

BM 03506/002



REV1

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

Application for a review of a premises licence or club premises certificate 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 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 Cat Sanderson apply for the review of a premises licence under section 51/apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description	
Neli Bar 4 Branch Road Armley	
Post town Leeds	Post code LS12 3AQ

ENTERTAINMENT LICENSING
23 JAN 2015
RECEIVED

Name of premises licence holder or club holding club premises certificate (if known)

Mr Robert Puky

Number of premises licence or club premises certificate (if known)

PREM/03506/001

Part 2 – Applicant details

- I am Please tick ✓ yes
- 1 An individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
 - 2 A responsible authority (please complete (C) below)
 - 3 A member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname First names

I am 18 years old or over Please tick ✓ Yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name
Address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name	West Yorkshire Police
Address	Leeds District Licensing Department Leeds District Head Quarters Elland Road Leeds LS11 8BU
Telephone number (if any)	0113 385 9416
E-mail (optional)	catherine.sanderson@westyorkshire.pnn.police.uk

This application to review relates to the following licensing objectives(s)

Please tick one or more boxes ✓

- | | | |
|----|--------------------------------------|-------------------------------------|
| 1. | the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2. | public safety | <input checked="" type="checkbox"/> |
| 3. | the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4. | the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

The Neli Bar has been brought to the attention of West Yorkshire Police (WYP) due to complaints, types of incidents being reported that are directly related to the premises, and constant breaches of the premises licence.

The premises licence holder (PLH) applied for a premises licence in July 2014 after being advised that he was committing offence under the Licensing Act. Upon receipt of the application WYP submitted a Qualified Objection to suggest measures to be added to the licence to ensure that all the licensing objectives were met. These measures were agreed and the licence application was granted on 20th August 2014.

Unfortunately the calls for service started shortly afterwards, at the end of August 2014 in relation to fighting outside the premises. Further complaints were received by Leeds City Council (LCC) Entertainment Licensing and WYP around this time regarding noise issues coming from the venue. Due to the complaints that were received an action plan meeting was arranged to discuss these and to try and prevent further issues arising. The action plan meeting took place on 19th September 2014, only a month after the licence was granted.

During this meeting, the Premises Licence Holder (PLH), who is also the Designated Premises Supervisor (DPS), stated that the venue had not even officially opened at this point in time and that he had been holding private functions.

It was explained to him that even though he was not officially open, the premises licence was still in force and that he still had to work within the conditions on the licence and promote the licensing objectives. Complaints were being received about customers leaving the venue at 0400hrs even though they were only licensed until 0200hrs and the noise from the music and customers was becoming an issue with the local residents. Mr Puky was told that he was still responsible for ensuring that there was no public nuisance being caused when his customers were both at and leaving the venue. He was also made aware that he had not applied for music as a licensable activity and that he could only have background music playing. When asked about door staff Mr

Puky admitted that he had not employed any whilst he had been running the functions nor had he adhered to the CCTV condition at that point, as none was installed. At the end of this meeting Mr Puky was also spoken to about the location of where customers were being allowed to smoke. It was just inside the foyer of the premises and he was advised that this area was not suitable as it was covered inside the building. The PLH also tried to reassure everyone that there were no further parties planned and everything would be resolved by the time he officially opened.

That evening PC Davey attended the premises to find that there was a heavily intoxicated male laid out on the steps and struggling to stand. Upon speaking with this male's friend, it was confirmed that they had been socialising in Neli's. The PLH had stated only that afternoon that he was not opening until the following week. Later that evening WYP started receiving calls for service, the first of which was at 0038hrs on 20th September 2014, where the caller reported that he had been assaulted whilst walking past and an existing injury had been aggravated. Then at 0256hrs further calls for service had been received regarding a group of approximately 20 people shouting in the road with 3 of the group fighting.

