



Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/CB/LIC/PREM/05115/001

Your Ref:

Contact: Carmel Brennan

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Date: 25 May 2023

Dear Licensing Authority

APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

PREMISES: TK RESTAURANT, 486 HAREHILLS LANE, LS9 6NG

Please accept this formal representation by an officer on behalf of the Licensing Authority. I am the Senior Liaison & Enforcement Officer with Leeds City Council's Entertainment Licensing Section responsible for the Leeds 9 area postcode.

The application relates to a premises which has historically had significant issue with regards to the promotion of the licensing objectives, which are:-

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance, and
- The protection of children from harm

The Licensing Authority formally submits a representation objecting to the licence application outright as it is of the opinion that the application is likely to undermine one or more of these licensing objectives.

The subject premises were previously licensed under the 1964 Licensing Act as Starlight Bar and converted to a Premises Licence under the new regime in 2005.

PC Dobson submitted a review application in February 2012 on the grounds of operating past permitted hours, loud music causing disturbance to local residents and breaches of licence conditions. The Premises Licence Holder successfully surrendered the Premises Licence so that the review hearing was dispensed with.

There was an application for a new Premises Licence later in 2012 which the Licensing Sub Committee refused following representations by West Yorkshire Police, the Environmental Protection Team and several residents.



The premises remained closed until May 2017 when a new Premises Licence was granted to Mr Salman Haydaran for Shaftesbury Pool Centre.

On the 19th November 2019 West Yorkshire Police applied for a summary review due to 3 serious assaults at the premises in a short period of time. On hearing the evidence from PC Clifford with supporting representations from myself and an Environmental Health Officer, the Licensing Sub Committee resolved to revoke the licence.

A few weeks prior to this hearing Leeds Magistrates Court granted a Closure Order on the premises due to the serious criminal behaviour and nuisance to local residents.

In August 2020 a new application for a Premises Licence by Madison Bar & Grill Ltd was received. There was nothing to suggest this was not a brand new operator wanting to open a new business and the licence was granted with extra conditions agreed with West Yorkshire Police and Environmental Health.

The premises were not permitted to open until May 17th 2021 as the date set by the government for Stage 3 opening under Covid regulations.

PC Clifford and I visited the premises on 26th May 2021. There were so many breaches of the Premises Licence conditions that I had no option but to issue a Section 19 Closure Order under the Police Justice & Police Act 2001, giving the operator a month to rectify matters.

Despite verbal and written communications with the Premises Licence Holder, managers, various Designated Premises Supervisors over the course of many months, the issues detailed on the Section 19 were still outstanding. There were also further complaints received alleging operating without a Designated Premises Supervisor, operating past permitted hours and loud music causing nuisance to local residents.

Officers from Leeds City Council's Entertainment Licensing Enforcement team accompanied by officers from West Yorkshire Police and Environmental Health attended at the premises on the 4th November and met with the Premises Licence Holder, Designated Premises Supervisor and manager to discuss the outstanding Section 19 Closure Order and the recent complaints.

As a result of additional breaches of the Premises Licence conditions another Section 19 Closure Notice was issued by the enforcement officer and signed by the Premises Licence Holder who agreed that 2 weeks would be sufficient to rectify all matters.

This multi agency approach with meetings, advisory emails and telephone calls to the Premises Licence Holder and employees, with a view to attempt to achieve compliance with the terms and conditions of the Premises Licence, failed.

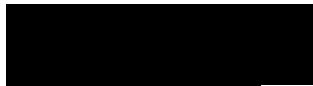
On the 2nd March 2022 I submitted a review application on the grounds of continuous breaches of Premises Licence conditions as well as evidence that the landlord and holder of the previously revoked Licence, Mr Salman Haydaran was heavily involved with the business.

At the hearing on the 26th April 2022, the Premises Licence Holder failed to appear but Mr Salman Haydaran did and was given the opportunity to speak. The Licensing Sub Committee on hearing all the presentations unanimously resolved to revoke the Premises Licence.

Given the previous troubled history, it is felt that it would be extremely challenging for an inexperienced Premises Licence Holder and Designated Premises Supervisor to have full control of the running of the business and concerns that Mr Salman Haydaran could yet again influence the running of it; and should this application be granted, the previous issues would again resurface which would have a detrimental impact on and within the locality and the upholding of the licensing objectives.

In view of the issues referred to we respectfully ask the Licensing Sub Committee, in it's determination, not to grant the Premises Licence in its entirety. Under the circumstances we believe it is a proportionate measure in the promotion of the licensing objectives. However the Licensing Authority is aware that all options are open to the Committee.

Yours sincerely



Mrs Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing