

Public Document Pack

LICENSING SUB COMMITTEE

MONDAY 20TH AUGUST 2012

LATE ITEM – APPLICATION FOR A TEMPORARY EVENT NOTICE

AFRO DIASPORA, UNIT 10-, SHAFTESBURY PARADE,
HAREHILLS LANE, HAREHILLS, LEEDS LS9 6TA

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Report author: Mr Shaam Amin
0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 20th August 2012

Subject: Temporary event notice for Afro Diaspora, Unit 10, Shaftesbury Parade, Harehills Lane, Harehills, Leeds, LS9 6TA

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Burmantofts & Richmond Hill	
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:	10.4(7)	
These Appendices are regarded as exempt under provision of Paragraph 14 of the Licensing Act 2003 (Hearing Regulations 2005)		
Appendix number: D		

Summary of main issues

This report advises Members that a temporary event notice has been received and the West Yorkshire Police and the Environmental Protection Team have served objection notices on the grounds of the prevention of crime and disorder and the prevention of public nuisance.

Members of the Licensing Sub Committee are asked to consider the temporary event notice and the objection notices.

1.0 Purpose of this Report

- 1.1 To advise Members of a temporary event notice served under section 100 of the Licensing Act 2003 ("the Act") in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of objection notices from the West Yorkshire Police and the Environmental Protection Team.

2.0 History of Premises

- 2.1 The premise was formally known as the Starlight bar.
- 2.2 The premise has previously had the benefit of a premises licence, which was surrendered in March 2012 following unsuccessful applications to vary and transfer the licence respectively.
- 2.3 There have been no temporary event notices at the premises in the past 12 months.
- 2.4 Since September 2010 Entertainment Licensing Enforcement have dealt with several complaints from local residents alleging disturbance from loud music, nuisance from persons exiting the premises in the early hours of weekend mornings; the most recent complaint being received 4 July 2012.

On further investigation it would appear that the functions may well have been 'private parties' when attendees have brought their own drinks.

No formal action has been taken by the Entertainment Licensing Enforcement Section.

3.0 The Application

- 3.1 The proposed premises user is Mr Jean-Claude Dooh.
- 3.2 The location of the premises can be seen on the maps at Appendix A.
- 3.3 A copy of the temporary event notice is attached at Appendix B.
- 3.4 In summary the temporary event notice is for

The Sale by Retail of Alcohol

The Provision of Regulated Entertainment

The Provision of Late Night Refreshment

Sat 25th Aug 2012 into Sun 26th Aug 2012

14:00 – 06:00

Maximum capacity of the event: 150 people, alcohol to be consumed on the premises only

4.0 Other matters relevant to the application

4.1 The temporary event notice was applied for to facilitate an awareness and fund raising event for sickle cell anemia among minority and ethnical groups.

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

4.3 Members of the Licensing Sub Committee must make decision with a view to the prevention of crime and disorder and the prevention of public nuisance.

5.0 Representations

5.1 West Yorkshire Police have received a copy of the notice. They consider that allowing the premises to be used in the manner set out in the temporary event notice will undermine the licensing objective of the prevention of crime and disorder and prevention of public nuisance. They have subsequently issued an objection notice.

5.2 Copies of the West Yorkshire Police objection notice are attached at Appendix C.

5.3 It should be noted that certain information submitted within the objection notice is potentially exempt from information under Access to Information Rule 10.4 (7) as it includes information relation to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. This information is contained within Appendix D.

5.4 Environmental Protection Team have received a copy of the notice. They consider that allowing the premises to be used in the manner set out in the temporary event notice will undermine the prevention of public nuisance and have issued an objection notice.

5.5 Copies of the Environmental Protection Teams objection notice are attached at Appendix E.

6.0 Options Available to Members

6.1 The Licensing Sub Committee must take such of the following steps as it considers necessary:

- Issue a counter notice against the event in order to prevent the event from taking place.
- Allow the event to take place

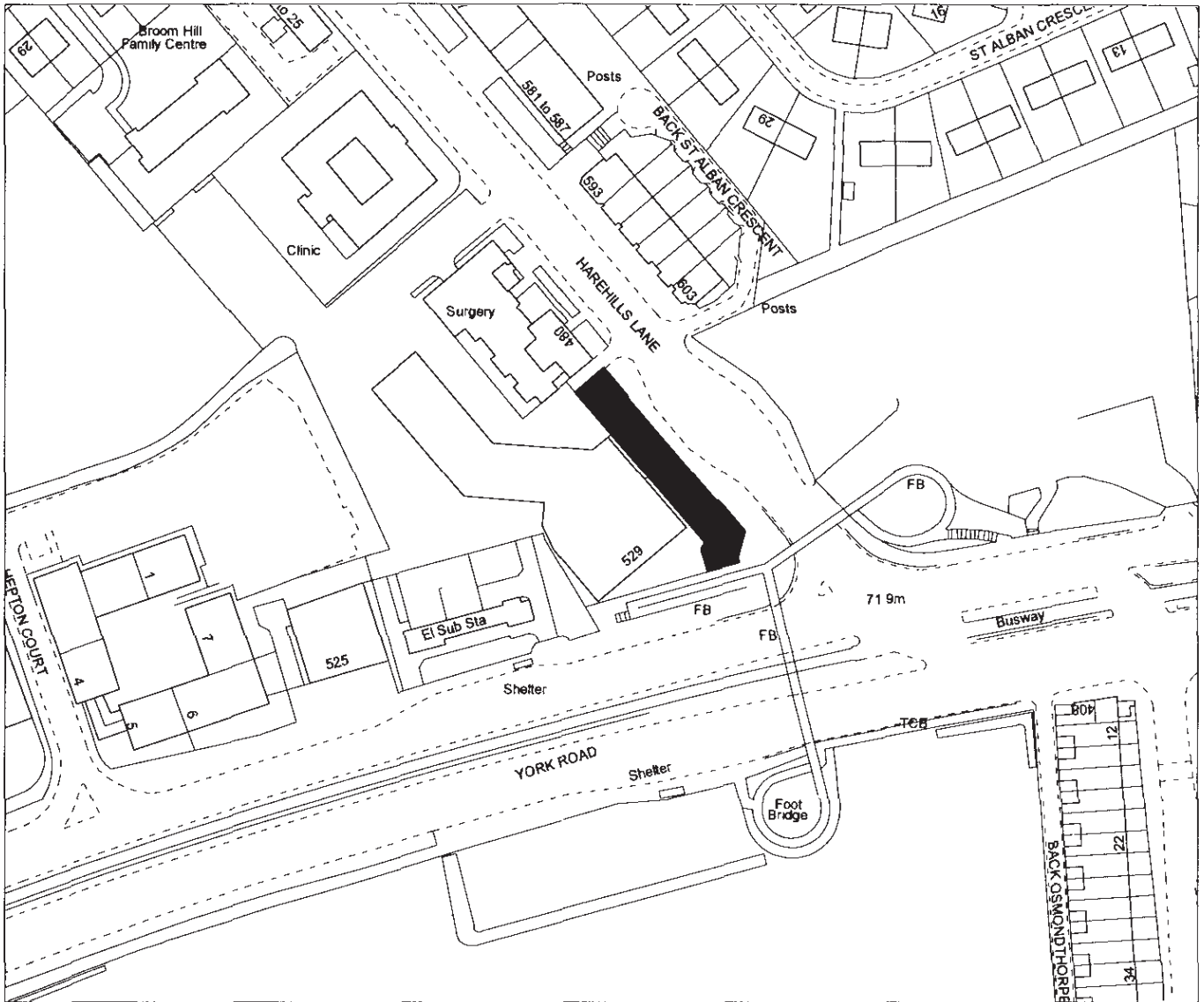
6.2 Members of the Licensing Sub Committee are asked to note that they may not restrict or attach conditions to the temporary event notice.

