



## LICENSING SUB-COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS, LS1 1UR ON  
TUESDAY, 20TH AUGUST, 2024 AT 10.00 AM

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### MEMBERSHIP

#### Councillors

J Bowden - Roundhay;  
J Gibson - Cross Gates and Whinmoor;  
D Seary - Pudsey;

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Enquiries specific to  
Entertainment Licensing:

Matthew Nelson  
Tel No: 0113 37 85337

Agenda compiled by:  
Governance and Scrutiny  
Support  
Civic Hall  
LEEDS LS1 1UR  
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## **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p style="text-align: center;"><b><u>PRELIMINARY PROCEDURES</u></b></p> <p><b>ELECTION OF THE CHAIR</b></p> <p>To seek nominations for the election for the position of Chair.</p>	
2			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance and Scrutiny Support at least 24 hours before the meeting)</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p><b>LATE ITEMS</b></p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
5			<p><b>DECLARATION OF INTERESTS</b></p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p> <p><b><u>HEARINGS</u></b></p>	
6	Headingley and Hyde Park		<p><b>CERTIFICATION OF FILMS – THE ANNIHILATION OF FISH</b></p> <p>To receive and consider the attached report of the Chief Officer, Elections and Regulatory.</p>	7 - 16
7	Middleton Park		<p><b>APPLICATION TO VARY A PREMISES LICENCE HELD BY NEW MIDDLETON, 4 THORPE STREET, MIDDLETON, LEEDS, LS10 4HD, TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR</b></p> <p>To receive and consider the attached report of the Chief Officer, Elections and Regulatory</p>	17 - 30
8	Hunslet and Riverside		<p><b>APPLICATION TO VARY A PREMISES LICENCE HELD BY SABURA, 246 DEWSBURY ROAD, HUNSLET, LEEDS, LS11 6JQ</b></p> <p>To receive and consider the attached report of the Chief Officer, Elections and Regulatory</p>	31 - 72

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<p><b><u>Third Party Recording</u></b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> <li>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</li> <li>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</li> </ul> <p>‘We strive to ensure our public committee meetings are inclusive and accessible for all. If you are intending to observe a public meeting in-person, please advise us in advance of any specific access requirements that we need to take into account by email (<a href="mailto:FacilitiesManagement@leeds.gov.uk">FacilitiesManagement@leeds.gov.uk</a>). Please state the name, date and start time of the committee meeting you will be observing and include your full name and contact details’.</p>	



**Report of** Chief Officer, Elections and Regulatory  
**Report to** Licensing Sub Committee  
**Date:** Tuesday, 20<sup>th</sup> August 2024  
**Subject:** Certification of Films – The Annihilation of Fish

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Headingley & Hyde Park		
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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

## Executive Summary

To advise the Licensing Sub Committee Members of an application for the certification of a film titled, The Annihilation of Fish, to be screened on the 6<sup>th</sup> September 2024, at Hyde Park Picture House, Brudenell Road, Headingley LS6 1JD.

### 1.0 Purpose of this Report

1.1 This report informs Members with the background, history and issues of an application made under the Licensing Act 2003 (“the Act”) for the certification of films that do not currently have a BBFC (British Board of Film Classification) certification. Finally, this report informs Members of the options available to them when considering an application for the certification of films.

### 2.0 Background Information

2.1 The Licensing Act 2003 applies to premises which provide film exhibitions. At present there are a total of 8 cinemas licensed in the Leeds district.

2.2 The majority of films shown in cinemas will carry a certificate from the BBFC, the categories of which are as follows:

**Category U Universal. Suitable for all.**

A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror.

**Category PG**                      **Parental Guidance. General viewing, but some scenes may be unsuitable for young children.**

A PG film should not unsettle a child aged around eight or older. Unaccompanied children of any age may watch, but parents are advised to consider whether the content may upset younger or more sensitive children.

**Category 12A/12**                      **Suitable for 12 years and over.**

Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12.

No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child. To help them decide, the BBFC recommend that they check the ratings info for that film in advance.

No one younger than 12 may rent or buy a 12 rated video work.

**Category 15**                      **Suitable only for 15 years and over.**

No one younger than 15 may see a 15 film in a cinema.

No one younger than 15 may rent or buy a 15 rated video work.

**Category 18**                      **Suitable only for adults.**

No one younger than 18 may see an 18 film in a cinema.

No one younger than 18 may rent or buy an 18 rated video work.

**Category R18**                      **To be shown only in specially licensed cinemas, or supplied only in licensed sex shops and to adults only.**

The R18 category is a special and legally restricted classification primarily for explicit works of consenting sex or strong fetish material involving adults. Films may only be shown to adults in specially licensed cinemas, and video works may be supplied to adults only in licensed sex shops. R18 video works may not be supplied by mail order.

2.3 In addition to licensing premises for film exhibitions, the licensing authority has a duty under Section 20 of the Licensing Act 2003 to categorise a film which is absent of a certificate from a film classification body such as the BBFC. The licensing authority may also reject or modify a film which has received certification from the BBFC.

2.4 A copy of the current BBFC Classification Guidelines are available [here](#).



### **3.0 Main Issues**

3.1 An application has been received from Hyde Park Picture House to have a film certified as it is not currently certified by the BBFC. The screening is scheduled to take place at Hyde Park Picture House, Brudenell Road, Headingley LS6 1JD on 6<sup>th</sup> September 2024.

3.2 A report detailing the film requesting certification, including a synopsis and the applicant's recommended rating, can be found at **Appendix A**.

3.3 To assist members with their deliberation officers of the Licensing Authority will view the film and provide comments in accordance with BBFC, this can be found at **Appendix B**.

3.4 Details of each film including advance screeners have been provided to the Licensing Sub Committee Members in advance of the hearing.

3.5 A representative of Hyde Park Picture House will be available via phone.

### **4.0 Implications for Council Policy and Governance**

4.1 There are no implications for Council policy and governance in respect of determining this application.

### **5.0 Legal and Resource Implications**

5.1 There is no right of appeal to the Magistrates' Court against the decision of the Licensing Sub Committee.

### **6.0 Recommendations**

6.1 Members are requested to consider this request for the certification of the films as attached hereto.

6.2 Members may take the decision to view any of the films prior to the issue of a Certificate.

### **7.0 Options Available to Members**

7.1 The Licensing Authority has the authority to categories a film which is absent of a Certificate from the BBFC.

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**CITY VARIETIES**  
MUSIC HALL · LEEDS

*The*  
**GRAND**  
Theatre & Opera House Leeds

**HYDE PARK**  
PICTURE HOUSE  
*Est. 1914*

<b>REPORT OF:</b>	██████████, Operations & Programme Manager for Leeds Heritage Theatres (Hyde Park Picture House)
<b>TO:</b>	Leeds City Council Licensing Committee ██████████ Principal Licensing Officer Entertainment Licensing - Leeds City Council Tel: 0113 378 5029 ██████████
<b>SUBJECT:</b>	Film Certification
<b>DATE OF REPORT:</b>	30/07/24

<b>1.0</b>	<b>FILM INFORMATION</b>
<b>Film</b>	The Annihilation of Fish
<b>Director</b>	Charles Burnett
<b>Country, runtime, year</b>	1999, 108mins
<b>Synopsis</b>	The Annihilation of Fish finds Burnett playfully ruminating on ageing and romance, via the guise of a sweet and sincere comedy, as two new tenants (Earl Jones and Redgrave) in an apartment building, both with peculiar eccentricities (Earl Jones has been recently released from a mental institution for fighting with a figment of his imagination: Redgrave has recently broken up with her 'lover' the long-dead 19th century composer Puccini). As the two grow closer together, Burnett uncovers their unique humanity amidst the hijinks and whimsical humour - yet without sensationalising or poking fun at their life experiences.
<b>2.0</b>	<b>DETAILS OF PROPOSED SCREENING</b>
<b>When</b>	Sunday 6 <sup>th</sup> September 2024
<b>Where</b>	Hyde Park Picture House
<b>Context</b>	<p>"Charles Burnett is one of the finest filmmakers in this country. His pictures speak in a cinematic voice that is uniquely and completely his own." Martin Scorsese, Founder and Chair of The Film Foundation.</p> <p>Charles Burnett may be one of the great American directors of the past half-century, playing a part in formulating the famed LA Rebellion school and bringing a hardnosed reality to tales of Black American life. And yet, The Annihilation of Fish, starring James Earl Jones, Lynn Redgrave and Margot Kidder, is a rare light-hearted work from him. That it has gone without distribution since release is as absurd an indictment of the vagaries of film industry politics as you could possibly find. Only now is this being rectified. A 4K</p>

	restoration by UCLA Film & Television Archive and The Film Foundation with funding provided by the Hobson/Lucas Family Foundation. We'll be screening the film in our reRun strand as part of the Cinema Rediscovered tour, supported by BFI awarding funds from National Lottery.
<b>3.0</b>	<b>SCREENER AVAILABLE?</b>
<b>Yes/No</b>	Yes.
	If Yes, complete, 4.0. If No, complete 5.0
<b>4.0</b>	<b>RECOMMENDED CLASSIFICATION – SCREENER AVAILABLE</b>
<b>4.1</b>	We advise that a 15 certificate is required for the film The Annihilation of Fish.
	In making this recommendation we have taken into account the following nine areas which the BBFC use to determine certificates and we can speak to each to explain our recommended certificate.
<b>4.2</b>	Dangerous Behaviour / Suicide and self-harm
	References to suicide and a brief, non-graphic attempt (gun), but is not endorsed or graphic.
<b>4.3</b>	Discrimination
	Implied discrimination within narrative and in conversation between the characters. Multiple references to mental health throughout, although not negatively.
<b>4.4</b>	Drugs
	Some alcohol misuse, but the affects are seen negatively.
<b>4.5</b>	Language
	Some strong language, but not very strong language.
<b>4.6</b>	Nudity
	n/a
<b>4.7</b>	Sex
	One scene of sexual activity, and references to sex but no graphic detail.
<b>4.8</b>	Sexual Violence and Sexual Threat
	n/a
<b>4.9</b>	Threat and Horror
	n/a
<b>4.10</b>	Violence
	n/a
<b>5.0</b>	<b>CLASSIFICATION – SCREENER UNAVAILABLE</b>
<b>5.1</b>	We advise that the film *** is given a *** certificate.
	Any film without a screener for the committee to view, an 18 certificate is required by Leeds City Council, with reference to the below disclaimer.
<b>Disclaimer</b>	This film does not contain any content which would more likely than not, render the film liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines.
<b>6.0</b>	<b>PREVIEW COPY (Sharing is prohibited by copyright)</b>

<b>Trailer link</b>	
<b>Screener link</b>	████████████████████
<b>Password</b>	██████
<b>Alternative copy details &amp; notes</b>	Please ensure this screener is kept secure due to copyright.

**Certification Controls at Hyde Park Picture House**

As per our premises licence, the Hyde Park Picture House follows BBFC certification guidance, which is listed with each individual film on our [website](#).

We have several checks in place to manage access to films based on this guidance. These checks are as follows:

- Our [terms & conditions page](#) includes clear guidance on certification in a way audiences can understand and which includes a link to the BBFC if further information is required.
- Certificates are added to every listing on our box office system in addition to our website and this limits the tickets available to films where appropriate. E.g. An audience member can't buy a child's ticket for a 15 or 18 certificate film.
- We have also established a Content Guidance system which allows us to give additional content information to audiences to help them make informed choices about what they watch. Full guidance on this can be found on our [website](#).
- Adding the cert to the Box Office system also enables our Front of House staff to identify the age restrictions for films. All staff are fully trained to both understand and then manage certification and age restrictions for films, so we can both advise on entry and appropriateness of a film and refuse sales where required.
- All tickets bought in advance or on the day are checked by a staff member on the door to the cinema auditorium so if an underage person has bought a ticket over the phone or internet in advance they would have to engage with a staff member at ticket check point and entry would be refused and ticket refunded.

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Officer Comments – The Annihilation of Fish

Title	Synopsis provided by the Applicant	Applicant's Recommended Rating	Link to Screener	Password (if applicable).	Officer Comments
<p><b>The Annihilation of Fish</b></p>	<p>The Annihilation of Fish finds Burnett playfully ruminating on ageing and romance, via the guise of a sweet and sincere comedy, as two new tenants (Earl Jones and Redgrave) in an apartment building, both with peculiar eccentricities (Earl Jones has been recently released from a mental institution for fighting with a figment of his imagination: Redgrave has recently broken up with her 'lover' the long-dead 19thcentury composer Puccini). As the two grow closer together, Burnett uncovers their unique humanity amidst the hijinks and whimsical humour - yet without sensationalising or poking fun at their life experiences.</p>	<p>15</p>	<p>██████████ ██████████ ██████████</p>	<p>██████████</p>	<p>Romantic comedy, the theme of mental health dealt with sympathetically. References to sex, but not explicit or prolonged. No issue with a 15 rating.</p>

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**Report of the Chief Officer Elections and Regulatory**

**Report to the Licensing Sub Committee**

**Date: Tuesday 20 August 2024**

**Subject: Application to Vary a Premises Licence held by New Middleton, 4 Thorpe Street, Middleton, Leeds, LS10 4HD, to specify an individual as Designated Premises Supervisor**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Middleton Park		
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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**Summary of Main Issues**

This is an application to vary a premises licence held by New Middleton, 4 Thorpe Street, Middleton, Leeds, LS10 4HD, to specify a new individual as the Designated Premises Supervisor.

The application is to specify Michaela Grainger as the Designated Premises Supervisor.

West Yorkshire Police have been served a copy of the application and served an objection notice to the grant of the application.

## **1 Purpose of this Report**

- 1.1 To advise Members of an application made under section 37 of the Licensing Act 2003 ("the Act") to vary a premises licence in order to specify Michaela Grainger as the Designated Premises Supervisor.
- 1.2 The Licensing Sub Committee is required to consider this application due to the receipt of an objection from West Yorkshire Police.

## **2 History of the Premises**

- 2.1 On the introduction of the Licensing Act 2003 the premises were known as the Middleton Social and Welfare Club and benefitted from a Club Premises Certificate. The certificate was surrendered and a Premises Licence applied for in November 2007.
- 2.2 In January and February of 2014 applications were successfully made to transfer the licence to Julie Jackson and to appoint Julie Jackson as the Designated Premises Supervisor (DPS).
- 2.3 On 13 February 2020 Entertainment Licensing submitted an application to review the premises licence. The application followed several action plan meetings providing the licence holder at the time with multiple opportunities to operate in accordance with the hours authorised by the licence, and to comply with the four licensing objectives and the conditions attached to the licence. Incidents of increasing concern however continued at the premises undermining the four licensing objectives.
- 2.4 The Licensing Sub Committee considered the review application on 7 Oct 2020 (delayed due to the pandemic) and resolved to revoke the premises licence.
- 2.5 On 20 May 2022 an application for the grant of a new premises licence was applied for by the current holder, Tanya Clowes, and representations objecting to the application outright were received from West Yorkshire Police and Entertainment Licensing. Following receipt, discussions did take place between the Police and the Applicant's representative to mitigate some of the concerns that led to the Police representation.
- 2.6 The Licensing Sub Committee met on the 14 July 2022 to consider and determine the new premises licence application and acknowledged the seriousness of the issues which had led to the previous licence being revoked. Ms Clowes was aware of the history and it was imperative that appropriate and proportionate measures were in place, enforced and their effectiveness kept under review to ensure there was no return to previous issues at the premises.
- 2.7 The Committee accepted Ms Clowes assurances, including conditions offered that the husband (since bereaved) of the holder of the revoked licence would have no day-to-day involvement in the operation of the premises and he was not permitted on the premises during times when licensable activities were taking place. Furthermore, the Committee considered that it would be unfair to have allowed the past issues to taint Ms Clowes' application and unanimously resolved to grant the application, subject to the conditions agreed with West Yorkshire Police and refined by the Applicant's representative.

2.8 On 23 May 2024 West Yorkshire Police submitted an application for summary review on the grounds of serious crime and disorder. The licence was suspended with immediate effect following the meeting to consider interim steps.

2.9 The Licensing Sub Committee considered the substantive review on 18 June 2024 and resolved to:

- Suspend the licence for a period of 2 months from Tuesday, 18th June 2024, during which time:
  - a. the licence holder, DPS and all staff currently employed at the premises will receive full training on all aspects of licensing responsibilities from a professional licensing training provider;
  - b. the premises licence holder shall arrange a meeting with representatives of West Yorkshire Police and the Licensing Authority to take place no less than 14 days before the premises re-opens following the period of suspension to discuss what further steps, if any, are necessary to ensure public safety is maintained.
- To modify the conditions of the licence so that the condition in relation to SIA accredited door supervisors reads:

*“The minimum number of door supervisors for the premises is 2. All such door supervisors shall be independent Security Industry Accredited security staff. The days and hours door supervisors shall operate on the premises are:*

- a. Friday, Saturday and Sunday 20:00 until close.*
- b. From 20:00 on any day where a temporary event notice is in force that permits the sale of alcohol beyond that permitted under the premises licence.*

*In addition to a. and b. above, the premises licence holder shall provide independent Security Industry Accredited security staff on the occasions and to the numbers as identified through a risk assessment.”*

### **3 The Application**

3.1 The applicant’s name is Ms Tanya Clowes.

3.2 The proposed Designated Premises Supervisor is Michaela Grainger.

3.3 A copy of the application is attached at Appendix A of this report.

### **4 Representations**

4.1 Under the Act, representations can be received from West Yorkshire Police only and the grounds for objection must be relevant to the prevention of crime and disorder.

4.2 West Yorkshire Police are satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective. A copy of the police objection can be found at Appendix B.

- 4.3 Further to their objection, West Yorkshire Police have provided the document at Appendix C indicating they hold multiple pieces of intelligence relating to the premises which they intend to share during closed session only.

## **5 Equality and Diversity Implications**

- 5.1 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 relevant licensing objective(s) as prescribed by the Licensing Act 2003.

## **6 Option Available to Members**

- 5.1 Members of the Licensing Sub Committee must make a decision with a view to promote the relevant licensing objectives which, in the case of a change of Designated Premises Supervisor, is the prevention of crime and disorder. Members may decide to:

- Grant the application as requested; or
- Reject the application to specify the said person as the Designated Premises Supervisor.

## **7 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy



**PREM3**

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

**Application to vary a premises licence to specify an individual as a designated premises supervisor 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/we *Tanya Clowes* being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003**

**Premises licence number**

PREM/04943/001

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description

New Middleton, 4 Thorpe Street  
Middleton  
Leeds  
LS10 4HD

Post town

Post code

Telephone number of premises (if any)

Description of premises (please read guidance note 1)

**Part 2 – Proposed supervisor details**

Full name of proposed designated premises supervisor Michaela Grainger
Nationality [REDACTED]
Place of birth [REDACTED]
Date of birth [REDACTED]

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any) LEEDS/PERL/11380/22 Leeds City Council
--

Full name of existing designated premises supervisor (if any) Tanya Clowes
---

Please tick  yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003 (please read guidance note 2) **X**

I have enclosed the premises licence or relevant part of it **X**

**(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)**

<b>Reasons why I have failed to enclose the premises licence or relevant part of it</b>
---

Please tick yes

- I have made or enclosed payment of the fee X
- I will give a copy of this application to the chief officer of police (please read guidance note 3) X
- I have enclosed the consent form completed by the proposed premises supervisor X
- I have enclosed the premises licence, or relevant part of it or explanation X
- I will notify the existing premises supervisor (if any) of this application (please read guidance note 4) X
- I understand that if I do not comply with the above requirements my application will be rejected X

**It is an offence, under Section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with this application. Those who may a false statement may be liable on summary conviction to a fine of any amount.**

**It is an offence under section 24B of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status.**

**Those who employ an adult without a valid leave to enter or remain in the UK or an adult who is subject to conditions which would prevent that person from taking up employment will be liable to a civil penalty under Section 15 of the Immigration, Asylum and Nationality Act 2006 and, pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified by virtue of their immigration status.**

