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SUPPLEMENTARY INFORMATION

LICENSING SUB COMMITTEE – 20TH AUGUST 2024

AGENDA ITEM 8 - APPLICATION TO VARY A PREMISES LICENCE HELD BY
SABURA, 246 DEWSBURY ROAD, HUNSLET, LEEDS, LS11 6JQ

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Agenda Item 8

Dear Charlotte,

We would be grateful if you would you accept this email that we have sent to Cllrs Paul Wray and Ed Carlisle. Please distribute as required.

We are hopeful that the Cllrs will agree with the additional noise reduction/control measures our clients now have in place and agree that a hearing may not be now necessary.

Dear Cllrs,

We write as Agents on behalf of our client Antonio Soares who is the owner of the restaurant and the applicant for this Variation of an existing Premises Licence that is being considered.

We further write to put forward the following information that explains how the business will operate should the Variation be approved.

Our client bought the restaurant late last year and they do understand that there were some complaints from external parties regarding the previous owners relating to noise issues.

However, since our client took possession of the restaurant, they did implement their own control measures by employing Door Security staff in the evening until close to monitor the customers leaving the premises, customers using the front exterior of the restaurant and reducing the levels of the background music.

It must be noted that the decision to employ Door Supervisors was a voluntary decision agreed by the management over possible concerns of disturbing the local residents and not

one that was enforced by a condition on the Premises Licence.

This greatly helped to reduce the noise and behavior of some lively customers.

Due to the fluctuating temperatures and weather conditions, it is not always possible for customers to use the front external seating area. Last year it was hardly used at all due to the lower temperatures and rain after mid October to March. This year, we have experienced a very wet summer up to now, so obviously it has not used very often.

The outside area is an extra facility that we offer our customers, to sit with their families and children to eat their meals when the weather is permitting.

In our application we requested longer hours for the sale of alcohol in the week and at weekends.

The Police and Environmental Health both submitted representations regarding this application, both have agreed to the original proposed extended hours and both parties also proposed additional restrictive conditions that our client has agreed to.

For clarity and in agreement with these new proposed conditions, I will now summarise the amended Operating Schedule.

This is how our client will operate his restaurant should the Variation be approved.

Opening times

Around 11am (the existing premises licence permits 07.00 and 08.00)

Serving hot food and Late Night Refreshment - hot foods and hot drinks

Monday to Thursday midday until 23.30

Friday, Saturday and Sunday, midday until 01.30

Serving alcohol – to diners only

Monday to Thursday 11.00 until midnight

Friday, Saturday and Sunday, 11.00 until 02.00

Closing times – this is when all customers must have left the premises

Monday to Thursday at 00.30

Friday, Saturday and Sunday at 02.30

The police and environment Health have agreed these new closing times.

Stringent restrictions have now been added to the Operating Schedule that will add even more control over customers and possible noise concerns. The following are extracts from the existing conditions together with the new proposed conditions. Both together will form a robust Operating Schedule.

- The Premises Licence has been restricted as a restaurant/café and will never be allowed to trade as anything else unless another Variation is submitted.

- Alcohol can only be served to customers who are sat down and who have been served food. (Customers will not be allowed to consume drinks whilst waiting for a table).
- No customer will be allowed to bring in their own alcohol into the restaurant for their own consumption i.e. bottles of wine
- No new customers are allowed entry after midnight on Friday and Saturday and after 23.00 on Sundays.
- All staff will be trained in the operation of Challenge 25. This includes the prevention and selling and serving of alcohol to young persons, proxy sales, dealing with false and fraudulent ID.
- The restaurant will operate a Refusals register
- All deliveries / collections of waste will only be made between 07.00 and 19.00. Glass bottles will not be disposed of in the waste bins after 19.00 on any night.
- The customers shall be monitored by management from the bar by the CCTV cameras both in the internal and external areas.
- A minimum of 2 Door Supervisors will be employed from 20.00 until close on Friday, Saturday, Sunday's Christmas Eve, New Years Eve and following a risk assessment depending on the type of pre-booked functions.