7.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Interested Parties

TEN/00922/12

Afro Diaspora



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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Date:	15 August 2012
Scale:	1:1500

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Leeds
CITY COUNCIL

Mr Jean-Claude Dooh
59 Bexley Avenue
Harehills
Leeds
LS8 5LT

Licensing and Registration
Entertainment Licensing Section
Civic Hall
Leeds LS1 1UR

Contact: Mr Shaam Amin
Tel: 0113 2474095
Fax: 0113 2243885
Email: entertainment.licensing@leeds.gov.uk
Our Ref: A80/TEN/00922/12

13th August 2012

Dear Mr Dooh

TEMPORARY EVENT NOTICE: TEN/00922/12
NAME OF PREMISES USER: MR JEAN-CLAUDE DOOH
EVENT PREMISES: AFRO DIASPORA, UNIT 10, SHAFTESBURY PARADE, HAREHILLS LANE, HAREHILLS, LEEDS, LS9 6TA

I acknowledge receipt of your Temporary Event Notice together with payment of **£21.00**. Please find attached our receipt numbered **015983** in respect of the payment.

IMPORTANT – Your duties regarding the display of the Temporary Event Notice

The Licensing Act 2003 requires that you do either of the following:

- Display the Temporary Event Notice for the duration of the event; or
- Display a Notice stating that a Temporary Event Notice is in force.

Please find enclosed a "TEN Summary" document (printed on green paper) which, if displayed, will satisfy the above criteria.

The legislation also requires you to produce the notice when asked to do so by either an officer from Leeds City Council or a relevant person. In this case a relevant person is either a police officer or an environmental health officer. Please refer to the attached general guidance notes for more information.

Please note Section 104 (1) of the Licensing Act 2003 states that you as the "premises user", must also give a copy of the Temporary Event Notice to the police and environmental health. If you have not done this, please do so now. The details of the relevant people are as follows:

West Yorkshire Police
Robert Patterson
Leeds District Licensing Officer
Millgarth Police Station
Leeds LS2 7HX



Leeds City Council - Health and Environmental Action Service

Millshaw Office
Millshaw Park Way
Churwell
Leeds LS11 0LS

The police and environmental health will make a decision about the proposed event based on the information contained in the notice. Should they consider that the activities proposed by the temporary event notice would undermine the licensing objectives they may serve a counter notice. Should this happen we will contact you and advise further.

If you do not serve the police and environmental health with a copy of the Notice this will make your Temporary Event Notice invalid. If you carry on this event without a valid Temporary Event Notice in place, you will be committing a serious offence under the Licensing Act 2003.

Important Note

The premises user should note that although they are operating licensable activities under the authorisation of the Temporary Event Notice, they are recommended to seek proper advice to ensure that the activities they propose are within the boundaries set by existing legislation and regulations.

There may also be planning conditions on the premises which restricts certain activities or prevents the premises being used beyond a certain hour. Additional permission may also be required to install any temporary structures or special effects at the premises.

Please do not hesitate to contact us should you require any further assistance.

Yours sincerely

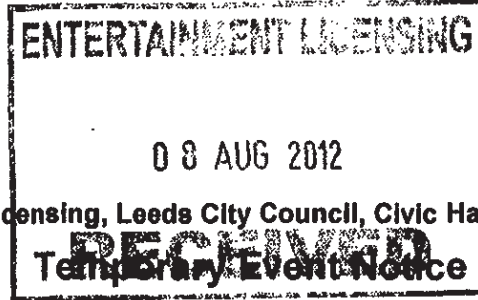


Mr Shaam Amin
Licensing Officer
Entertainment Licensing Section

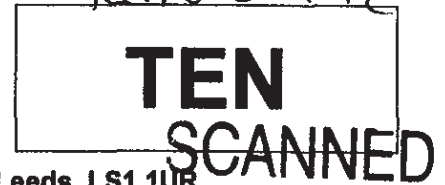
If you would like to offer feedback on the service you have received please visit our website at <http://tinyurl.com/bvzfgs3>. Alternatively please contact us and we will send you a feedback card in the post.



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



TENAPP/0364
TEN/01389/12



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

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	DOOH		
Forenames	JEAN-CLAUDE		
2. Previous names: (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary).			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 30	Month 09	Year 70
4. Your place of birth	DOUALA CAMEROON		
5. National Insurance Number	SC 23 25 21 B		
6. Your current address: (We will use this address to correspond with you unless you complete the separate correspondence box below).			
59 BEXLEY AVENUE			
Post town	LEEDS	Post code	LS8 5LT
7. Other contact details			
Telephone numbers:			
Daytime	01132 482 106		
Evening (optional)			
Mobile (optional)	07946171625		
FAX NUMBER (optional)			
E-Mail Address (if available)	JCDOOH@YAHOO.CO.UK		

8. Alternative address for correspondence (if you complete the detail below, we will use this address to correspond with you)	
Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	
FAX NUMBER (optional)	
E-Mail Address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (Please read note 2)	
AFRO DIASPORA UNIT 10 SHAFTESBURY PARADE HAREHILLS LANE LS9 6PJ	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
FORMERLY KNOWN AS STAR LIGHT THIS PREMISES USED TO BE A LOCAL PUB	
Please describe the nature of the event below. (Please read note 5)	
RAISING AWARENESS OF SICKLE CELL ANEMIA AMONG MINORITY AND ETHNICAL GROUPS FUNDS RAISING	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
25 - 08 - 12		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
14.00 to 06.00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	150	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>


4. Personal licence holders (Please read note 12)	
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	LEEDS CITY COUNCIL LICENSING DEPARTMENT
Licence number	LEEDS/PERL/05522/10
Date of issue	09-07-2010
Date of expiry	08-07-2020
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after; the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>


6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after; the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) has given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after; the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated;	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition Please read note 15
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations Please read note 16
The information contained in this form is correct to the best of my knowledge and belief.
I understand that it is an offence:
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale, and;
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000 or to imprisonment for a term not exceeding six months, or to both.
SIGNATURE 
DATE 08-08-2012
Name of Person signing JEAN-CLAUDE SMITH

For completion by the licensing authority

10. Acknowledgement (Please read note 19)
I acknowledge receipt of this temporary event notice.
SIGNATURE  On behalf of the Licensing Authority
DATE 10/8/12
Name of officer signing Matthew Nelson MATTHEW NELSON.

**Temporary Event Notice
Summary**

Licensing Act 2003



TEN/00922/12

A temporary event notice has been served and is in force for the following premises:

**Afro Diaspora
Unit 10
Shaftesbury Parade
Harehills Lane
Harehills
Leeds
LS9 6TA**

This temporary event notice authorises the following licensable activities:

**Provision of Regulated Entertainment
Provision of Late Night Refreshment
Sale by Retail of Alcohol
Supply of Alcohol**

During the following hours:

14:00 - 06:00

Between the following dates:

25th August 2012 - 26th August 2012

Event Capacity (including staff):

150 people, on the premises only

Mr Jean-Claude Dooh is the Premises User

Office Stamp:



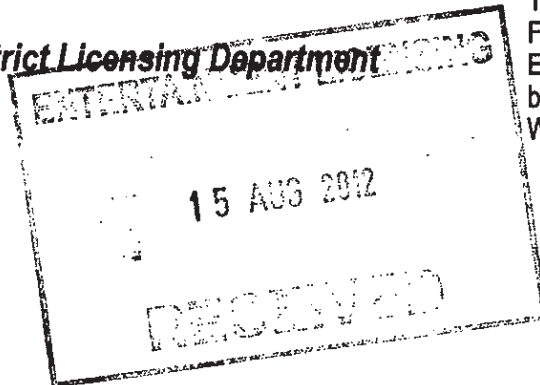
Signed: 
Date: 13th August 2012
Officer: Mr Matthew Nelson
Capacity: Licensing Officer

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Millgarth Police Station – 1st floor
 Millgarth Street
 Leeds
 LS2 7HX

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

Leeds District Licensing Department



15 August 2012.

Mr J C Dooh
 59 Bexley Avenue
 Harehills
 Leeds LS 8 5LT

cc. Entertainment Licensing Section – Leeds City Council Civic Hall Leeds LS1 1UR.
 cc. Health & Environmental Action Service – Leeds City Council Millshaw Park Way LS11 0LS

**NOTICE OF OBJECTION BY A RELEVANT PERSON
 TO A 'STANDARD' TEMPORARY EVENT NOTICE
 SECTION 104(2) as amended – LICENSING ACT 2003**

PREMISES: UNIT 10 SHAFTSBURY PARADE, HAREHILLS LANE, LEEDS LS9 6PJ

Your copy notice was received by the West Yorkshire Police at the above address on 10 August 2012.

The notice relates to licensable activities at the premises between 1400hrs 25 August 2012 and 0600hrs 26 August 2012.

I, PC 5783 Dobson for West Yorkshire Police, hereby give you notice that I intend to object to your 'standard' temporary event notice.

West Yorkshire Police are satisfied that allowing the premises to be used in accordance with the notice would undermine the licensing objectives of:

1. the prevention of crime & disorder
2. the prevention of public nuisance

The venue is in the process of applying for a premises licence but there have been concerns in relation to the venue for some years. Attached to this letter is a copy of the letter of objection for the full licence along with a chronology of the problems attributable to the venue.

Whilst this TEN application is promoted as a charity fund raiser there are inaccuracies in the application process. The TEN is for 150 people whereas the advertisement welcomes 'more than 200 people'. The venue is also shown as being open until 0500hrs and the TEN requests hours until 0600hrs. More

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notably the venue where this function is to take place has been 'blacked out' on the advertisement and there is no indication that the event will be hosted at unit 10 Shaftsbury Parade.

We would therefore ask a presiding sub-committee at a subsequent hearing, to give the premises user a counter notice in promotion of the licensing objectives, under Section 105 Licensing Act 2003.

Lynn Dobson.
Leeds District Licensing Officer.
West Yorkshire Police.

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Licensing Department
 Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

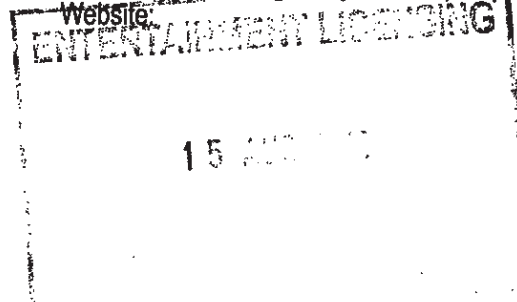
Leeds District Licensing Department

Tel: 0113-2414023

Fax: 0113-2413123

Email: lynn.dobson@westyorkshire.pnn.police.uk

Website



7 August 2012

**Mr Jean – Claude Dooh,
 59 Bexley Avenue
 Leeds LS8 5LT**

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

**RE: AFRO-DIASPORA, UNIT 10 SHAFTSBURY PARADE, HAREHILLS LANE, LEEDS LS9 6PJ
 APPLICATION FOR NEW PREMISES LICENCE – LICENSING ACT 2003:
POLICE – FULL OBJECTION:**

Thank you for submitting your application for the above premises, this application was received, at the address above, on 19 July 2012.

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 nuisance, and
3. the protection of children from harm.