**Part 3 – Signatures** (please read guidance note 5)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 7). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact Name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 8)	
[Redacted]	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
[Redacted]	
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>	
[Redacted]	

## Notes for Guidance

1. Describe the premises, for example the type of premises it is.
2. An application to vary a premises licence so as to name a different premises supervisor may be given immediate effect (that is, from the time that the application is received by the licensing authority) if the premises licence holder requests it at the time he makes an application under section 37. Section 38 enables the holder of a premises licence to continue the supply of alcohol if, for example, the existing premises supervisor is suddenly indisposed or unable to work. If the application is rejected, the licence reverts to the form it took before the application was made.
3. A full copy of the application form must be sent to the chief officer(s) of police for the police area(s) in which the premises are situated. The notice should state whether section 38 of that Act (circumstances in which section 37 application given interim effect) applies to the application.
4. Section 37(4)(b) of the Licensing Act 2003 requires the premises licence holder to notify the existing designated premises supervisor (if any) about this application. It is sufficient for the licensee to inform the existing premises supervisor in writing, without the need to share the specific details of the application. The notice should state whether section 38 of the Act (circumstances in which section 37 application given interim effect) applies to the application.
5. The application form must be signed.
6. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have authority to do so.
7. Where there is more than one applicant both applicants, or their respective agents, must sign the application form.
8. This is the address which we shall use to correspond with you about this application.





**PREM2**

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

**Consent of individual to being specified as premises supervisor**

I .....*Michaela* ..... *Grainger*  
.....  
(full name of prospective premises supervisor)

of .....  
.....  
(home address of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

.....*Variation* ..... of ..... *DPS*  
.....  
(type of application, i.e. grant, variation, variation of DPS)

by ..... *Tanya* ..... *Clowes*  
.....  
(name of applicant)

relating ..... to ..... a ..... premises ..... licence  
.....*PREM/04943/001*.....  
(number of existing licence, if any)

for ..... *The* ..... *New* ..... *Middleton*  
*LS104HD*.....  
(name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application

*Tanya Clowes* .....  
(name of applicant)

concerning the supply of alcohol at

.....*The* ..... *New* ..... *Middleton* ..... *LS104HD*  
.....  
(name and address of premises to which application relates)

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal ..... licence ..... number  
.....*LEEDS/PERL/11380/22*.....

Personal licence issuing authority ..... *LEEDS* ..... *CITY*  
*COUNCIL*.....

*insert name and address and telephone number of personal licence issuing authority, if any*

Signed .....M.Grainger.....

Name (please print) .....Michaela Grainger  
.....

Date .....05/07/2024.....  
.....

**Leeds District Licensing****Department**

**Leeds District Licensing Department**  
 Leeds District HQ  
 Elland Road  
 Leeds  
 LS11 8BU

T: [REDACTED]

E: [REDACTED]

W: [www.westyorkshire.police.uk](http://www.westyorkshire.police.uk)

16th July 2024

**Entertainment Licensing Section**  
**Leeds City Council**  
**Civic Hall**  
**Leeds**  
**LS1 1UR**

**OBJECTION NOTICE:**  
**VARY PREMISES LICENCE - DESIGNATED PREMISES SUPERVISOR:**  
**SECTION 37(5) & 37(6) LICENSING ACT 2003**

**PREMISES:** New Middleton, 4 Thorpe Street, Middleton, Leeds LS10 4HD  
**PROPOSED PREMISES SUPERVISOR:** Michaela Grainger

I **Sarah Blenkhorn** as a **Leeds District Licensing Officer for West Yorkshire Police** serve notice of objection to this application.

If granted, West Yorkshire Police are satisfied that the exceptional circumstances of the case would undermine the crime prevention objective, for the following reasons:

In 2020 the licence for the above premises was revoked. The licence holder and DPS at that time was Julie Jackson. The reasons for the revocation included but are not restricted to, continuous and repeat breaches of the premises licence including serving beyond permitted hours, no drug safe, non – attendance at pub watch meetings, no gaming permits, unable to operate the cctv, cctv not working correctly, non-compliance with action plans. Additionally, the licensing objectives were not being upheld as the premises was linked to multiple counts of crime and disorder, public nuisance, noise nuisance, allowing drunk parents on the premises who were not supervising their children who in turn were responsible for much of the anti-social behaviour in the area and therefore not upholding the protection of children from harm objective. West Yorkshire Police, Entertainment Licensing and Environmental Protection had continued visits with the premises throughout Julie Jackson and her family's reign from when she was first granted the licence in 2014 up to the point in 2020 when the licence was eventually revoked. The Jackson family simply did not care about complying with the law and had no respect for the

**NOT PROTECTIVELY MARKED**

## **NOT PROTECTIVELY MARKED**

authorities' input, their premises licence or indeed the licensing authority. They did not comply with Action Planning over these years and eventually the licensing sub-committee deemed the premises so badly run that the licence should be revoked.

Tanya Clowes applied for the premises licence around in 2022 and was subsequently granted the licence despite police objections. She now wishes to transfer her position as Designated Premises Supervisor (DPS) back to the Jackson family with Michala Grainger now being the proposed DPS. Michala Grainger is the partner of Colin Jackson. Colin Jackson is the brother of the late David Jackson and the uncle of David Jackson junior who both ran the premises with Julie Jackson. Due to the serious nature of the issues when the Jackson's were in charge, in 2022 when Tanya was granted the licence, a condition was added to the licence which stated that David Jackson was not to be involved with the running of the business. It should be noted that David Jackson owns the premises,

The Jackson family have shown they cannot run a licensed premises properly and put the licensing objectives at the forefront of their operation. Taya Clowes now wishes to hand the position of DPS right back to the hands of the Jackson family.

**Therefore, West Yorkshire Police would ask any presiding sub-committee at a hearing, to refuse this application outright with a view to promoting the crime and disorder licensing objectives.**

**Sarah Blenkhorn  
Leeds District Licensing Officer.  
West Yorkshire Police.**

**NOT PROTECTIVELY MARKED**

## **Intelligence document**

West Yorkshire Police hold multiple pieces of intelligence about the New Middleton pub which should be discussed in closed session at the hearing.

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**Report author: Miss Charlotte Deighton**

**Tel: 0113 378 5029**

**Report of the Chief Officer Elections and Regulatory**

**Report to Licensing Sub Committee**

**Date: Tuesday 20 August 2024**

**Subject: Application to Vary a Premises Licence held by Sabura, 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hunslet & Riverside		
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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**Summary of Main Issues**

This is an application to vary a premises licence, made by Antonio Carlos Duarte Soares, for Sabura, 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ.

The applicant has applied for the following:

- To amend the plans to include the outdoor eating area at the front of the premises;
- To add conditions to the premises licence; and
- Extend the licensable activities on the licence.

Responsible authorities and Ward Members have been notified of this application.

The application has attracted representations from West Yorkshire Police, the Environmental Protection Team and other persons.

The representations by the two authorities have been withdrawn following agreements reached.

The representations by other persons remain a matter outstanding for the Sub Committee's consideration.

## **1 Purpose of this Report**

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary a premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

## **2 History of Premises**

- 2.1 The application for the grant of a premises licence was served to the licensing authority in July 2019 which attracted representations from West Yorkshire Police and a local ward councillor. Agreements were reached between all a parties and the licence was granted.
- 2.2 An application to vary the licence was then submitted in February 2021. The application sought to extend the hours for licensable activities. The application attracted representations and scheduled for a hearing. The Sub Committee resolved to grant the licence to reducing the hours applied for and imposing additional conditions.
- 2.3 Applications to transfer the licence to the current holder and to specify the current designated premises supervisor were received by the Licensing Authority in July 2023. Both were granted as applied for.
- 2.4 A copy of the existing licence is attached at Appendix A.

## **3 The Application**

- 3.1 The applicant is Antonio Carlos Duarte Soares.
- 3.2 Briefly the application is to:
  - Alter the plans to include the outdoor eating area at the front of the premises;
  - Add additional conditions to the licence;
  - Extend the existing hours for the sale by retail of alcohol and late night refreshment.
- 3.3 A copy of the redacted application form is attached at Appendix B.
- 3.3 The applicant proposes to promote the licensing objectives by taking the additional steps identified document attached at Appendix C.

## **4 Location**

- 4.1 A map which identifies the location of this premises is attached at Appendix D.



## **5 Representations**

- 5.1 Under the Act representations can be received from anyone but must be relevant and, in the case of members of the public, must not be frivolous or vexatious.

### Representations from Responsible Authorities

- 5.2 Representations have been received from West Yorkshire Police and the Environmental Protection Team in their capacity as responsible authorities.
- 5.3 Any representation may be negotiated prior to the hearing and in this instance agreements to adopt additional measures have been reached between with each authority
- 5.4 A copy of the representation and agreement reached with West Yorkshire Police may be found at Appendix E.
- 5.5 A copy of the representation and agreement reached with the Environmental Protection Team can be found at Appendix F.

### Other Representations

- 5.6 The application has attracted two representations from local ward councillors (described as 'other persons' in the legislation) which are opposed to this application on the grounds of public nuisance. Redacted copies of the representations are available at Appendix G.

## **6 Licensing Hours**

- 6.1 Members are directed to paragraphs 6.8 to 6.15 for the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.
- 6.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not impact on the licensing objectives.
- 6.3 A list of premises in the local area and their licensed hours and activities is provided at appendix H.

## **7 Equality and Diversity Implications**

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

## **8 Options Available to Members**

8.1 The licensing subcommittee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

8.2 Members of the licensing subcommittee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives and relevant to the application.

## **9 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy

## Details of premises licence

For: Sabura



This document provides details of the premises licence issued to the stated premises and is not a licence itself.

**Licence number:** PREM/04372/003

**Premises the licence relates to:** Sabura, 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ

**Date licence first effective:** 23rd August 2019

**Date current version effective from:** August 15, 2023

### Licensable activities authorised by the licence:

Sale by retail of alcohol	
Monday to Thursday	11:00 - 22:40
Friday & Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

Provision of late night refreshment	
Friday to Sunday	23:00 - 01:30

### Opening hours of the premises:

Monday to Thursday	07:00 - 23:00
Friday To Sunday	08:00 - 02:00

### Premises licence holder(s):

Antonio Carlos Duarte Soares, [REDACTED]

### Designated premises supervisor:

Antonio Carlos Duarte Soares

### Access to the premises by children

Access to the premises by children is restricted

## Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
  - a. unauthorised access or occupation (e.g. through door supervision), or
  - b. outbreaks of disorder, or
  - c. damage
2. No supply of alcohol may be made under this licence
  - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- a. games or other activities which require or encourage, or are designed to require or encourage individuals to -
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  6. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- a. a holographic mark, or
- b. an ultraviolet feature.

7. The responsible person must ensure that -

- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
  - i. beer or cider: ½ pint;
  - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - iii. still wine in a glass: 125 ml;
- b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and
- c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

- a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b. "permitted price" is the price found by applying the formula  $P = D + (D \times V)$  where -
  - i. P is the permitted price,
  - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
  - i. the holder of the premises licence,
  - ii. the designated premises supervisor (if any) in respect of such a licence, or
  - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

1. Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
2. The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the operating schedule**

### **Additional details in respect of licensable activities authorised by this licence**

#### Provision of late night refreshment

Location of activity:    Indoors

### **Conditions consistent with the operating schedule relating to the licensing objectives**

#### **General – All four licensing objectives**

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

#### **The prevention of crime and disorder**

12. 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.
13. 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.
14. 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.

15. The premises shall be and remain predominantly food led.
16. 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.
17. 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.
18. 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.

### **Public safety**

19. 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.
20. 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.

### **The prevention of public nuisance**

21. 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.
22. Deliveries to and from the premises will be made between 07:00 and 19:00 only.
23. 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.
24. Staff will make hourly checks around the premises and remove any litter, including food wrappers, cans and bottles.
25. 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.
26. 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.
27. 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.
28. 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.

### **Protection of children from harm**

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

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

**General – All four licensing objectives**

31. There will be no admissions of customers after 00:00 on Friday and Saturday and after 23:00 on Sundays.





**PREM7**

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

**Application to vary a premises licence 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/We Antonio Carlos Duarte Soares (insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.**

**Premises licence number** PREM/04372/003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description

Sabura  
246 Dewsbury Road  
Hunslet  
Leeds  
LS11 6JQ

Post town

Post code

Telephone number of premises (if any)

Non domestic rateable value of premises

£

**Part 2 – Applicant Details**

Daytime contact telephone number

Email address (optional)

Current postal address  
if different from  
premises address

Sabura, 246 Dewsbury Road, Leeds, LS11 6JQ

Post Town

Postcode

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes  No

If not, from what date do you want the variation to take effect?

**Day** **Month** **Year**

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes  No

Please describe briefly the nature of the proposed variation (please read guidance note 2)

- 1: To submit new plans to include the outdoor eating area at the front of the premises
- 2: To add conditions to the premises licence.
- 3: To amend the hours for 'The Sale of Alcohol ON sales' from existing to 11:00 – 00:00 Monday to Thursday and 11.00 - 02.00 Friday to Sunday
4. To amend the hours for Late Night Refreshment from existing to 23.00- 23.30 Monday to Thursday and 23.00 – 01.30 Friday to Sunday

Changes to Activities

Sale by retail of alcohol

Changing from:

Monday to Thursday 11:00 - 22:40

Friday & Saturday 11:00 - 01:00

Sunday 11:00 - 00:00

Changing to:

Monday to Thursday 11:00 - 00:00

Friday to Sunday 11:00 - 02:00

Alcohol sold for consumption on the premises

Seasonal Variations:

NONE

Non-Standard Timings:

NONE

Other details:

NONE

Provision of late night refreshment

Changing from:

Friday to Sunday 23:00 - 01:30

Changing to:

Monday to Thursday 23:00 - 23:30

Friday to Sunday 23:00 - 01:30

Activity will take place Indoors

Seasonal Variations:

None

Non-Standard Timings:

None

Other details:

None

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

**Part 4 - Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if the application to vary is successful.

**Please tick all that apply**

**Provision of regulated entertainment**

- a) play (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- C)** indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)

- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

✓

**Sale by retail of alcohol** (if ticking yes, fill in box J)

✓

**In all cases complete boxes K, L and M**

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	<b>Indoors</b>				
<b>Day</b>	<b>Start</b>	<b>Finish</b>		<b>Outdoors</b>				
<b>Mon</b>			<b>Please give further details here</b> (please read guidance note 4)	<b>Both</b>				
<b>Tue</b>								
<b>Wed</b>						<b>State any seasonal variations for performing play</b> (please read guidance note 5)		
<b>Thur</b>								
<b>Fri</b>			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)					
<b>Sat</b>								
<b>Sun</b>								

# B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of a films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	<b>Indoors</b>				
<b>Day</b>	<b>Start</b>	<b>Finish</b>		<b>Outdoors</b>				
<b>Mon</b>			<b>Please give further details here</b> (please read guidance note 4)	<b>Both</b>				
<b>Tue</b>								
<b>Wed</b>						<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
<b>Thur</b>								
<b>Fri</b>			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)					
<b>Sat</b>								
<b>Sun</b>								

# C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)	
Day	Start	Finish		
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)	
Tue				
Wed				
Thur				
Fri				<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list.</b> (please read guidance note 6)
Sat				
Sun				

# D

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both</b> – please tick (please read guidance note 3)	Indoors			
Day	Start	Finish		Outdoors			
Mon			<b>Please give further details here</b> (please read guidance note 4)	Both			
Tue				<b>State any seasonal variations for the boxing or wrestling entertainment</b> (please read guidance note 5)	Both		
Wed					<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list.</b> (please read guidance note 6)	Both	
Thur						Both	
Fri						Both	
Sat			Both				
Sun			Both				

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors				
Day	Start	Finish		Outdoors				
Mon			<b>Please give further details here (please read guidance note 4)</b>	Both				
Tue								
Wed						<b>State any seasonal variations for the performance of live music (please read guidance note 5)</b>	Both	
Thur								
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 6)</b>	Both				
Sat								
Sun								

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors				
Day	Start	Finish		Outdoors				
Mon			<b>Please give further details here (please read guidance note 4)</b>	Both				
Tue								
Wed						<b>State any seasonal variations for the playing of recorded music (please read guidance note 5)</b>	Both	
Thur								
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 6)</b>	Both				
Sat								
Sun								

# G

<b>Performance of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	<b>Indoors</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>		<b>Outdoors</b>	
<b>Mon</b>			<b>Please give further details here</b> (please read guidance note 4)	<b>Both</b>	
<b>Tue</b>					
<b>Wed</b>			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
<b>Thur</b>					
<b>Fri</b>			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list.</b> (please read guidance note 6)		
<b>Sat</b>					
<b>Sun</b>					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			<b>Please give a description of the type of entertainment you will be providing</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	<b>Indoors</b>	
				<b>Outdoors</b>	
<b>Mon</b>			<b>Please give further details here</b> (please read guidance note 4)	<b>Both</b>	
<b>Tue</b>					
<b>Wed</b>			<b>State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
<b>Thur</b>					
<b>Fri</b>			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), f) or g) at different times to those listed in the column on the left, please list.</b> (please read guidance note 6)		
<b>Sat</b>					
<b>Sun</b>					



**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	<b>Indoors</b>	<b>X</b>
				<b>Outdoors</b>	
				<b>Both</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
<b>Mon</b>	23:00	23:30	<b>Please give further details here (please read guidance note 4)</b> None		
<b>Tue</b>	23:00	23:30	<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 5)</b> None		
<b>Wed</b>	23:00	23:30	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 6)</b> None		
<b>Thur</b>	23:00	23:30			
<b>Fri</b>	23:00	01:30			
<b>Sat</b>	23:00	01:30			
<b>Sun</b>	23:00	01:30			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption on or off the premises or both – please tick (please read guidance note 8)</b>	<b>On the premises</b>	<b>X</b>
				<b>Off the premises</b>	
				<b>Both</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
<b>Mon</b>	11:00	00:00	<b>State any seasonal variations for the supply of alcohol (please read guidance note 5)</b> NONE		
<b>Tue</b>	11:00	00:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 6)</b> NONE		
<b>Wed</b>	11:00	00:00			
<b>Thur</b>	11:00	00:00			
<b>Fri</b>	11:00	02:00			
<b>Sat</b>	11:00	02:00			
<b>Sun</b>	11:00	02:00			

# K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)**

Empty box for highlighting adult entertainment or services.

# L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)	
Day	Start	Finish		
Mon	07:00	00:00	None	
Tue	07:00	00:00		
Wed	07:00	00:00		
Thur	07:00	00:00		<b>Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list.</b> (please read guidance note 6)
Fri	08:00	02:00		None
Sat	08:00	02:00		
Sun	08:00	02:00		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

Please tick ✓ yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

# M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 11)**

See Attached Sheet

**b) The prevention of crime and disorder**

See attached sheet

**c) Public safety**

see attached sheet

**d) The prevention of public nuisance**

See attached sheet

**e) The protection of children from harm**

See attached sheet

Please tick ✓ Yes

- I have made or enclosed payment of the fee, or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable ✓
- I understand that I must now advertise my application ✓
- I have enclosed the premises licence or relevant part of it or explanation ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent.** (See guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature .....

Date .....

Capacity .....

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 14). **If signing on behalf of the applicant please state in what capacity.**

Signature .....

Date .....

Capacity .....

<b>Contact Name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)	
Mr Tony Clarke 540 Antrim Road Belfast BT15 5GJ	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>	

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.

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Premises licence number PREM / 04372 / 003

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Following a risk assessment of the premises against the Licensing Objectives. We offer the following conditions that will support our application.

**b) The prevention of crime and disorder**

1. 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.
2. Door supervision shall be provided on Fridays and Saturdays and Sundays 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 the type of function.
3. When Door Supervisors are employed, they shall wear high viz clothing/jacket, 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 private register recording the full details of each Door Supervisor employed including their full address and a contact number.
4. 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.

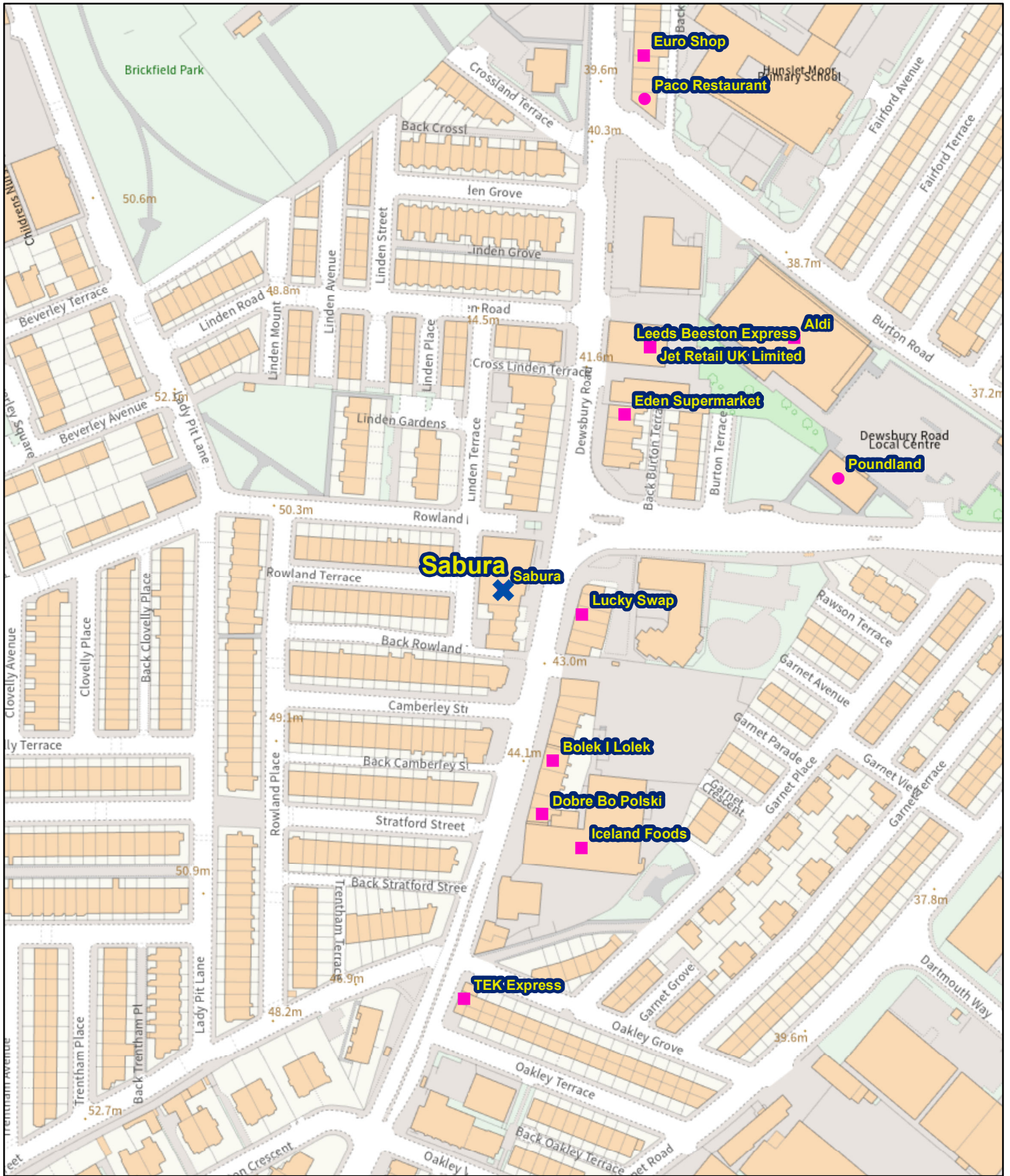
**c) Public safety**

**d) The prevention of public nuisance**

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

**e) The protection of children from harm**





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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Key		
	Applicant premises	
	On licence	
	Off licence	
	GA area	
		Late night refreshment
		Other

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*Leeds District Licensing*



*Department*

**Leeds District Licensing Department**

West Yorkshire Police,  
Leeds District Headquarters,  
Elland Road,  
Leeds  
LS11 8BU

Mob: [REDACTED]

Email: [REDACTED]

Your ref:  
Our ref:

25th June 2024

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

**Cc: Tony Clarke, 540 Antrim Road, Belfast, BT15 5GJ**

**RE: Sabura, 246 Dewsbury Road, Leeds LS11 6JQ**

**APPLICATION TO VARY A PREMISES LICENCE – LICENSING ACT 2003:  
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

West Yorkshire Police are of the opinion that the application contains insufficient information about how the applicant intends to meet the licensing objectives.

We therefore confirm that we are submitting a formal representation against the application on the grounds of:-

1. the prevention of crime & disorder
2. public safety
3. protection of children from harm

**NOT PROTECTIVELY MARKED**

## NOT PROTECTIVELY MARKED

However, we are of the opinion that the licensing objectives could be met should the applicant be prepared to incorporate certain identified measures within their operating schedule as additional conditions. **West Yorkshire Police have no objections to the last sale of alcohol, Friday to Sunday, being at 0200 hrs however closing hours of the premises should move to 0230 hrs to allow sufficient time for customers to vacate the premises in an orderly manner.**

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of the application.

Should the applicant be in agreement with the suggested measures then they should signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible.

Upon receipt of their consent at **Part 2**, it will be taken that the applicant signify their wishes for the licensing authority to amend their operating schedule to incorporate the proposed measures as conditions.

Alternatively should the applicant disagree with the proposed measures, then they should complete **Part 3** and again return the complete document to this office as soon as possible.

---

### **PART 1 - to be completed by the Responsible Authority:**

**West Yorkshire Police** propose the following control measures / conditions under the Licensing Act 2003 (in **addition** to those that the applicant may have already offered), for the premises:-

**Sabura, 246 Dewsbury Road, Leeds LS11 6JQ**

Having considered the application under the Licensing Act 2003 for the above premises, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives:-

- the prevention of crime & disorder
- public safety
- the protection of children from harm

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

NOT PROTECTIVELY MARKED

## NOT PROTECTIVELY MARKED

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 authorised 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.

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures as conditions within the Operating Schedule for the said premises.

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

 Sarah Blenkhorn  
Leeds District Licensing Officer

NOT PROTECTIVELY MARKED

**NOT PROTECTIVELY MARKED**

**PART 2 – to be completed by the applicant or applicant’s representative:**

Consent for all proposed control measures / conditions under the Licensing Act 2003.

Name & Address of Premises:

**Sabura, 246 Dewsbury Road, Leeds LS11 6JQ**

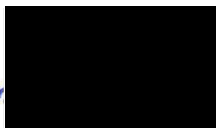
I / We TONY CLARKE OF JMC LICENSING .....

confirm that I am ~~/ we are the applicant /~~ the applicants representative (delete as appropriate) for the premises as stated above.

In signing this document-:

- I / we agree with the measures proposed by West Yorkshire Police,
- I / we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises as conditions, and furthermore,
- I / we confirm the premises will then operate in accordance with those conditions agreed to.

Signed



Dated: 27<sup>th</sup> JUNE 24.

**NOT PROTECTIVELY MARKED**





Antonio Carlos Duarte Soares  
 [REDACTED]

Environmental Health Services  
 Leeds City Council  
 Seacroft Ring Road Depot  
 Seacroft  
 Leeds  
 LS14 1NZ

Contact: Vanessa Holroyd

Tel: [REDACTED]

Our reference: PREM/04372/004  
 4 June 2024

Dear Mr Soares

**Licensing Act 2003**

**Name and Address of Premises: 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ,**

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application that includes information specifically associated with the premises and the area .

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours sincerely  
 [REDACTED]

Vanessa Holroyd  
 Senior Environmental Health Officer

## **PART 1**

### **To be completed by the responsible authority**

#### **Leeds City Council's Environmental Health Service**

#### **Proposed Controlled Measures under the Licensing Act 2003**

**Name and Address of Premises: 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ,**

The application premises is a café bar located on a parade of commercial businesses several having flats above. The premises was originally an estate agent office that has single glazed windows and one entrance door. This application is to extend the sale of alcohol and late-night refreshment and to include an external area. Therefore, there is potential for public nuisance from noise due to patrons being allowed outside to consume food and drink until 2am Friday, Saturday, and Sunday.

There are many noise sensitive properties in close proximity with closest being the adjoining first floor flat 254 Dewsbury Road LS11 6JQ. Also, there is a long-standing history of noise complaints when the previous operator (running as a café bar/ restaurant) from loud music, patrons shouting outside and cars revving outside the premises despite not having regulated entertainment on their licence.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the licence:

- Prevention of public nuisance

#### **Noise and Vibration**

1. The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 10 pm except for smoking.
2. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to 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.

Signed: 

Dated: 4<sup>th</sup> June 2024

**PART 2**

To be completed by the applicant/applicant's representative

**Leeds City Council's Environmental Health Service**

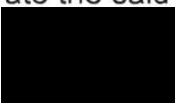
**Proposed Controlled Measures under the Licensing Act 2003**

**Name and Address of Premises: 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ,**

I / We TONY CLARKE .....

confirm that I am / ~~we are the applicant~~ / the applicant's representative (*delete as appropriate*) for the premises as stated above.

In signing this document I / we agree with the measures proposed by Leeds City Council's Environmental Health Service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed: 

Dated: 04<sup>th</sup> JUNE 2024

**PART 3**

**Name and Address of Premises: 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ,**

I / We .....

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council's Environmental Health Service.

In this instance we understand that Leeds City Council's Environmental Health Service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

Environmental Health Services  
Leeds City Council  
Seacroft Ring Road Depot  
Seacroft  
Leeds  
LS14 1NZ

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**From:** [REDACTED]  
**Sent:** 11 Jun 2024 14:54:12 +0100  
**To:** Entertainment Licensing  
**Cc:** [REDACTED]  
**Subject:** Sabura, 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ.

Hi Team

Please see our objection below:

--

We object to all proposed changes of hours for the sale of alcohol, with the exception of Monday to Thursday, where we are comfortable with the amendment to 11:00–00:00. We are content for the later night refreshment to be amended from Monday to Thursday to 23:00 to 23:30 to support this, but we object to the other proposals.

This is a dense residential area with properties surrounding the venue on all sides, and the proposed change of hours would constitute a new public nuisance to these residents. Customers at a venue are likely to need taxis to get home, to congregate outside to wait for this, or to smoke. It is unreasonable to assume they will do this in silence while outside if they have had a long evening of drinking.

Dewsbury Road is still relatively active until 00:00 during the week, so the modest increase in time is not objectionable. But the increase at weekends moves noise deeper into a much quieter period.

--

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

**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]

## Issued premises licences and club certificates within an area



### **PREM/05270/001 - Eden Supermarket, 207 Dewsbury Road, Leeds, LS11 5HZ**

Sale by retail of alcohol  
Every Day 09:00 - 23:00

### **PREM/03201/015 - Iceland Foods, Unit 1, 255 - 257 Dewsbury Road, Hunslet, Leeds, LS11 5HZ**

Sale by retail of alcohol  
Monday to Saturday 08:00 - 23:00  
Sunday 10:00 - 22:30

### **PREM/04372/003 - Sabura, 246 Dewsbury Road, Hunslet, Leeds, LS11 6JQ**

Sale by retail of alcohol  
Monday to Thursday 11:00 - 22:40  
Friday & Saturday 11:00 - 01:00  
Sunday 11:00 - 00:00  
Provision of late night refreshment  
Friday to Sunday 23:00 - 01:30

### **PREM/04601/001 - Jet Retail UK Limited, Linden Service Station, 205 Dewsbury Road, Leeds, LS11 5HZ**

Sale by retail of alcohol  
Every Day 09:00 - 00:00  
Provision of late night refreshment  
Every Day 23:00 - 05:00

### **PREM/03788/009 - Poundland, Unit 2, Tunstall Road Retail Park, Tunstall Road, Beeston, Leeds, LS11 5JF**

Sale by retail of alcohol  
Every Day 08:00 - 22:00

### **PREM/03530/009 - Leeds Beeston Express, 205 Dewsbury Road, Hunslet, Leeds, LS11 5HZ**

Sale by retail of alcohol  
Every Day 06:00 - 00:00

### **PREM/03305/003 - Bolek I Lolek, 245 Dewsbury Road, Hunslet, Leeds, LS11 5HZ**

Sale by retail of alcohol  
Monday to Saturday 08:00 - 23:00  
Sunday 10:00 - 22:30

### **PREM/03678/008 - Aldi, Tunstall Road, Holbeck, Leeds, LS11 5JF**

Sale by retail of alcohol  
Every Day 07:00 - 23:00

### **PREM/05244/001 - Dobre Bo Polski, 253 Dewsbury Road, Hunslet, Leeds, LS11 5HZ**

Sale by retail of alcohol  
Every Day 08:00 - 23:00

**PREM/04217/003 - Lucky Swap, 223 Dewsbury Road, Hunslet, Leeds, LS11 5HZ**

Sale by retail of alcohol

Every Day

07:00 - 00:00