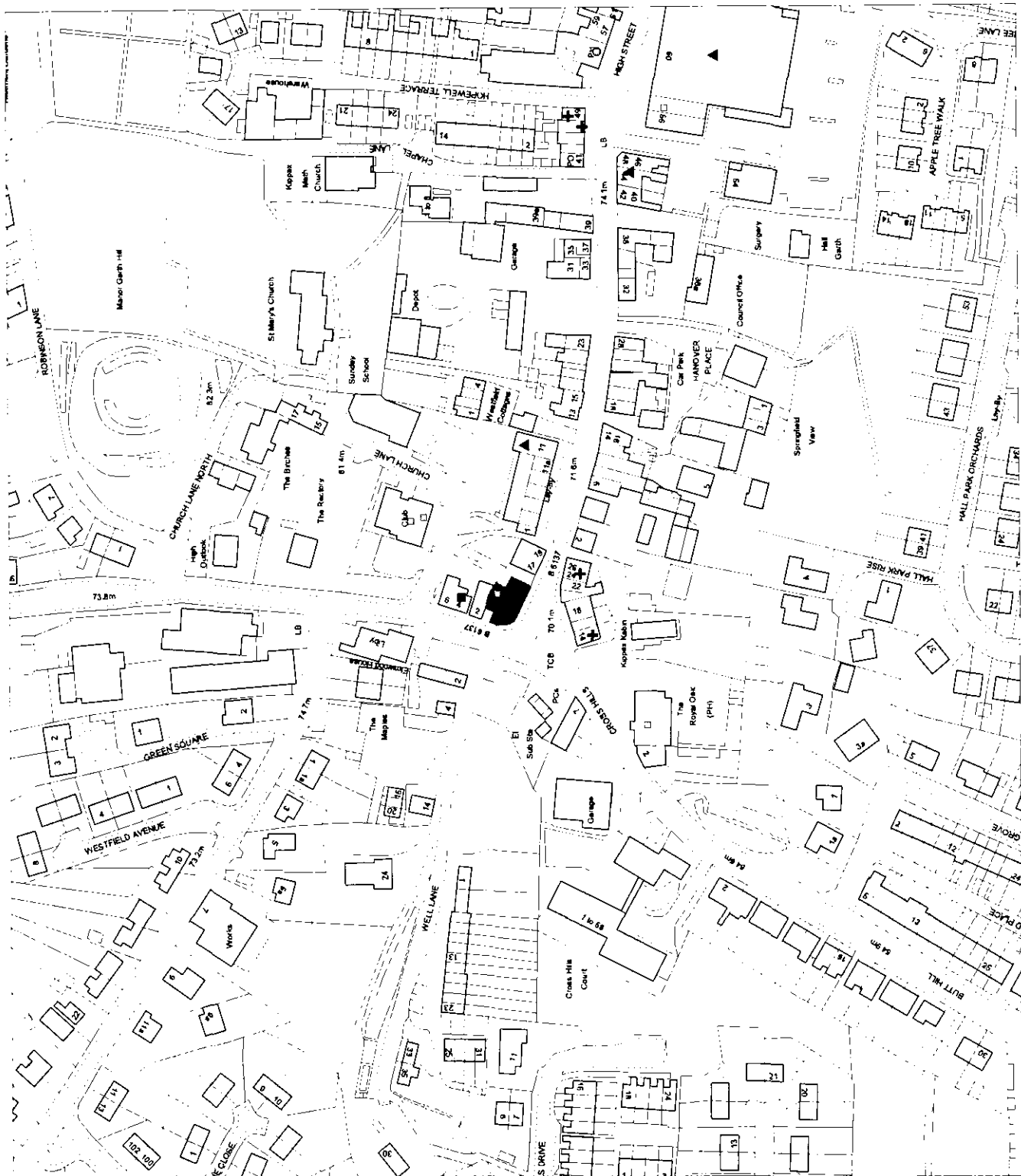
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| | |
|-------------------|------------------------------------|
| Title: | PREMI/00708/006 White Swan |
| Sub Title: | Cross Hills, Kippax<Leeds,LS25 7JP |
| Date: | 27 October 2011 |
| Scale: | 1:1500 |



Appendix B

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|-----|---|
| □ | Non-Premises Licence / Terminated Licence |
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| ◆ | Entertainment Only |
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| ▲ | Off Licence |
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| ■ | On Licence (Secondary Use) |