This application seeks the grant of a premises licence for on sales only. The details of the application are set out below:

**Sale of Alcohol
 Recorded Music
 Provision of facilities for making music**

**Monday – Thursday 1100hrs x 0200hrs
 Friday and Saturday 1100hrs x 0400hrs
 Sunday 1200hrs x 0100hrs**

**Performance of dance
 Provision of facilities for dancing**

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**Monday – Thursday 1900hrs x 0200hrs
Friday and Saturday 2200hrs x 0400hrs
Sunday 1500hrs x 0100hrs**

Late night refreshment

**Monday – Thursday 2300hrs x 0200hrs
Friday and Saturday 2300hrs x 0400hrs
Sunday 2300hrs x 0100hrs**

Non-standard timings are not proposed.

West Yorkshire Police would not support an application of this nature, based on a number of factors. The premises are situated in a predominantly residential area with very few commercial properties and no late night establishments.

The premises have been known previously as The Starlight Bar, The Ibiza Bar, and Byblos. A number of previous applications have been received and refused where concerns have been expressed in relation to the management of the premises and the applicants' ability to run the venue. Whilst the owners of the property have remained the same throughout this period, the proposed 'managers' have differed. What has been constant is their association and links to known persons. The applicants have been considered 'a front' for persons criminally connected, who would not uphold the licensing objectives.

After several proposed changes, and a lengthy period of action planning, a review application was submitted in March 2012. Before the hearing could take place the premises licence holder surrendered the premises licence and no application was received to transfer this document. A chronology of the involvement which has taken place is attached to this letter. This involvement is not just that of WYP but also partner agencies.

The premises has remained closed for several months but it has been brought to my attention that the venue is open and is trading despite there being no licence in place to do so. The first contact I received was on 3 July 2012. A resident contacted the Leeds District Licensing Department to say that the venue was open. Officers were informed that the venue had been open into the early hours of 1 July 2012 and had disturbed local people.

On 4 July 2012 Officers from the Burmantofts and Richmond Hill Neighbourhood Policing Team met with Mr Dooh and explained their concerns. The use of the venue for 'private parties' was also discussed, this has been a tactic used by previous operators when the licence has not extended to cover the desired activities or hours.

Following this contact by NPT officers, further checks were conducted in respect of Mr Dooh. The name was familiar and had come to Police attention previously. Checks of WYP computer systems showed that Mr Dooh and his partner Floberte Ngamo Bon had come to the attention of the Police in 2009, through links to both licensed and unlicensed venues in the Chapeltown area of Leeds. Bon was known to be criminally connected with markers in relation to serious crime and immigration issues.

Following a joint WYP and Immigration Service operation, in February 2010, an unlicensed venue was visited in the Chapeltown area of Leeds. A number of illegal immigrants were deported from the UK as a result of this operation. Floberte Bon was one of these people.

On 4 July 2012 I was copied into an e-mail from Leeds City Council to say that Floberte Ngamou had been in touch with Leeds City Council and also that she had incorporated a limited company called

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Colladera Ltd. Ngamou is actually Bon and the Colladera is one venue she was linked to in the Chapeltown area. This venue is now known as Ritz and is situated at 189 Chapeltown Road Leeds 7.

On 13 June 2012 Bon reported the loss of her Cameroon passport in the name of Ngamou to Millgarth Police Station. Further checks with the Immigration Service show that Bon now has a right to remain in the UK until 2014 and that she has been granted right to remain to be with Mr Dooh.

On 7 July 2012 Officers attended at the premises and spoke to Floberte Bon. Three males were present and were playing cards. Bon was adamant that no sales or supply of alcohol was taking place but admitted having 'family gatherings'. A check of the building located the following stock on site:

- 46 bottles Guinness
- 64 bottles Stella
- 32 bottles Stella
- 20 bottles rose wine
- 7 cases x12 Becks
- 6 cases x12 Stella
- 2 packs x12 Budweiser
- 14 cans fosters
- 1 barrel Tetley's smooth
- 50 empty barrels
- 9 co2 gas cylinders

Bon was warned about 'private parties' and any sale or supply of alcohol.

On 8 July 2012 officers visited and found the premises to be insecure. Once inside they located Bon who was cooking large quantities of food. Bon claimed to be cooking for a large gathering of the Cameroon community. Very little alcohol could be located on site and officers thought that the alcohol had been moved or consumed.

On 12 July 2012 Officers visited the premises and again found them to be insecure. Once inside they located a number of people some of who were in possession of alcoholic drinks. The group denied that the venue was 'a drinking den' and that they had just met up to play cards. Again Bon was present and was advised accordingly.

Due to previous fires at the venue and the apparent use of the building for 'private parties' West Yorkshire Fire Service were contacted and asked to visit the premises. A visit was conducted in an advisory capacity only, however if the application is successful a full inspection will be conducted. The premises were found to be in a very poor state of repair and a number of Fire Service concerns were raised.

On 21 July Officers from Leeds City Council visited the premises and there spoke to a male who identified himself as Alan Persiani. Persiani is actually Alan Zolfaghary who is known to WYP and has been present at the venue when previously visited. Mr Zolfaghary is the owner of the building but has never been the applicant. Large quantities of alcohol were again found on site.

On 1 August 2012 a burglary was reported to have taken place at the premises. The reporting person at this time was Bon however the aggrieved is named as Aman Amiri. Amiri is a previous applicant who has failed on previous occasions to obtain the premises licence for the venue. He links the old to the new management and again raises concerns about this premises and who will actually be in charge. Since the first engagement with Mr Dooh in early July 2012 it has always been Bon who has been the main contact point and who appears to be running the venue.

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Stolen in the burglary was a case of Moet champagne a case of beer and the CCTV system.

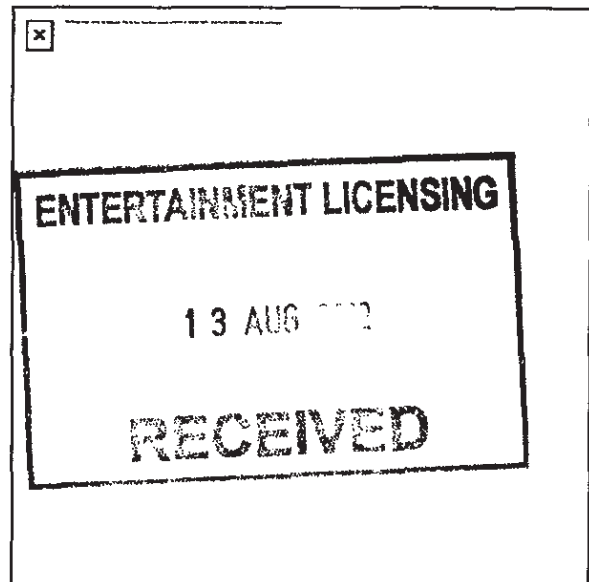
West Yorkshire Police would ask that the Licensing Committee reject this application.

L. Dobson
PC 5783
Leeds District Licensing

NOT PROTECTIVELY MARKED

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Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

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

Contact: Mr. Mudhar
Tel: 0113 395 1171
Fax: 0113 247 4947
Gurdip.mudhar@leeds.gov.uk
Our reference: 12/29720/TENOBJ
Date: 13th August 2012

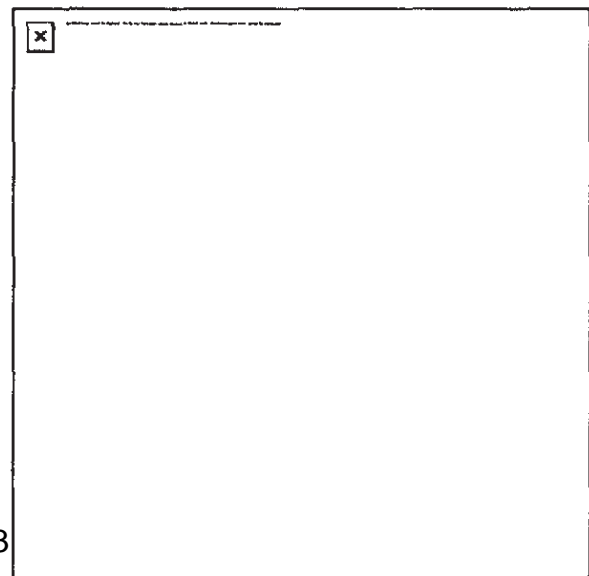
Dear Sir / Madam

**Notice of Formal Objection to TEN/01384/12
Licensing Act 2003
Unit 10 Shaftesbury Parade Harehills Lane Harehills Leeds LS9 6PJ**

I refer to the above-mentioned Temporary Event Notice which has recently been sent to Environmental Health for consultation.

www.leeds.gov.uk

general enquiries 0113 222
4444



The application premises consists of a former Shaftsbury Cinema which is situated on the junction of York Road and Harehills Lane, Leeds 9. The ground floor of the building had been converted into retail units and the upper floor level is currently vacant and had been used as a bar (known as Starlight Bar) until 2 March 2012 when the Premises Licence was surrendered (by Mr. Nawaz Khan). The licence formally lapsed on 30 March 2012. When the Premises licence was in force the licensable activities were granted from 11.00am till 11.00 pm Monday to Sunday.

Immediately to the rear of the site is a Job Centre and diagonally opposite (some 30 metres away) on Harehills Lane is a parade of six shops with residential accommodation above. Immediately to the rear of the shops is densely populated residential area. Further residential flats are situated some 100 metres to the north of the site along Harehills Lane.

When the Premises Licence was in force, applications were submitted (in 2010 / 11) to vary the licensable activities until late night hours. During my site visits to the premises it was noticed that the ceiling above the dance floor was acoustically weak and incapable of providing sufficient resistance to the passage of amplified sound. These premises were not air conditioned, therefore the customers had to open the windows for ventilation purposes. The aluminium windows (which covered large area of glazing to the front elevation of the building) were doubly glazed but the window frames were found to be very old and ill-fitting.

The applications for the variation of the premises licence were not supported by an Environmental Health on the grounds of possible public nuisance from comings and goings of people, noise associated with vehicles (banging doors, car stereos, revving engines etc). There is no dedicated car park or parking spaces available for the patrons close to the application premises, most of the vehicles were going to be parked in the streets immediately surrounding the residential properties. I understand that these applications were also objected to by the Police on the grounds of crime and disorder. Hence the applications were either withdrawn prior to the hearing or refused during the hearing.

Noise complaints

An Environmental Health has received a noise complaint made by a nearby resident to the Council's Licensing Section regarding loud music being played at the premises which had caused a sleep disturbance. The complaint was made as a result noise breaking out from the premises during the event which was held on Sunday the 21st November 2010 at 1.00am. The event was permitted under the Temporary Event Notice. The complainant in question had indicated that although other residents in the neighbourhood had been affected by the noise, however, due to fear of reprisals they did not wish to make complaints to the Council.

I understand that the noise complaints from loud music breaking out from the premises have recently been made to the Licensing Section by the local residents which are currently under investigation by the Licensing Enforcement officers. It appears that the premises may have been used for entertainment purposes without the Premises Licence and without the Temporary Event Notices.

An application for the premises licence has now been submitted by Mr. Jean- Claude Dooh (who is also the applicant for this TEN) which is currently being considered by an Environmental Health and the other responsible authorities.

TEN Application

The proposal consists of carrying out the following licensable activities on the 25th August 2012 from 14:00 hours to 06:00 hours the next day.

- supply of alcohol
- provision of regulated entertainment
- Provision of late night refreshment.

In view of the above this Department has concerns that the licensing objective for the prevention of public nuisance will not be met should this event take place as it will cause unnecessary noise nuisance for local residents and hence is formally serving notice that we will be objecting to this Temporary Event Notice.

Yours faithfully

Gurdip Mudhar
Senior Environmental Health Officer)

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