

From: [REDACTED]
Sent: 21 Jun 2024 03:24:58 +0100
To: Entertainment Licensing
Subject: RE: Licensing applications and Temporary Event Notices Received by Entertainment Licensing on 03/06/2024

Hi Charlotte.

Could I add an objection to this?

I have real concerns about the proliferation of late night noise, and abundant supply of alcohol, in a location in very close proximity to residential properties.

I think the current hours are quite late enough.

And I've heard a number of complaints by local residents about the apparently poorly-managed ethos of the venue: are we confident that the licensee is credible and able to uphold the licensing objectives appropriately? (Maybe we are, but if so, I'd be keen to hear more.)

Is that enough?

Please do keep us posted.

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Deighton, Charlotte; Entertainment Licensing](#)
Subject: correspondence with [REDACTED] and agent for Sabura variation application
Date: 12 September 2024 09:32:24
Attachments: [Details of conditions of the licence.pdf](#)

Hi Charlotte,

Please find attached correspondence between myself and [REDACTED] regarding trying to find a resolution for outstanding representation.

I would appreciate it if this information can also be included in the report for consideration.

If I receive any further emails in the coming days I will also forward this on.

Kind regards

[REDACTED]
JMC Licensing

Begin forwarded message:

From: [REDACTED]
Date: 10 September
[REDACTED]
Cc: [REDACTED]
Subject: Re: Sabura

Hi [REDACTED]

Further to our telephone meeting today I can confirm that my client has offered the following conditions to further support the licensing objectives.

- 1. All doors and windows shall be kept in a closed position, save for ingress and egress when any recorded or live music is being played.*
- 2. The Management will provide a phone number with a local taxi company and make arrangements with that company that will agree to certain 'quiet' conditions when collecting customers at the end of the evening. These quiet conditions will ensure that all taxis vehicles will make the minimum noise possible and encourage customers to leave quickly and quietly.*
- 5. Any person or persons found to be causing unnecessary noise or disturbance in the front terrace area will be warned that if they continue to do so then they will be asked to leave immediately.*

In addition I would like to propose a further condition that would replace a condition previously offered by ourselves after an agreement with the ENV Health team.

- The seating area at the front of the premises shall strictly prohibit the consumption of alcohol after 23:00 every day.

We would like to offer this condition changed to the following:

- The seating area at the front of the premises shall strictly prohibit the consumption of alcohol after 22:00 every day.

Also, during our conversation we also discussed the possible requirement for a 'noise limiter' that shall be fitted to the Music amplifier System. I felt quite strongly about this being a good fail safe method of ensuring the noise will be restricted at any time. However, as I mentioned on the phone I didn't have all of the conditions to and given there were many changes on picking up all of the conditions previously offered and agreed or currently on the licence I can see that there is already an existing condition that covers the limit of noise (perceptible to the nearest residences, and another that specifically mentions the noise being heard at the flat at 'first floor flat 254 Dewsbury Road, LS11 6JQ' so this condition would not, in my opinion, be necessary or justifiable ,but we will see what the committee decides should we get to that stage.

I have also put together a final list of all the conditions together in one document, so it should be relatively straightforward for you to gauge fairly whether these conditions plus the newly agreed ones above would satisfy the panel that all of the licensing objectives are being met.

I am slightly surprised that you would still want to go to a hearing after these additional conditions have been negotiated between ourselves and the door is still open for a zoom meeting with my clients and or a face to face meeting with them at the venue as discussed. I have since spoken to them and they are more than happy to do this in any case.

Essentially, I am still hopeful that we can mediate our way through this without the need for a hearing as it is a costly exercise for all concerned and we appear to be very close to reaching an agreement but if I don't hear back from you before 17:00, Friday 13th September then I will make arrangements to come over for the hearing.

Kind Regards

[REDACTED]

JMC Licensing

On Tue, 10 Sept 2024 at 16:38, [REDACTED] wrote:

Hi [REDACTED]

Good to talk earlier.

I look forward to your notes.

But I've thought about whether this needs to go to the sub comm, and I believe it does.

That's perhaps annoying for you and the applicants, but it's the necessary outcome after the past decade of disruption from that venue.

The community need and deserve this to go to a hearing.

With luck, the licence might be even further tightened, through discussion.

Sorry, but that's where I stand.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Civic Hall: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

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Details of licence : PREM/04372/003

Conditions consistent with the operating schedule relating to the licensing objectives

General – All four licensing objectives - (On existing licence)

- The premises licence holder/designated premises supervisor will provide regular training to staff on all alcohol related issues.
- The premises is a restaurant & café and primary sales are targeted towards serving high quality food. Alcohol sales are therefore ancillary to the restaurant.
- Only alcohol purchased on the premises will be permitted on site at anytime.

The prevention of crime and disorder - (On existing licence)

- A suitable closed circuit Television (CCTV) system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will record images to cover all areas of the premises to which the public have access (save for toilets), including any external areas of the premises such as car parks and beer gardens. The CCTV system will be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. At least one member of staff will be on duty at the premises who is capable of operating the system and downloading images recorded by it. These images will be downloaded and provided, on request, to an officer of a responsible authority.
- The premises licence holder and/or designated premises supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident. The Incident Report Register will be retained for a period of twelve months and produced for inspection immediately on the request of an authorised officer.
- The age verification policy adopted by the premises, in respect of the sale or supply of alcohol will be Challenge 25, which means that those seeking to purchase alcohol at the premises who appear to be under the age of 25 will be required to provide acceptable evidence (as approved by West Yorkshire Police) that they are 18 years of age (or older) before any alcohol is sold or supplied to them.
- The premises shall be and remain predominantly food led.

- The sale/supply of alcohol shall only be made to accompany the sale of food. This does not preclude the sale/supply of alcohol to a person waiting to be seated in the restaurant or at the conclusion of the meal.
- A supervisor's register will be maintained at the licensed premises, showing names, addresses and up to date contact details for the DPS and all personal licence holders.
- The supervisors register will state the name of the person who is overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.

Additional conditions proposed by the applicant (during the variation application)

- There will be a refusal Log Book to record all refusals of admission and ejections from the premises by door supervisors and management and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
- Door Supervision shall be provided on Friday's Saturday's and Sunday's 21:00 until closing time plus special occasions. Ie. Christmas Eve, New Years Eve or pre booked functions that have been assessed to require additional security following a risk assessment with regard to that type of function.
- When door supervisors are employed, they shall wear Hi viz clothing/Jacket, a waistcoat or overcoat.
 - a. There shall be a register (not loose leaf) recording the times they book on and off duty together with their full SIA Licence Number and a signature.
 - b. There shall be a register recording the full details of each door supervisor employed including their full name and address and a contact number.
- The records shall be kept for a minimum of 12 months after completion and made available for examination on request by either a Police Officer or warranted Council Officer.

Additional conditions agreed with West Yorkshire Police

- The alcohol sale refusals register will include attempted under-age sales, proxy sales and refusals to those who appear intoxicated. Details to be recorded shall include the date, time, name if known, physical description of the person, the reasons, and staff involved and whether CCTV of the incident is available. Any identification document coming into the possession of a member of staff including security staff shall be recorded in the register, including the name of the person/name on the identification document. The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry. The licence holder shall provide secure storage for identification documents and a system for safe disposal, which may include returning to the originating organisation, e.g. DVLA/HM passport office.
- A minimum of 2 Door supervisors shall be provided on, Fridays, Saturdays and Sunday's from 20:00 until closing time and also on special occasions including Christmas Eve / New Years Eve or pre-booked functions that have been assessed to require additional security following a risk assessment with regard to the type of function.

- Security staff shall be provided with induction training so that they have a full understanding of their roles and responsibilities and are fully conversant with the policies and procedures unique to the premises, including safeguarding and welfare arrangements, communication methods and emergency response procedures.
- The CCTV shall be checked weekly to ensure it is working correctly and a log maintained of those checks. This log will be kept on the premises for a 12 month period and produced for inspection when requested to do so by an authorized officer.
- All staff deployed in the serving of alcohol and for managing admission to age restricted premises shall be trained on the correct procedures for age verification, the prevention of proxy sales, the prevention of sales to those who appear intoxicated and for dealing with false and any surrendered identification documents. Staff training shall take place at regular intervals, endorsed by staff, maintained on the premises for 12 months and produced for inspection immediately when requested to do so by an authorised officer.
- There will be seating for 40 people inside the premises and for 30 in the external area at all times the premises is open to the public.

Public safety - (On existing licence)

- Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.
- The premises licence holder/designated premises supervisor will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.
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The prevention of public nuisance - (On existing licence)

- The premises licence holder/designated premises supervisor will ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.
- Deliveries to and from the premises will be made between 07:00 and 19:00 only.
- Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
- Staff will make hourly checks around the premises and remove any litter, including food wrappers, cans and bottles.
- 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.
- Noise from a licensable activities at the premises will not be audible at the nearest noise sensitive premises at Rowland Road and the first floor flat 254 Dewsbury Road, LS11 6JQ.

- The activities of persons using the external areas shall be monitored after 11pm and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti-social behaviour etc when necessary.
- The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

Additional conditions proposed by the applicant during the Variation application

- Notices will be displayed in a prominent position to remind customers to leave the area quickly and quietly and to respect local residents.
- The seating area at the front of the premises shall strictly prohibit the consumption of alcohol after 23:00 every day.

Additional conditions agreed with ENV Health team (Appendix F - agreed June 4th)

- The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner that does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 22:00 except for smoking.
- Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons leave the premises quietly 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.

Protection of children from harm - (On existing licence)

- Alcohol will not be displayed next to the public entrance/exit of the premises.
- All alcohol sale refusals will be recorded in a register which will be retained on the premises for inspection by responsible authorities.