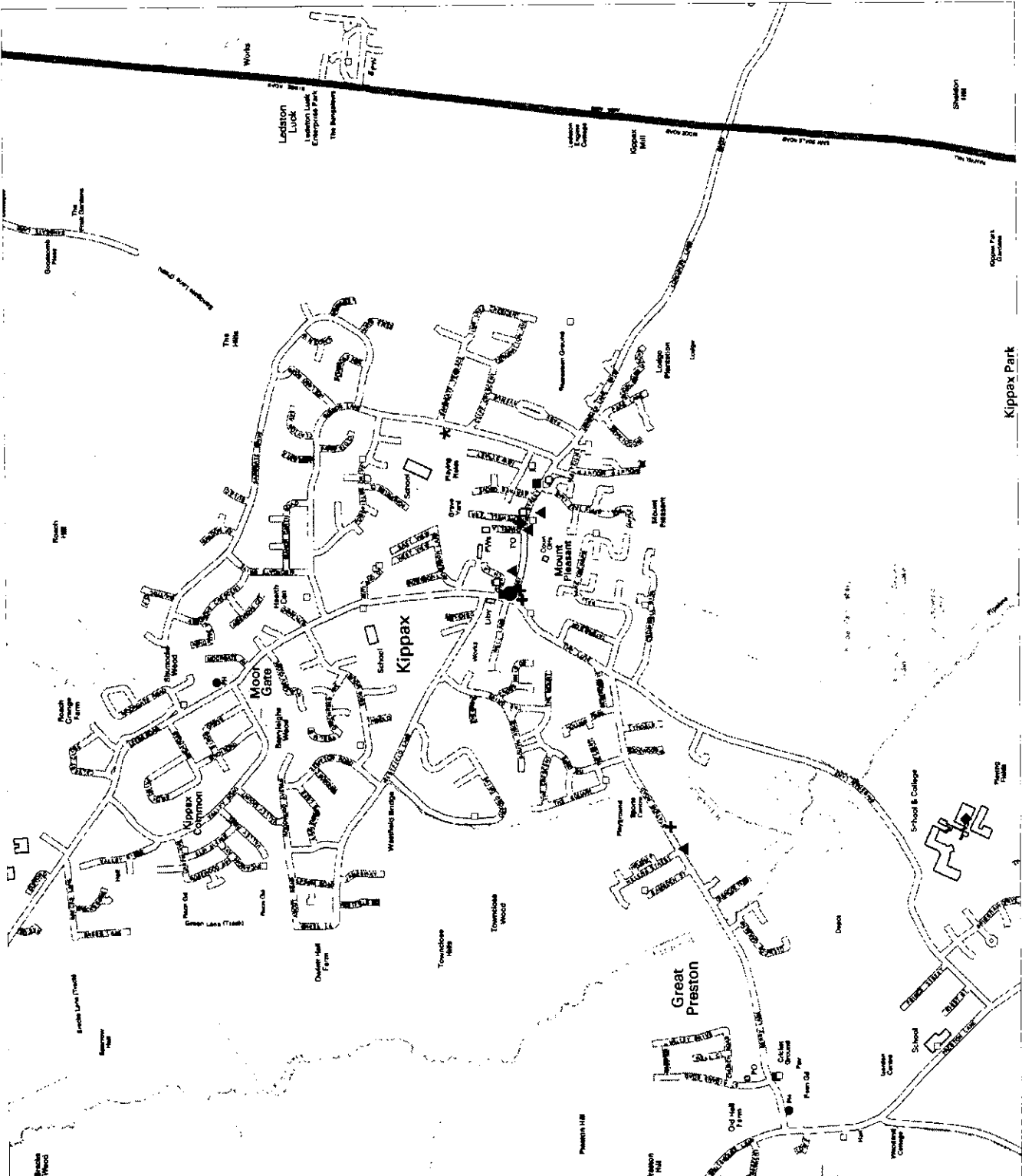
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| | |
|------------|-------------------------------------|
| Title: | PREM/00708/006 White Swan |
| Sub Title: | Cross Hills, Kippax<Leeds, LS25 7JP |
| Date: | 27 October 2011 |
| Scale: | 1:10000 |



0.2 0.4 0.6 0.8 1 1.2 1.4 1.6 1.8 2 2.2 2.4 2.6 2.8 3
Km

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 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.

I/We MIA PROPERTIES

(insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under the Licensing Act 2003 for the premises described in part 1 below



Premises licence number

00708004

Part 1 - Premises details

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

WHITE SWAN
15 CECILIA STREET
LEEDS

Post town LEEDS

Post code L2 2S



Telephone number at premises (if any)

0113 2864320

Non-domestic rateable value of premises

£ 15,500

Part 2 - Applicant details

Daytime contact telephone number

0113 2864320

E-mail address (optional)

—

Current postal address if different from premises address

AS ABOVE



Post Town

Postcode



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

Please tick Y yes



If not do you want the variation to take effect from

| Day | | Month | | Year | |
|-----|--|-------|--|------|--|
| | | | | | |

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

| |
|-----|
| N/A |
|-----|

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To install a bottle bar in the Existing
outside Garage area - for sale and
consumption of alcohol.

(Drawings enclosed)

THIS IS TO EXTEND THE EXISTING LICENCE
TO INCLUDE THE PROPOSED AREA; ALL ACTIVITIES
AND OPENING HOURS ARE TO REMAIN THE SAME.

Part 4 Operating Schedule

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

- Please tick ✓ yes
- Provision of regulated entertainment**
- 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)
 - 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)
- Provision 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)
- Provision of late night refreshment** (if ticking yes, fill in box L)
- Sale by retail of alcohol** (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

* AS EXISTING SAME HOURS & LICENCED ACTIVITIES

16 AUG 2011
AB EXISTIN. **AB**

A

| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | Indoors <input type="checkbox"/> |
|--|-------|--------|---|-----------------------------------|
| Day | Start | Finish | | Outdoors <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | Both <input type="checkbox"/> |
| Tue | | | | |
| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 4) | |
| Thurs | | | | |
| Fri | | | <u>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</u> (please read guidance note 5). | |
| Sat | | | | |
| Sun | | | | |

B

| Films Standard days and timings (please read guidance note 6) | | | Will the exhibition of films take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | Indoors <input type="checkbox"/> |
|--|-------|--------|--|-----------------------------------|
| Day | Start | Finish | | Outdoors <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | Both <input type="checkbox"/> |
| Tue | | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films</u> please read guidance note 4) | |
| Thurs | | | | |
| Fri | | | <u>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</u> (please read guidance note 5). | |
| Sat | | | | |
| Sun | | | | |



C

AS EXISTING C & D

| Indoor sporting events Standard days and timings (please read guidance note 6) | | | Please give further details here (please read guidance note 3) |
|--|-------|--------|--|
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | |
| Wed | | | |
| Thurs | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

D

| Boxing or wrestling entertainment Standard days and timings (please read guidance note 6) | | | Will the boxing or wrestling entertainment take place indoors or out doors or both - Please tick [Y] (Please read guidance note 2). | Indoors <input type="checkbox"/> |
|---|-------|--------|---|-----------------------------------|
| Day | Start | Finish | | Outdoors <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 3) | Both <input type="checkbox"/> |
| Tue | | | | |
| Wed | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) | |
| Thurs | | | | |
| 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 5). | |
| Sat | | | | |
| Sun | | | | |

E

| 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 [Y] (Please read guidance note 2). | Indoors | <input type="checkbox"/> |
|--|-------|--------|--|---|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | | State any seasonal variations for the performance of live music (please read guidance note 4) | |
| Thurs | | | | | |
| Fri | | | | 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 5). | |
| Sat | | | | | |
| Sun | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | Indoors | <input type="checkbox"/> |
|--|-------|--------|--|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | 10:00 | 00:30 | Please give further details here (please read guidance note 3) Background music to be played inside the festival new dining area | Both | <input checked="" type="checkbox"/> |
| Tue | 10:00 | 00:30 | | | |
| Wed | 10:00 | 00:30 | State any seasonal variations for playing recorded music (please read guidance note 4) N/A | | |
| Thurs | 10:00 | 00:30 | | | |
| Fri | 10:00 | 01:00 | Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5). N/A | | |
| Sat | 10:00 | 01:00 | | | |
| Sun | | | | | |

G

As existing G & H

| Performance of dance Standard days and timings (please read guidance note 6) | | | Will the performance of dance take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | Indoors | <input type="checkbox"/> |
|--|-------|--------|---|--|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | | State any seasonal variations for the performance of dance (please read guidance note 4) | |
| Thurs | | | | | |
| Fri | | | | Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5). | |
| Sat | | | | | |
| Sun | | | | | |

H

| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment you will be providing | | |
|--|-------|--------|---|--|--------------------------|
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | Indoors | <input type="checkbox"/> |
| Mon | | | | Please give further details here (please read guidance note 3) | Outdoors |
| Tue | | | Both | | <input type="checkbox"/> |
| Wed | | | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) | | |
| Thurs | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for 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 5). | | |
| Sat | | | | | |
| Sun | | | | | |

AS EXISTING I & J

I

| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | Please give a description of the facilities for making music you will be providing | |
|--|-------|--------|---|--|
| Day | Start | Finish | Will the facilities for making music be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | | | | |
| Tue | | | Please give further details here (please read guidance note 3) | |
| Wed | | | | |
| Thurs | | | State any seasonal variations for the provision of facilities for making music (please read guidance note 4) | |
| Fri | | | | |
| Sat | | | Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please (please read guidance note 5). | |
| Sun | | | | |

J

| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | Will the facilities for dancing be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | | Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
|---|-------|--------|---|--|--|
| Day | Start | Finish | Please give a description of the facilities for dancing you will be providing | | |
| Mon | | | | | |
| Tue | | | Please give further details here (please read guidance note 3) | | |
| Wed | | | State any seasonal variations for providing dancing facilities (please read guidance note 4) | | |
| Thurs | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5). | | |
| Sat | | | | | |
| Sun | | | | | |