The following evening PC Davey again attended the premises to monitor activities only to discover it was once again operating. A Section 19 Closure notice was issued by the officer that evening for no working CCTV and having no door staff arranged for the evening. PC Davey also made note on an email that the side fire door was locked and the front entrance shutter was closed, giving the impression that the venue was not open; entry had to be gained by knocking on the side fire door. This was very concerning as effectively Mr Puky's customers had been locked in the venue, which goes directly against the public safety licensing objective, and customers were seen smoking inside on the rear stairway. The officer also reported that the music was very loud, even though Mr Puky had been advised the day before that he was only authorised to play back ground music. Again PC Davey raised the issue about being responsible for customers when they were leaving or had just left the premises due to the male he found outside the evening before, but the PLH claimed that he was unaware that this was his responsibility.

On the 24th September 2014, Mr Puky contacted WYP to advise that he had now installed 6 cameras at the premises and he had contacted an SIA registered company to arrange door staff. It was explained to him again that the premises were not authorised to carry out licensable activities after 2100hrs on a Friday and Saturday evening without a minimum number of 2 door staff working, as per condition 24 of the premises licence. It was arranged that LCC Licensing and PC Davey would attend the venue on 26th September 2014 to check the CCTV and the alterations which had been made to the fire exit. An email confirmation was sent to the PLH confirming this meeting with another reminder about door staff.

Checks were then made with the company that Mr Puky had stated he had contacted and they confirmed that no agreements had been put in place.

Due to observations made by the officer whilst the premises were operating that weekend, WYP contacted West Yorkshire Fire & Rescue Service (WYFRS) to address the concerns raised. WYFRS visited the premises and offered advice to the PLH, commenting that Mr Puky's level of knowledge of responsibilities was minimal.

Further visits were made to the venue by WYP, but the bar only appeared to open periodically and it still appeared that when the premises were operating, the main entrance either had the shutter $\frac{3}{4}$ of the way down or fully closed. Again WYP raised this concern of customer/public safety to WYFRS.

After this contact complaints ceased until late November 2014 when WYP received noise nuisance and anti-social behaviour issues. On the 22nd November 2014 at approximately 0345hrs it was reported that people were leaving the venue being very loud. Then again on the 29th November 2014 at approximately 0345hrs customers were leaving the venue, being very noisy, fighting between themselves and even stopping vehicles as they were driving past.

On the 7th December 2014 at 0205hrs, WYP received a call for service, reporting that a female was being assaulted outside the venue by 10 people. Officers attended the incident and whilst no one was willing to make a complaint at that time, it was reported back that there were large groups of

people standing smoking outside the venue, all heavily in drink and officers had to move them on safely.

The next calls for service occurred on the 12th December 2014 at 2354hrs where there was severe disorder. Initially the first call reported that there was a large fight outside the venue and the call taker commented at the time that they struggled to hear details being given due to the noise coming from the disturbance. During the call the fight was reported to have been calming down but then flared up again and moving inside. A further call was received from door staff at the venue requesting assistance as fighting had broken out inside the premises and they were unable to control it. They even reported that a knife had been seen in the disturbance. Officers were dispatched to assist and unfortunately whilst officers were in attendance, they had to call for urgent assistance from more officers; during the disturbance, 2 officers were assaulted. At the time of this incident, officers reported that no one wished to make any complaints.

PC Davey had been in attendance during this incident and he arranged to re attend in company with LCC Licensing Enforcement Officer and meet with the PLH, effectively holding an emergency action plan meeting the following evening. PC Davey fed back that the meeting was held, even though the PLH forgot to attend with the keys to the venue and they had discussed the increase in calls for service. Unfortunately Mr Puky did not appear to be receptive to the concerns raised and advice offered.

WYP then received a call from a complainant stating that he had sustained serious injuries, which consisted of a fractured eye socket, broken nose and swelling to the eye, during the disorder which occurred at the venue. Whilst the officer in charge of the case has/is investigating the incident, they have reported that there have been issues in obtaining the CCTV from Mr Puky. It appeared that the PLH initially had ignored the request from the investigating officer and when they finally made contact, he admitted that the CCTV did not record for the 31 days required by WYP. When the officer viewed the CCTV, they advised that the quality was poor and were unable to use it for identification purposes.

A further licensing visit was carried out by PC Davey on the 4th January 2014, due to the recent calls for service. The officer reported that there was a DJ playing in the venue (no variation had been submitted to allow this licensable activity), the fire doors were yet again locked, customers were smoking inside the venue and again there were no door staff working. When spoken to, Mr Puky claimed that he was not aware that he needed them when there was no function being held.

WYP hold serious concerns in relation to how this venue is being operated, with regular breaches of the licence and, even more worrying, the lack of concern for public safety, crime and disorder and noise nuisance at the venue.

Please provide as much information as possible to support the application (please read guidance note 3)

Please see above and attached.

Have you made an application for review relating to this premises before?

Please tick ✓ yes

If yes please state the date of that application

Day	Month	Year					

If you have made representations before relating to this premises please state what they were and when you made them


Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (See guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature .. 

Date ...21st January 2015

CapacityLicensing Officer, West Yorkshire Police.....

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 6)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



WEST YORKSHIRE
POLICE

LEEDS DISTRICT LICENSING DEPARTMENT

LICENSING ACT 2003
&
(GAMBLING ACT 2005)
[LOCAL GOVERNMENT (MISC. PROV.) ACT 1982]

PREMISES – REGISTER OF CHRONOLOGICAL EVENTS
(Excluding PL Transfers / DPS changes / TEN's)

Division:	NW Leeds	NPT Area:	LC – Inner West
Premises Name (Previous Name/s) & Address: Neli Bar 4 Branch Road Armley Leeds			
Post Code:	LS12 3AQ	Tel No:	
PL/CPC No:	PREM/03506	Time Limited:	No
Orig. Issue:	20/08/14	Date - WEF:	20/08/14
ALCOHOL PREMISES:	Yes	CONSUMPTION:	On
Brief description of premises:			
Date:	Event / Meeting / Application / Formal Action / Letter etc:		
22/07/14	New PL application received: 25/07/14 – File passed on to Cat Sanderson (passed back on A/L): 05/08/14 – email from Jamie Friel of EHO of LCC-: Hello Bob Further to our telephone conversation today, Licensing has confirmed with the applicant that there will be no provision of recorded music. Therefore and with this in mind we have not raised any objection to this application. Regards Jamie		

Jamie Friel
Senior Environmental Health Officer
Environmental Protection Team
Millshaw Park Way
Leeds
LS11 0LS
Tel: 0113 3951171 (office)
Tel: 07891 277015 (mobile)

05/08/14 – email from the applicant to Bridget Massey after a query made by her to the application-:

Dear Bridget,

Thank you for your quick response.

Infact, the mentioned time is for our closing down time and we have decided that we will not serve any more drink before 30 minutes of closing time. Secondly, at initial stage and our initial survey reveals that in that locality there wont be any walk in customers after 11pm in week days.

At the start we will take bookings for small parties and get -together and obviously we will charge by time therefore, hoping that the customer will follow the time table.

Anyhow, after getting license, at any stage we observe that we need to change the time, definitely we will send our application accordingly.

Please feel free to contact us for any further query.

Regards,

Robert / Shamsi

14/08/14 – Letter of representation served by Cat Sanderson:

Morning

Please find attached a letter of representation – qualified objection regarding the application for Neli Bar, 4 Brach Road, Armley, LS12.

I have forwarded a copy of this email and letter to the applicant.

19/08/14 – Final day to make representations – (case officer Bridget Massey).

19/08/14 – Part 2 & Part 3 returned signed by the applicant:

	<p>19/08/14 – email sent to the applicant by Bridget Massey of LCC:</p> <p>Dear Sir</p> <p>I have spoken with West Yorkshire Police and they have informed me that you have signed both parts of the objection saying you agree to the conditions they have asked for in part 2 and you have also signed part 3 stating you don't agree.</p> <p>Can you please clarify if you agree or don't.</p> <p>19/08/14 – reply from the applicant: Sorry for confusion, off course we are agree. I will drop the correctly signed form again to west Yorkshire police.</p> <p>20/08/14 – PREM/03506 ISSUED:</p>
31-08-14	<p>Report of an ongoing fight. Officers attended and had dispersed by the time they arrived. No complaints.</p>
19-09-14	<p>AP meeting held due to the complaints received about the venue – noise & asb DPS/Owner stated that he had not officially opened.</p>
20-09-14	<p>Email received from PC Davey advising that had served a S19 on the premises for no door staff or CCTV</p>
20-09-14	<p>Email received from officers advising of 2 calls the previous evening to the premises:</p> <p>██████████ @ 00:38 Report that the caller had been assaulted by a customer from Neli Bar. Transpired that there was no intentional assault but the customer pushed passed the caller with and aggravated an existing shoulder injury.</p> <p>██████████ @ 02:55 Report of 20 people in the street, of which at least 3 fighting..The information stated that they have just left the premises and are smashing bottles. Officers attended to a large group, that were gathered and moved them on as no one was making any complaints.</p>
22-09-14	<p>Email received from PC Davey explaining issues from the evening of 19th.</p>
24-09-14	<p>0950hrs – Received a call from Mr Puky. He requested that myself and Paul Rix attend as he had made the changes to the premises. He claimed that he had removed the stud wall, installed 2 cameras outside and 4 cameras inside. When asked about door staff, he stated that he had emailed Pheonix Security and was awaiting confirmation. I pointed out that he could not trade on a Friday/Saturday evening after 2100hrs without door staff.</p>

24-09-14	Spoken with Dan Bowker and Steve Ford from Pheonix – neither were aware of any contact. Spoken to Ian @ HQ – he does recall an email but unable to locate it. He has confirmed that nothing has been arranged for Friday/Saturday night – unlikely that they will take on the venue.
24-09-14	Email sent to WYFRS in relation to concerns about the premises.
24-09-14	Arranged for PR and MW to attend a meeting on Friday @ 1030hrs – email confirmation sent
25-09-14	I attended with officers for an evening licensing visit – premises appeared closed.
02-10-14	Reply received from WYFRS – advice given
03-10-14	I attended with officers on an evening licensing visit. Shutter was ¾ of the way down but DPS and 2-3 other people were in the premises – no obvious sign that there was sale of alcohol.
12-10-14	Email recived from PC Davey advising that had attended on a licensing visit – premises were closed on the Friday night but open on the Saturday. He commented that there were 3 doorstaff working that evening but did not get the opportunity to enter the premises to carry out the checks. He also commented that fire exit at the front had the shutters down.
13-10-14	Email sent to WYFRS explaining ongoing concerns.
02-12-14	Complaint received about the above premises from a resident: Approx 0345 on 22-11-14 people were leaving the premises being very loud Approx 0345 on 29-11-14 again lots of people leaving the premises, very noisy with ASB where fighting between themselves and stopping vehicles driving passed.
07-12-14	██████████ @ 0205hrs Report received that a female was being assaulted by approximately 10 people. Leedswatch CCTV showed groups of people stood smoking on the steps but no fighting. Officers attended, no one making any complaints, no injuries seen but stated that all parties in drink and sent on their was home.
12-12-14	██████████ @ 2354hrs Report of people fighting outside, advised had all come out of Neli Bar. Operator commented that struggled to hear the caller due to the noise from the disturbance. During the call it was reported that as it started calming down it flared up again and were heading back into the premises. Further call, from door staff, stating that there was fighting inside the bar and he had seen a knife. Officers attended to assist, 2 officers were assaulted in the process..no one made any complaints that evening and there was no sign of a knife.
13-12-14	Email received from PC Davey advising of the fight and that had arranged a meeting that evening with the DPS.

13-12-14	Further email received from PC Davey advising that the meeting had been held, however the DPS did not appear to be receptive to the advice given.
14-12-14	██████████ @ 11:50 Caller reporting that her father had been assaulted during the incident on 12-12-14. He sustained fractured eye socket, broken nose and badly swollen left eye; the complainant believed that a knuckle duster had be used in the assault.
29-12-14	Email received from the investigating officer from the assault advising that the DPS is ignoring her communication to request a copy of the CCTV footage.
30-12-14	Email received from the investigating officer advising that she had managed to get foortage however the CCTV was not recording for 31 days.
04-01-14	Email received from PC Davey advising that he had attended on a visit to the premises. He advised that there was a DJ playing (licensed for background music only), fire doors were locked, customers smoking inside and no door staff working.
07-01-14	CCTV viewed from the premises, however the quality was poor and the officer was unable to use it for identification purposes.