- Door Supervisors will be trained in this Operating Schedule and any other relevant policies of the venue. Emphasis will be placed upon the observation of customers behavior, shouting, raised voices, car doors sounding horns and anti-social behavior. The Door Supervisors will monitor all customers using the outdoor area, eating or smoking, customers entering the restaurant up until midnight and leaving the premises until close.
- The Door Supervisors will operate their own Refusals Log book, that will record any customer who has been refused entry or ejected from the premises.
- The seating has been limited to a maximum of internally 40 customer and externally 30 customers.
- Notices will be displayed in prominent positions both inside and outside the restaurant requesting customers to have regard and respect for nearby residential properties and to leave the premises quickly and quietly.
- The front external area shall not be used after 22.00 on any evening, except for smoking by existing customers.
- Staff will clear the front external area of bottles and glasses on a regular basis
- A noise risk assessment will be conducted on a regular basis to ensure that no noise including background music will be a disturbance to the nearest neighboring property namely First Floor Flat, 254 Dewsbury Road, LS11 6JQ.

- The restaurant will operate the following Compliance Log Books

Incident Log book

Refusals of the Sale of Alcohol Log book

CCTV Monitoring Log

Noise Risk Assessment Log

Staff Training Log book

Door Supervisors Security Register

Door Supervisors Refusal Log

Plus various notices fixed in prominent positions around the premises

Quiet Notices

No use of outside area after 10pm

No entry to customers after 23.00 on Friday, Saturday & Sunday's

Proxy signs

Challenge 25 policies

Children's policy

There are 2 main risks

1: Customers using the outside area – weather permitted

2: Customers entering and leaving the restaurant

To summarise the main points again;

- Door Supervisors from 20.00 until close
- No use of outdoor areas after 22.00 (weather permitting)
- Only smokers may use the outdoor areas after 22.00

- No new customers allowed entry after midnight Friday, Saturday & 23.00 on Sunday's
- Background music will be inaudible at the nearest residence
- A noise risk assessment will be carried out when the external areas are being used.
- Door Supervisors will be additionally trained with emphasis on noise and customers.
- Customers waiting for taxi's will be asked to wait inside the restaurant
- The fire door in the enclosed area will be kept closed when the premises is open for customers

Under 6.13 of the Leeds SOLP it states:

- a) the applicant has properly considered what is appropriate for the local area when considering what hours and activities to apply for*
- b) the potential effect on the licensing objectives is not significant*
- c) the agreed operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on residents and businesses.*

- a) During this second risk assessment, full consideration was given to the 4 licensing objectives and we now believe that all our proposed conditions are robust, legally enforceable and sufficiently cover all the main principles of the Leeds Statement of Licensing Policy.
- b) That the potential effect on the licensing objectives has been significantly reduced
- c) The agreed operating schedule now demonstrates that our applicant has taken all the necessary

appropriate steps to minimize any impact on local residents.

All the Responsible Authorities including the police have now accepted and approved our client's application. None of the Responsible Authorities now believe that this premise and its Operating Schedule will undermine any of the 4 Licensing Objectives.

So we can confidently stand here and confirm that our application has been approved by the experts in Crime & Disorder, Public Safety, Protection of Children and Environment Health regarding Prevention of Public Nuisance. These are their own specialist areas.

In our submission, a sub-committee if guided by their own policies, The Licensing Act 2003 and the revised guidance can only refuse this application if this operating schedule is not capable of promoting the licensing objectives.

We believe that our Operating Schedule fully supports all 4 Licensing Objectives.

We respectfully ask the Cllrs to accept this application in its current format and agree that a hearing on Tuesday will not be necessary.

Thank you

Anthony Clarke
Licensing Consultant
Secure Licenses

**EXEMPTED FROM
Refunds Policy**

The Management & Staff

Welcome all our customers, however please note
WE WILL NOT SELL ALCOHOL TO

1. Anyone who appears to be under 25
2. Anyone who is appearing to be intoxicated or who has been drinking alcohol in the past 24 hours
3. Anyone who is under the influence of any other drugs or substances
4. Anyone who is under the influence of any other drugs or substances

The Management & Staff will not be held responsible for any loss or damage to any property or for any injury or damage to any person or property caused by the sale of alcohol to anyone who is under 25.

BUSINESS NAMES NOTICE

The owner of the business is:

[Redacted]

Registered address where documents can be served:

[Redacted]

Refunds Policy

Our Refunds Policy is available on our website at www.birmingham.gov.uk

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This business fully supports our Police and Trading Standards in the prevention and detection of crime and disorder using our CCTV system

CHALLENGE 25

You might think you look over 25, but we don't - and it's 'MOT' licence

No ID - No Serve

CHALLENGE 25 is a new initiative to help police and trading standards detect and prevent crime and disorder using our CCTV system

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**STAFF INDUCTION
And
AGE VERIFICATION TRAINING
LOG BOOK**

This log book is to be used by all staff who are required to serve alcohol to customers at all times

All staff MUST adhere to the company policy and the conditions of the Refunds Notice at all times

This log book must be produced on request to a Police Officer or other authorised person

The Refunds Notice is available on our website at www.birmingham.gov.uk

PREMISES INCIDENT LOG BOOK

This log book is to be used by all staff who are required to serve alcohol to customers at all times

All staff MUST adhere to the company policy and the conditions of the Refunds Notice at all times

This log book must be produced on request to a Police Officer or other authorised person

The Refunds Notice is available on our website at www.birmingham.gov.uk

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**POLITE
NOTICE**

**PLEASE KEEP QUIET
WHEN LEAVING
PREMISES TO AVOID
DISTURBING
LOCAL RESIDENTS**

Thank you for your consideration

International Shop
193 Woodhouse Street
Headingley
Leeds, LS6 2NY
Premises licence: PREM/01900/007
Issued by: Leeds City Licensing Authority

CCTV CHECK LOG BOOK

This log book must be kept safe on the premises
All faults must be immediately reported to the police
Please check at regular times and complete the

International Shop
193 Woodhouse Street
Headingley
Leeds, LS6 2NY
Premises licence: PREM/01900/007
Issued by: Leeds City Licensing Authority

PREMISES INCIDENT LOG BOOK

Please complete all boxes with as much information as possible
If a customer is:

International Shop
193 Woodhouse Street
Headingley
Leeds, LS6 2NY
Premises licence: PREM/01900/007
Issued by: Leeds City Licensing Authority

CUSTOMER REFUSAL LOG BOOK

DO NOT REMOVE THIS BOOK FROM THE CONVEYOR - ALL STAFF MUST KNOW
THIS BOOK MUST BE COMPLETED UNDER THE SUPERVISION OF A STAFF MEMBER
LOOK UNDER THE AGE OF 25

International Shop
193 Woodhouse Street
Headingley
Leeds, LS6 2NY
Premises licence: PREM/01900/007
Issued by: Leeds City Licensing Authority

STAFF TRAINING LOG BOOK

This is a register of training for all staff and must be kept safe on the premises at all times
All staff MUST adhere to the company policies and the conditions of the Premises Licence at all times
THERE ARE 2 PARTS TO THIS TRAINING LOG BOOK
1: Induction - including Challenge 25 policy for all staff
2: Product Training - Sections 1: Purple 2: Green 3: Blue

Our business fully supports our Police and Trading Standards in the prevention and detection of crime and disorder using our CCTV system

CHALLENGE 25

You might think you look over 18
but we don't - and it's 'MY' licence

No ID - No Serve



Don't try to buy alcohol for kids
We will report you

All ID presented must contain the following as outlined in the Home Office.

Photograph, date of birth, signature, holographic mark
issued by a government department.



Polite Notice

Please leave the area quickly & quietly and respectfully

WARNING SIGN FOR ADULTS

If you are buying alcohol for underage people
We WILL report you and give the police a copy of your photograph
because it's a criminal offence
taken by our CCTV cameras outside the shop
The penalty is £5000 fine



The "Keystone" jacket and dress cutt
on jackets, dresses and other garmen