K

AS EXISTING K & L

| Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment facility you will be providing | |
|--|-------|--------|--|--|
| Day | Start | Finish | Will the entertainment facility be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2). | Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| Mon | | | | |
| Tue | | | Please give further details here (please read guidance note 3) | |
| Wed | | | | |
| Thurs | | | State any seasonal variations for the Provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4) | |
| Fri | | | | |
| Sat | | | Non standard timings. Where you intend to use the premises for the Provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5). | |
| Sun | | | | |

L

| Late night refreshment Standard days and timings (please read guidance note 6) | | | Will the provision of late night refreshment take place indoors or outdoors or both - please tick [Y] (Please read guidance note 2) | |
|--|-------|--------|---|--|
| Day | Start | Finish | Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> | |
| Mon | | | | Please give further details here (please read guidance note 3) |
| Tue | | | | |
| Wed | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | |
| Thurs | | | | |
| Fri | | | 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 5). | |
| Sat | | | | |
| Sun | | | | |

M

| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick [Y]) Please read guidance note 7). | On the premises |
|---|-------|--------|---|---|
| Day | Start | Finish | | Of the premises <input type="checkbox"/> |
| Mon | 10:00 | 02:30 | State any seasonal variations for the supply of alcohol (please read guidance note 4) | Both <input checked="" type="checkbox"/> |
| Tue | 10:00 | 02:30 | | |
| Wed | 10:00 | 02:30 | | |
| Thurs | 10:00 | 02:30 | | 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 5). |
| Fri | 10:00 | 02:00 | | |
| Sat | 10:00 | 02:00 | | |
| Sun | 10:00 | 02:30 | | |

N

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

O

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | 10:00 | 00:30 | <p>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5).</p> |
| Tue | 10:00 | 00:30 | |
| Wed | 10:00 | 00:30 | |
| Thurs | 10:00 | 00:30 | |
| Fri | 10:00 | 00:30 | |
| Sat | 10:00 | 00:30 | |
| Sun | 10:00 | 00:30 | |
| | | | |

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

N/A

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 premises licence

0

As existing 0.

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | | | <p>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5).</p> |
| Tue | | | |
| Wed | | | |
| Thurs | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

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

P

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

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

A door supervisor will be employed to work between the Garage and main bar - to make sure customers can purchase drinks and keep the area tidy -

b) The prevention of crime & disorder

SECURITY STAFF AT BUSY OPERATING TIMES

c) Public safety

Opening a bottle bar in the garage area, will help reduce the crowding in the existing bar area - keeping it safer for customers to buy a drink, as it will not be as crowded outside.

d) The prevention of public nuisance

SECURITY STAFF TO MAINTAIN NOISE PREVENTION

e) The protection of children from harm


ALL UNDER 18'S MUST BE ACCOMPANIED BY AN ADULT AND WILL ONLY BE ADMITTED TILL 2030 HRS.

- Please tick Yes
- I have made or enclosed payment of the fee
 - I have sent you copies of this application, and the plan to responsible authorities and others where 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.

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE OF UP TO LEVEL 5 ON THE STANDARD SCALE [£5000], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

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.

Signature: 
 Date: 21.7.11
 Capacity: OWNER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12) 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 13) | |
| WHITE SWAN 15 CROSSHALLS KIPPER LEEDS | |
| Post Town LS25 7SE | Postcode LS25 7SE |
| Telephone number (if any) | 07977 012539 (DARREN MANAGER) |
| E-mail address (optional) | |

O'Brien, Victoria

From: lynn.dobson@westyorkshire.pnn.police.uk
Sent: 13 September 2011 14:42
To: Entertainment Licensing
Cc: bob.patterson@westyorkshire.pnn.police.uk; uklindependent@aol.co.uk
Subject: The White Swan - Letter of Rep : NOT PROTECTIVELY MARKED

Attachments: The White Swan - Letter of Rep 130911.doc



The White Swan -
Letter of Re...

Please find attached a letter of representation in respect of the above premises.

(See attached file: The White Swan - Letter of Rep 130911.doc)

Lynn Dobson
PC 5783
Leeds District Licensing
0113 2414111

REPORT MINOR CRIME ONLINE: Report a West Yorkshire crime online, request a callback or report lost property, all via our website <http://www.westyorkshire.police.uk/>

This email carries a disclaimer, a copy of which may be read at <http://www.westyorkshire.police.uk/emailDisclaimer.asp>



NOT PROTECTIVELY MARKED



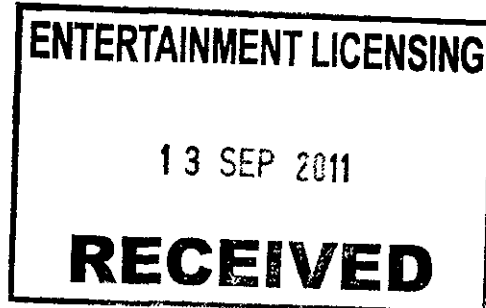
Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Leeds District Licensing

Tel: 0113-2414023
Fax: 0113-2413123
Email: lynn.dobson@westyorkshire.pnn.police.uk

13 September 2011

Mr D Gotts
The White Swan
15 Crosshills
Kippax
Leeds LS25 7JP



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

Dear Mr Gotts

RE: THE WHITE SWAN, 15 CROSSHILLS, KIPPAX, LEEDS LS25 7JP
APPLICATION T VARY EXISTING PREMISES LICENCE – LICENSING ACT 2003
POLICE – LETTER OF REPRESENTATION – FULL OBJECTION

Thankyou for your application which is dated 21 July 2011 which was received at Millgarth Police Station on 12 August 2011. This application was subsequently amended with the most up to date plans and correspondence being received on 19 August 2011.

This application seeks to vary the existing premises licence to allow the following activities in both the inside and outside space.

Films
Indoor Sporting Events
Live Music
Recorded Music
Anything of a Similar Description

Every day 1000hrs x 0000hrs

Sale of Alcohol

Sunday to Thursday 1000hrs x 0000hrs
Friday and Saturday 1000hrs x 01000hrs

These hours are already in place for the internal aspects of the premises and are covered by the current premises licence. This application seeks to extend the sale of alcohol and provision of regulated entertainment into the external area, with the installation of a 'bottle bar' in a garage to the rear of the premises.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

It is the opinion of West Yorkshire Police, that your application contains insufficient information on how you will achieve the licensing objectives. In particular, we cannot be satisfied at this stage that, if granted the premises would not adversely affect crime and disorder and/or public nuisance in the locality.

The Kippax area has been designated a designated public place (DPPO) for approximately two years. The area suffers periodically from problems associated with anti-social behaviour and priority crime with Kippax being a hot spot in the wards of Garforth, Swillington, Kippax and Methley (Garforth NPT area).

Whilst recorded data shows both increases and decreases month on month around ASB, particularly rowdy and inconsiderate behaviour, the area still remains very busy when you consider the main shopping area and the area where many of the pubs and off licence premises are situated, is on two main streets. *The White Swan is on the cross roads of these two main streets.*

Kippax suffers from problems with youths congregating at various hot spots and also visiting licensed premises to try and obtain alcohol underage. This is something that the Neighbourhood Policing Team for the Garforth, Kippax, Swillington and Methley NPT has been addressing and continue to address. Whilst very little is recorded which is location specific, because of a period of closure, the problems in the area continue

The application, at Part P, refers to there being security staff being employed at 'busy times'. There is no indication of when these times will be or what firm arrangements are in place to employ door staff should the application be granted. In this section it also refers to the security staff being employed 'to make sure customers can purchase drinks and keep the area tidy'. I would suggest that the door staff are not employed for this reason and that they are present to assist in upholding the licensing objectives, there is no mention of this.

Whilst in Part P of the application you have stated that under 18s will only be allowed on the premises until 2030hrs, you have not referred to any other measure you intend to put in place to try and uphold the licensing objectives. I note the premises do not have a condition around CCTV which would be a consideration when such a significant change is applied for. You do however have condition around a refusals policy and a pub watch condition.

FOR THE REASONS SET OUT ABOVE WEST YORKSHIRE POLICE ARE OF THE OPINION THAT THIS APPLICATION SHOULD BE REFUSED IN FULL.

***Lynn Dobson
PC 5783
Leeds District Licensing
West Yorkshire Police.***

NOT PROTECTIVELY MARKED

White, Emma

From: Holroyd, Vanessa
Sent: 19 August 2011 13:11
To: Entertainment Licensing
Subject: White Swan PREM/00708/005
Attachments: White Swan Qual obj.doc

Please find attached a copy of a qualified objection letter sent today to the applicant.

Regards

Vanessa Holroyd
Senior Environmental Health Officer
Environmental Protection
Knowsthorpe Gate
Cross Green
Leeds
LS9 0NP

Tel:3951162
Mob:07891273442



Please note that I work Wednesday to Friday



MIA Properties Leeds Ltd
15 Crosshills
Kippax
Leeds
LS25 7JP

Environmental Protection Team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

Contact: Mrs. Vanessa Holroyd
Tel: 0113 395 1162
Fax: 0113 247 4947
vanessa.holroyd@leeds.gov.uk
Our reference: PREM/00708/005
19 August 2011

Dear Sirs

Licensing Act 2003

Name of Premises: White Swan

Address: 15 Cross Hills, Kippax, Leeds, LS25 7JP

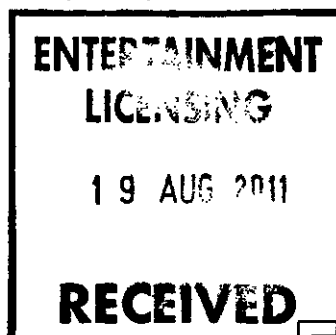
Thank you for submitting your application for the above premises.

Leeds City Council's environmental action service is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

However you could meet this objective by incorporating certain identified measures within your operating schedule. Therefore, please find enclosed a document which at part 1 contains the suggested measures which we consider are proportionate and appropriate to the nature of your application.

If you are in agreement with the suggested measures then please complete and sign part 2 of the enclosed form and return the complete document to me as soon as possible. Once we receive this it will be taken that you wish the licensing authority to amend your operating schedule to incorporate the proposed measures. If you have any questions please do not hesitate to contact me.

If you disagree with the suggested measures, then please complete part 3 and return the complete document to me as soon as possible.



If the opening hours as proposed under this application are different to those on the current planning approval, then you should also make an application for variation of hours to planning services. If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours faithfully

Mrs. Vanessa Holroyd
Senior Environmental Health Officer

Encs

PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan

Address: Cross Hills, Kippax, Leeds, LS25 7JP

The application premise is located in Kippax town centre and is in close proximity to residential properties. This application is to use a garage as a bottle bar with recorded music. The main access to the garage appears to be through a roller shutter door. There is currently a planning application being considered for the conversion of a first floor flat above the premises into two flats which are to be let out to private tenants.

Planning permission will also need to be sought for the change of use of the garage to A4.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

- Prevention of public nuisance

Noise and Vibration

1. Licensable activities shall be restricted in the garage bottle bar to sale by retail of alcohol only.
2. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises being properties located on high street, Kippax during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
3. 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 11 pm except for smoking.

Signed:

Dated:

PART 2

To be completed by the applicant or applicant's representative

Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan

Address: Cross Hills, Kippax, Leeds, LS25 7JP

I / We

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

In signing this document I / we agree with the measures proposed by Leeds City Council's environmental action service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

Please return this document to:

Environmental protection team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

alcohol and we do not want a recurrence of this problem by providing a bottle bar where people can buy alcohol on the streets into the early hours of the morning, causing disturbances to residents as these youths make their drunken way home.

What will they do with their empty bottles and cans? What they do now - throw them in residents gardens - drop them on pavements - break bottles leaving broken glass for children to fall on + dogs to walk through. This would be on a larger scale if licence is granted.

(1) 7081000 ①

licence Application:-

White Swan, 15 Crosshills, 26.8.2011.

Kuppax License TSP.

Dear Sir,

30 AUG 2011

30 AUG 2011

We wish to object to the application submitted by the White Swan in Kuppax to vary the layout of the premises, in particular to install a bottle bar in the east outside garage area for the sake of consumption of alcohol.

Over the years we have had problems in Kuppax with youths who end up drinking too much

If this outlet is allowed then I hope Leeds Council will provide a more thorough cleaning service as I for one am tired of cleaning up or walking through this mess.

yours faithfully
He Gough (Mrs)

R. L. Gough (Miss)

There are enough outlets in Kippax where people can purchase alcohol eg. Co-op, Pub & Bangin Booze all on The High Street.

Youth buy cans and bottles from these outlets and take them on Kippax Meadows and discard all their cans, cardboard and broken bottles which I from time to time have to clear into black bin liners as it becomes an eyesore and a danger to dogs and children. One more outlet of this nature would mean an increase in the discarded items.

(2)

Massey, Bridget

From: [REDACTED]
Sent: 31 August 2011 10:31
To: Entertainment Licensing
Cc: White, Emma
Subject: The White Swan, Kippax

Dear Emma,

I am writing in support of the application for the **White Swan**, 15 Crosshills, Kippax, Leeds, LS25 7JP to vary the layout and install a bottle bar.

This will make far better use of available space and give a new dimension to the pub which will in turn benefit the offer of the whole of Kippax High Street.

Jason, Darren and the rest of the management team have brought nothing but good to the High Street and I am confident they will ensure noise levels do not have a detrimental effect on other traders and users of the High Street.

Regards

•Pete Mudge

[REDACTED]
www.leeds.gov.uk
[REDACTED]

O'Brien, Victoria

From: Carl Farish [REDACTED]
Sent: 06 September 2011 16:57
To: Entertainment Licensing
Subject: Licence Application: White Swan, 15 Corsshills, Kippax, Leeds, LS25 7JP

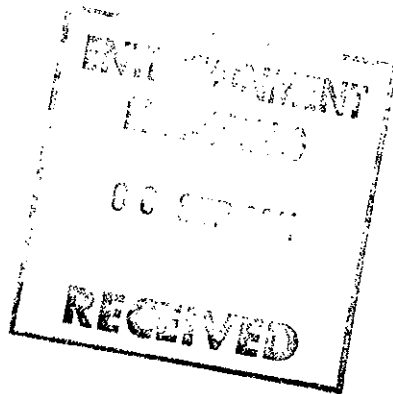
Dear Councillors

I refer to your letter of 22 August 2011 regarding the above application.

My thoughts regarding White Swan are nothing but positive. I have been thoroughly impressed with the new owners, and feel that a bottle bar would be a good use of the outside garage area. The thought and care that the new owners are putting into the White Swan can only be good for the area in general. I for one will be using the facility, should the application be approved.

Kind Regards.

Carl Farish
[REDACTED] Springfield View
Kippax
Leeds
[REDACTED]



White, Emma

From: lynn.dobson@westyorkshire.pnn.police.uk
Sent: 20 October 2011 13:00
To: White, Emma
Cc: bob.patterson@westyorkshire.pnn.police.uk
Subject: Fw: The White Swan - Mtg : NOT PROTECTIVELY MARKED

Attachments: The White Swan - Letter of Rep 130911.doc



The White Swan -
Letter of Re...

Emma,

As promised.

Bob, just for info, I haven't heard back from Mr Marsh.

Lynn

----- Forwarded by Lynn Dobson/961547/POLICE/WYP on 20/10/2011 12:55 -----

Lynn
 Dobson/961547/POLICE/
 WYP

18/10/2011 13:16

howardmarsh1@hotmail.co.uk

To

CC

Christopher
 Jones/901215/POLICE/WYP@WYP,
 Robert
 Patterson/717958/BRAD/WYP@WYP
 Subject
 Fw: The White Swan - Mtg : NOT
 PROTECTIVELY MARKED

Mr Marsh,

Thankyou for meeting Insp Jones and I this morning I think we both agree that it was far better to see your proposals first hand.

We discussed the main points below and if I may I will deal with these points individually in this e-mail.

CCTV - The premises have a CCTV system installed already and on first inspection this looks a good system. CCTV is not currently a condition of your premises licence but I think that it is important that it become a condition to ensure that the system is maintained to a good standard. For this reason I would ask you to look at the attached risk proforma and consider the conditions and their wording for inclusion in your licence:

<http://www.leeds.gov.uk/files/Internet2007/2011/39/gn-e%20la2003%20proforma%20risk%20assessment%20v6%20august%202011.pdf>

As well as the above I would ask that the external camera covering the side gate be moved slightly to give better coverage of the external space and that the 'garage' is also covered by CCTV to ensure images are captured from this space also. The system you have installed looks like a 16 camera system so the addition of two extra cameras would not be costly for you as you already have the capacity on the hard drive.

Door staff - You currently employ doorstaff and had indicated on your application, that these would be in place 'at busy times'. I had expressed concerns as these 'busy times' had not been stipulated, but having seen your premises I am less concerned. You did say that you have reduced your doorstaff down to one on a weekend, what I would say is that door staff are not good as singular members of staff and are far better in twos. If you are expecting your doorstaff to check IDs and toilets and resolve any skirmishes in the premises then there will be times when the entrance will not be covered. It only takes a moment for a banned person for example to enter the premises and then once inside things become more tricky when they have to be ejected. I am not going to insist on doorstaff as a condition of your premises licence but if you are granted the extra space, outside and in the garage, consideration should be given to how many door staff are employed and where they are situated.

Non-standard Timings - This was explained and discussed and I don't think non-standard timings would assist you with what you need.

The Gate - The Licensing Committee wanted clarification around the side gate mainly because of children and young people accessing this space and then obtaining alcohol. I am happy with the access to the ground floor flat and I understand the key pad system the builder intends to install, but I am less happy with the access to the upstairs flat through the back yard and across the licensed space. Anyone living in the flat or visiting the flat would have to come through the gate. Any failure to secure this gate would leave the space vulnerable to persons entering and abusing this facility. I would like you to consider having entry and access control on this gate also. You may wish to discuss this point further.

You had applied for the following:

Films
Indoor Sporting Events
Live Music
Recorded Music
Anything of a Similar Description

Every day 1000hrs x 0000hrs

Sale of Alcohol

Sunday to Thursday 1000hrs x 0000hrs
Friday and Saturday 1000hrs x 01000hrs

And a copy of the letter of representation is attached for ease of reference:

(See attached file: The White Swan - Letter of Rep 130911.doc)

What I would say is that you should only apply for what you want and not for as much as you think you might get!! I have a particular problem with live music being in this area, in such an enclosed outside space, and would ask you to reconsider your application for:

Recorded Music

Every day 1000hrs x 0000hrs

Sale of Alcohol

Sunday to Thursday 1000hrs x 0000hrs
Friday and Saturday 1000hrs x 01000hrs

This would bring you more in line with what EHS propose and would not stop you having a TEN for pre-booked functions. I'll leave this one with you to consider.

Please let me know your thoughts and if I can assist any further please just let me know.