Neli Bar
Action Plan Meeting
19th September 2014

Persons present:

Robert Puky - PLH
Paul Rix - LCC Licensing
PC Davey - WYP
Cat Sanderson - WYP Licensing

Mr Puky's daughter was also present to assist with translating

CD commented up on entry of the premises, that they needed to look at the floor as there was a trip hazard – a ledge from the carpet to the table area. He suggested that they mark this is yellow. RP said that the 'ledge' was to be removed.

PR opened the meeting by explaining that the premises had already been in receipt of complaints from the last 2 weekends, which was why the meeting had been requested. It was explained that the noise of music and customers were becoming an issue for residents as they were situated in a highly populated area.

PR asked whether they were having any more functions. RP stated no – they were not officially open. PR advised that they could not open until all the licence conditions had been adhered to.

RP stated that they had not officially opened and that they had only family events since being in receipt of the licence. PR advised that the complaints were mainly noise issues when customers were leaving – being the DPS and PLH he was still responsible for the customers even whilst they were outside. RP said that he would try stop the noise issues. PR continued that there were reports that people were leaving until 0400hrs however they were only licensed to provide alcohol until 0200hrs and that the closing time of the premises was also 0200hrs so everyone needed to be out and the venue closed. This could result in a fine of up to £20,000. RP said that he would try and stop this behaviour.

When asked about door staff, RP stated that he had not employed them as they had not officially opened. CS asked which company they were employing. RP advised that it was someone from Harehills. CS explained that they needed to employ door staff from an SIA registered company and asked for him to email the details to her and PR once he located them. PR again explained that they could not open for private functions without adhering to the door staff condition.

RP advised that he was not due to open properly until next week and would not be holding any events.

PR stated that he needed to adhere to his licence and ensure that they employed door staff on a Friday and Saturday evening as he had admitted to not using them as yet.

RP specifically stated that he was not opening until next week.

PR asked whether they played music. RP stated yes. PR explained that they had not applied for music on the licence and could only have back ground music. RP was not aware of this. PR explained that if the music was too loud to hear a conversation then they would need to turn it down.

PR asked about smoking. RP said that customers smoked by the entrance; he would show the area upon leaving the building.

PR asked about the CCTV. RP stated that he had a friend sorting it out for him before they opened. PR stated that they need to have the cameras in place and 31 days storage asap.

PR commented that there was no clear fire exit. RP advised that it was at the rear of the premises behind the plaster board walls but he was getting the walls removed next week.

CD asked whether the customers used just the one entrance. RP stated not, they used both exits. CD pointed out that they would need a member of door team on each entrance/exit.

On leaving RP showed the area which he allowed customers to smoke, it was a foyer area into the premises. CS stated that smoking was not allowed in that area, they needed to be outside and no drinks were to be taken with them. They needed to monitor the noise.

RP repeated that he had no parties planned this week but would be aware.



CLOSURE NOTICE

Section 19, Criminal Justice and Police Act 2001

See Guidance below

This Closure Notice is served by the Police Officer named below if he/she is satisfied that the premises have been used for the unauthorised sale of alcohol for consumption on, or in the vicinity of these premises within the last 24 hours. Each of the paragraphs below must be completed by the Police Officer.

Date of Closure Notice: 20/9/14

Time Notice served: 2000

Police Force: WEST YORKS

Name and rank of Police Officer above: PC 4513 DAVEN

Signature of Police Officer above:



Name and address of premises affected:

NELLIES BAR, BRANKH ROAD, ARMLEY

Postcode: LS12 3AG

Alleged unauthorised use of the premises

There has been unauthorised sale of alcohol because:

NO WORKING CCTV IN OPERATION.
NO DOOR STAFF WORKING BETWEEN REQUIRED TIMES.