Lynn Dobson
PC 5783
Leeds District Licensing
0113 2414111

----- Forwarded by Lynn Dobson/961547/POLICE/WYP on 18/10/2011 11:26 -----

Lynn
Dobson/961547/POLICE/
WYP

04/10/2011 07:24

To

[REDACTED]

cc

Christopher
Jones/901215/POLICE/WYP@WYP,
Robert
Patterson/717958/BRAD/WYP@WYP
Subject
The White Swan - Mtg : NOT
PROTECTIVELY MARKED

Mr Marsh,

Further to yesterdays hearing I have discussed this matter with Insp Jones from Garforth and we are free to meet with you on 18 October 2011. We can be with you between 1030hrs and 1100hrs and if we come to the premises we can have a good look at what you propose.

The main points the Committee asked us to look at are:

CCTV
Door staff
Non-standard Timings
The Gate

If we can agree a way forward then this would be far better, but either way we will be back at hearing on 7 November 2011 at 1000hrs.

Can I suggest you explore what you need to do in terms of planning permission pretty soon. I appreciate you are caught between a rock and a hard place but should the licence be granted everything must be in place before you start anything new.

I look forward to seeing you on the 18th.

Lynn Dobson
PC 5783
Leeds District Licensing
0113 2414111

REPORT MINOR CRIME ONLINE: Report a West Yorkshire crime online, request a callback or report lost property, all via our website <http://www.westyorkshire.police.uk/>

This email carries a disclaimer, a copy of which may be read at <http://www.westyorkshire.police.uk/emailDisclaimer.asp>



MIA Properties Leeds Ltd
15 Crosshills
Kippax
Leeds
LS25 7JP



Environmental Protection Team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP
Contact: Mrs. Vanessa Holroyd
Tel: 0113 395 1162
Fax: 0113 247 4947
vanessa.holroyd@leeds.gov.uk
Our reference: PREM/00708/005
7 October 2011

Dear Sirs

Licensing Act 2003

Name of Premises: White Swan

Address: 15 Cross Hills, Kippax, Leeds, LS25 7JP

I refer to the recent licensing hearing which was adjourned until 7th November 2011 and my visit on the 6th October 2011. During my visit I discussed our concerns with Darren Gotts and explained the conditions that we felt were necessary to meet the licensing objective to prevent public nuisance.

Therefore please find enclosed a document which at part 1 contains the suggested measures which we consider are proportionate and appropriate to the nature of your application.

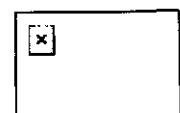
If you are in agreement with the suggested measures then please complete and sign part 2 of the enclosed form and return the complete document to me as soon as possible. Once we receive this it will be taken that you wish the licensing authority to amend your operating schedule to incorporate the proposed measures. If you have any questions please do not hesitate to contact me.

If you disagree with the suggested measures, then please complete part 3 and return the complete document to me as soon as possible.

I would also like to remind you that you will need to apply for planning permission for change of use of the garage. If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours faithfully

Mrs. Vanessa Holroyd
Senior Environmental Health Officer



PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan

Address: Cross Hills, Kippax, Leeds, LS25 7JP

The application premise is located in Kippax town centre and is in close proximity to residential properties. This application is to use a garage as a bottle bar with recorded music. The main access to the garage appears to be through a roller shutter door. There is planning approval for the conversion of a first floor flat above the premises into two flats which are to be let out to private tenants.

Planning permission will also need to be sought for the change of use of the garage to A4.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

- Prevention of public nuisance

Noise and Vibration

1. Licensable activities shall be restricted in the garage bottle bar to sale by retail of alcohol only.
2. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises being properties located on high street, Kippax during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
3. 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 11 pm except for smoking.
4. Licensable activities shall be conducted and the facilities for licensed activities shall 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.

Signed:

Dated:

PART 2

To be completed by the applicant or applicant's representative

Consent for Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan

Address: Cross Hills, Kippax, Leeds, LS25 7JP

I / We

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

In signing this document I / we agree with the measures proposed by Leeds City Council's environmental action service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

Please return this document to:

Environmental protection team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

PART 3

To be completed by the applicant or applicant's representative

Proposed Controlled Measures under the Licensing Act 2003

Name of Premises: White Swan

Address: Cross Hills, Kippax, Leeds, LS25 7JP

I / We

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

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council's environmental action service.

In this instance we understand that Leeds City Council's environmental action service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

Environmental protection team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

Richardson, Adele

From: Holroyd, Vanessa
Sent: 07 October 2011 13:37
To: uk1independent@aol.co.uk
Cc: White, Emma; Entertainment Licensing
Subject: White Swan Licensing Application
Attachments: White Swan Qual obj 2.doc

Dear Darren

Please find attached a copy of a revised qualified objection letter as discussed. If you have any queries please give me a ring.

Regards

Vanessa Holroyd
Senior Environmental Health Officer
Environmental Protection
Knowsthorpe Gate
Cross Green
Leeds
LS9 0NP

Tel:3951162

Please note that I work Wednesday to Friday