Steps which must be taken to end the alleged unauthorised use of the premises, or to prevent it from re occurring:

OBTAIN WORKING CCTV FOR BOTH INSIDE & OUTSIDE OF THE PREMISES THAT RECORDS IMAGES FOR A PERIOD OF AT LEAST 31 DAYS.
OBTAIN/USE APPROVED DOOR STAFF ON FRIDAY/SATURDAY NIGHTS FROM 2100 HOURS TO 0200 HOURS AND USE A DOOR STAFF REGISTER.

* 7 DAYS *

The person (if applicable) upon whom the Closure Notice has been served:

Name: ROBERT PUKY

Position: OWNER

Signature:



WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 27.2)

NICHE Ref. No:

URN:

Statement of: Christopher Anthony Davey

Date of birth: Over 18

Occupation: Police Officer

This statement (consisting of: page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: pc 4513 davey

Date: Tuesday 20th January 2015

Time and date statement taken: 1400 20-01-15

Check box if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and I am employed by West Yorkshire Police as the Ward Manager for the Armley area of Leeds. I have been in this role for around 5 years and been a police officer for over 20 years.

Part of my role is to conduct licensing visits at licenced premises in and around the Leeds 12 area.

I am writing this statement in relation to a new licensed premises in the Leeds 12 area called Nellie's bar. This has an address of 4 Branch Road, Armley, Leeds.

My first dealings with this bar was complaints made to myself and the neighbourhood policing team in August 2014 that there had been a large amount of noise and disturbances outside the premises in the early hours of weekend mornings. Some complainants stated as late as 0400 hours. At this time the premises was not even open. Due to these complainants I attended an action plan meeting at Neli's bar with the Designated Premises Supervisor, a male I know to be; Robert PUKY on Friday 19th September 2014.

Also present at the meeting was Paul Rix from Leeds City Council Licencing and Cat Sanderson from West Yorkshire Police Licencing Department.

Puky stated in the meeting that the premises was not yet open but the premises had held private functions. He was reminded his conditions on his licence were valid for these. Puky also stated that there was no CCTV in operation at that time. Puky stated that he was not opening until the following week.

At approximately 2330 hours I attended at the front of the premises which is on Branch Road, Armley. The main entrance used by the club is a side entrance. I could see that there was a heavily intoxicated male lying on the steps near to the shuttered front entrance. There was another male with him. On speaking to the standing male, he confirmed that they had been drinking at Nellie's bar. I then tried to lift the roller shutter on the front entrance to the premises. It was locked.

Later that evening I heard reports via my personal radio about noise complains at the premises and also that there was fighting outside the premises. I was unable to attend due to other operational commitments.

At approximately 2100 hours on Saturday 20th September 2014 I attended at neli's bar with colleagues and made my way inside via the side door which had to be knocked to gain entry. The front doors were again shuttered and locked.

Signature: pc 4513 davey

Signature witnessed by: PC 4513 DAVEY

NICHE Ref. No:		URN:	
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Continuation Statement of Davey

I made my way up to the first floor to the open planned dance / seating area. There was music being played very loudly by a disc jockey. I again spoke to Puky about music being played in the venue, about the fire exits being locked and also about customers being loud and noisy upon leaving the club. I also issued Puky a section 19 closure notice for not having CCTV at the premises.

On Friday 12th December at 2354 hours I was working and attended at the premises to a report of serious disorder and there was a large fight outside the premises. There was also a complainant that a male at the premises had a knife. There was also a call from a member of door staff that there was a fight and they were unable to control the fight. Whilst on route to the premises other units in attendance asked for more units to attend due to the large scale disorder and the numbers of people involved.

As I arrived I could see again that the front roller shutter doors were down. I could see that there was around 80 people outside. I saw a male as I pulled up, around 50 years with a cut to his eye. I stopped the police vehicle and I could see that there a uniformed officers stood in the side doorway surrounded by males and females. I went up to help him when one male grabbed the officer. I took hold of a male and another male grabbed me from behind. I was aware that a police officer took this male off me. I detained the first male and placed him in a police vehicle to calm down. There was a large amount of scuffling and shouting and swearing. I was aware that another police officer had been punched in the face by an unknown male. There were door staff present. I spoke to a number of people who had been inside the premises prior to the fight but no one wished to make any kind of formal complainants. Everyone I spoke to stated they had been at Nellie's and that the fight had been started inside the premises and had spilled out onto the street. Due to the incident a Leeds wide request had been made for police units. At its peak I would state there were around 20 units present at the club.

I then went inside the premises and saw around 100 people inside. Again there was a disc Jockey playing music and it was very hard to hear anyone speak due to the music. I spoke to Puky who was present at the premises. He stated that the fight was outside and had nothing to do with him or Nellie's. Mr Puky would not accept any responsibility that he or the premises had anything to do with the large scale disorder.

I arranged to meet Puky the following night with Paul Rix and we attended outside the premises around 2000 hours. Puky attended but stated he had forgot his keys. Again we spoke about the disorder, CCTV, fire escapes being locked but he was quite un receptive to the issues raised.

At 2215 hours on Saturday 3rd January 2015 I attended at Nellie's bar to conduct a visit. As I pulled up at the side door I could see three males stood inside the premises. They were all smoking inside the premises. There were no door staff at the premises. I went inside the property and I could see that there was a disc Jockey playing very loud music. There were only around twenty people inside and Puky was serving behind the bar area. Puky confirmed the premises was open. I asked him why people were smoking inside the premises. I also asked him were his door staff were.

Puky stated he did not know he had to have them working when he no functions on. Again the fire escapes were closed and locked.

I then left the premises.

Signature: pc 4513 davey

Signature Witnessed by: PC 4513 DAVEY

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:	<input type="text"/>	URN:	<input type="text"/>
Statement of:	[REDACTED]		
Date of birth:	Over 18	Occupation:	[REDACTED]
This statement (consisting of: 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.			
Signature:		Date: 25 th January 2015	
Time and date statement taken: 25 th January 2015			

Check box if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and I am currently employed [REDACTED]

The area is a business related area with my premises looking onto Armley Town Street, however there are a lot of private dwellings in the area and a tower block nearby which is elderly. I live [REDACTED] and both my bedroom and children's bedroom at the rear of the premises which looks onto Branch Road. I have lived here for over ten years.

In early August 2014 I became aware from living at my premises that the old Armley Amusement building had become a place where foreign nationals gather and drink alcohol. There is no signage saying it's a pub or club.

When the place first opened there was a lot of fighting when the pub kicked out, I now know it to be called Neli's Bar, this was generally around 4am in the morning. There were countless fights, people being assaulted, large scale noise and abusive behaviour. I rang the police at least twice. The males were always drunk and often walked into the road, started fighting and stopped vehicles.

The first time I saw this, I saw the front shutter open (this is always closed as they used the side door) a number of fighting males came out of the premises then the shutter was closed again behind them. Approximately twenty minutes later, the shutter opened and further people came out of Neli's fighting and the shutter closed behind them.

This was most weekends in August on Friday and Saturday nights.

I again say that this was when I became aware of Neli's Bar and when the problems began. I often had to shout out of my window asking for people to stop shouting and swearing. Both myself and my children were frequently being woken up and I found this upsetting, as did my children who are aged 15 and 12. They should not be seeing males and sometimes females brawling in the street at 4am.


I brought the above problems to the attention of Paul Rix, a Licensing Officer for Leeds City Council to report the matter.

I became aware that Neli's were visited by Police and Licensing and the problems lessened for a while but they soon re-appeared, just as bad as ever with the fighting, shouting and swearing.

Signature:

Signature witnessed by:

NICHE Ref. No:		URN:	
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Continuation Statement of 

It always seems to be around 3am to 4am when the worst problems occur.

It's not just the fact they are fighting, it's the fact they are shouting and swearing and clearly do not take into account any members of the public who live nearby.

I remember one weekend night in December around 2.30am there was a female laid out clearly drunk on the cobbles outside the premises, they had to call for an ambulance for her.

I can say that since Neli's Bar opened that the standard of my private life has lessened and I am fed up being woken up at unearthly hours from people leaving Neli's Bar shouting, swearing and fighting with each other.

Signature:

Signature Witnessed by: