

MEXI KHANA HALAL LTD
SUMMARY
HEARING 07 OCTOBER 2013

- 5H1
PAGE 3-17
- 1) **Representations contain false statements in accordance with Section 158 of the Licensing Act 2003**
Formal complaints have been made to Leeds City Council for offences committed under the Licensing Act 2003 for false statements. We would like the panel to view the details of this complaint in detail as many false statements have been made and cannot be taken into consideration.
- SCH 2
PAGE 18-25
- 2) **Objections from previous evidence, is based on Racist opinions and not relevant representations to the Licensing objectives.**
We would like the panel to consider that racially motivated opinions will not be tolerated by Leeds City Council. It is proven from statements that Wazim Manzur's objections are racially motivated.
- SCH 3
PAGE 26-27
- 3) **No complaints have been made to Leeds City Council Environment Protection since 12/01/2007 from Copgrove Road in relation to noise complaints.**
All residents from 2-12 Copgrove Road experienced problems with noise to the date of May 2007. The premises were horrified to learn these issues and made improvements to tackle these issue. No complaints were received by Leeds City Council after this point.
- SCH 3
PAGE 26-27
- 4) **Leeds City Council Noise team having viewed this information are satisfied that the risk of causing nuisance is low.**
Leeds City Council EPT are experts in the field of noise nuisance. They have evaluated the information from previous and the application to come to the conclusion that the risk of any noise nuisance is low.
- SCH 3
PAGE 26-27
- 5) **Leeds City Council Noise team have provided us with complaints of noise that are not related to our premises as we were closed on these particular days.**
The evidence shows that residents of Copgrove Road having made complaints on loud music, especially when our premises were closed, have other issues of noise in the area. These issues are not related to the previous premises Bar Noir.

SCH 4 6)
PAGE 28 - 33
SCH 2
PAGE 18 - 25

Having made improvements in May 2007 to tackle all noise issues, resident letters prove that the problems were resolved.

Resident letters prove all issues on noise were resolved. The letters are factual to the actual events and not false statements to fabricate the truth in these proceedings.

SCH 5 7)
PAGE 34 - 35

The closest noise sensitive premises are that of Clock Hotel. These premises are opposite our premises on the same road and have not experienced any issues with noise.

Clock Hotel as a business is reliant on customers having a good sleep with zero disturbances. Clock Hotel's statement proves there are no issues of noise.

SCH 6 8)
PAGE 35 - 36

The closest resident is located on Easterly Road. There have been no complaints from these residents. Upland Road residents are about the same distance as Copgrove Road. There have been no complaints from Upland Road.

The ordnance map shows the location of residents. Residents of Easterly Road have direct view to the front of our premises. No complaints from these residents have ever been made.

SCH 7 9)
PAGE 37 - 39

West Yorkshire Police have made no objection. They are experts in crime and disorder and are satisfied that the management team can operate in accordance to the licensing objectives.

The Police being experts in this field have raised no objection. The Police having had the same management team at 2 reviews are satisfied on the evidence that is no issue. The panel should consider that if what has been claimed by the residents is true, then why is there no objection from the experts. Our Crime and Disorder record proves that issues have been resolved by the management team.

- 10) **The previous premises have never been uncooperative with the authorities. Legal opinions do not deem a lack of cooperation.**
It was proved that despite advice from Licensing and the Police during 2009, that they were wrong and incorrect on legality. This does not entail that the management team were uncooperative with authorities. The fact remains that all matters of the previous licence were done in accordance with law and the courts. When an authority is incorrect on law, its our right to challenge that aspect through the courts.

SCH 1

FALSE STATEMENTS

Official complaints have been submitted to Leeds City Council for offences committed under section 158 of the licensing act 2003.

Evidence in relation to each statement as reported is provided with evidence. These documents have not been provided in this bundle due to the amount.

These offences simply outline our rights under law for fictional comments. Many statements are false and show's these representations misleading these proceedings.

The panel are to consider:

Are fictional comments allowable within these hearings for gain of their own purpose?

Do Leeds City Council simply allow any persons in these hearings to simply lie?

MEXI KHANA HALAL LTD
14 WELL HOUSE ROAD
LEEDS, LS8 4BS
COMPANY NO: **08621381**

Stephen Holder
Legal, Licensing Section
Civic Hall
Leeds
LS1 1UR

Sent via email and post

19 September 2013

Dear Stephen,

INVESTIGATION INTO OFFENCES UNDER LICENSING ACT 2003
AMMER IQBAL, 2 COPGROVE ROAD, LEEDS LS8 2SP

With reference to the above we advise Licensing that offences under the Act have been committed.

Under the Licensing Act 2003 – Section 158

- (1) *A person commits an offence if he knowingly or recklessly makes a false statement in or connection with-*
 - (a) *an application for the grant, variation, transfer or review of a premises licence or club certificate,*
- (2) *For the purposes of subsection (1) a person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.*
- (3) *A person found guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.*

- A) FOLLOWING OUR APPLICATION ON THE 05/08/2013 we now submit further details as required.

On the 30th August 2013 Licensing received an objection from Ammer Iqbal in connection with the application for a premises licence, the resident relied on a document that contained false statements. This document has been extracted as at Sch A where an offence was committed.

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We now request Licensing to investigate and proceed with prosecution under this section of the Act.

We hope this is sufficient information for you to use this section of the Act.

Please contact me if you require any further information.

Yours Sincerely,

Gurpal Singh Chana
Director

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CORRECT STATEMENTS & EXPLANATIONS: Ammer Iqbal

It is reported that:

- a) *"Maxi Khana Halal Ltd", is portraying itself as a neighbourhood friendly, socially disciplined restaurant bar.*

The statement makes the assumption the venue does not cater socially and is not friendly for the neighbourhood. It also makes the statement that it is only portraying to be a restaurant/bar. The fact remains that the previous premises provided a vital function to the neighbourhood and surrounding residents. Many private bookings for Christenings, birthdays and even wedding receptions have been done at the premises. I refer you to the temp (**Sch 1**) events during 2011-12 which prove that the venue catered for families and the neighbourhood. We also refer you to resident letters (**Sch 2**) in 2008 of actual support of the residents. The venue has always been disciplined and successfully reduced all crime and disorder on unwanted patrons during 2007. Incident analysis (**Sch 3**) attached proves that issues in 2007 have been resolved.

Assumptions & opinions must be backed with evidence. No evidence has been provided to give any justice to this statement. We attach our analysis and Police record to prove & show the credit of our efforts.

- b) It is reported that:
its proprietors are the same individuals who were the owners of ill-fated and troubled venture, formerly known as "bar Noir".

This statement is false and defamatory. The statement implies that Bar Noir always had trouble. Apart from 2007 all issues on crime and disorder and noise problems for residents were resolved. We provide statistics (**Sch 3**) to prove that the venue was never ill-fated and troubled.

We also rely on our crime and disorder record (**Sch 3**).

This statement is false and has misled the application based on an assumption. No evidence has been submitted and is deemed false.

Its is reported that:

- c) *I feel this is a disguised attempt by the owners to open up another "Bar Noir"*

This statement is incorrect. The fact remains that Bar Noir no longer exists. The new venture is food orientated, serving halal food till 02.30. The application contains the provision of late night refreshment (**Sch 4**). Although it is themed as a 60's and 70's wine bar, at no time is it going to be a disguise as Bar Noir. Themed music to accompany good food does not mean it is a disguise.

No evidence has been provided to prove that this is a disguise to open Bar Noir. This statement is false. We refer to the actual application.

d) It is reported that:

Saffron is generally visited by families, friends and couples looking to have a nice meal.

Mr ammer Iqbal is not an expert on this premises. He has not conducted no research or provided any evidence on what customers attend. A general opinion can still be deemed false. The fact also remains that Saffron opten let the upstairs of the premises for private parties, which has a balcony. These parties had very loud music exactly opposite 2 Copgrove Road. No noise complaints were made as they are fellow Muslims.

Without evidence and adequate research this opinion has not been proved.

It is reported that:

e) I feel the real intent of the owners of Maxi Khana Halal Ltd, is to operate this as a bar/nightclub.

Statement is false. The application confirms what it is seeking. Please refer to section c) as repeated. There is no mention of a nightclub in the application (**Sch 4**).

The opinion & statement is false. No evidence provided.

It is reported that:

f) the previous management and handling of Bar Noir, was a shambles.

This statement is not only false but subject to a libel case. It is proved with all statistics and evidence that the management team not only resolved issues but created one of the safest places in Leeds. In 2007 the management team interacted with all the residents and visiting each. Putting in place improvements (**Sch 5**) on issues of noise, the management team continued to speak to residents apart from 4 Copgrove Road (racist). We refer to resident letters (**Sch 2**) dated in 2008 to prove the continued contact. The management team also changed security another two times up to 2009 to tackle other issues of crime and disorder. We refer to

MEXI KHANA HALAL LTD
14 WELL HOUSE ROAD
LEEDS, LS8 4BS
COMPANY NO: **08621381**

Stephen Holder
Legal, Licensing Section
Civic Hall
Leeds
LS1 1UR

Sent via email and post

19 September 2013

Dear Stephen,

INVESTIGATION INTO OFFENCES UNDER LICENSING ACT 2003
G BEGUM, 8 COPGROVE ROAD, LEEDS LS8 2SP

With reference to the above we advise Licensing that offences under the Act have been committed.

Under the Licensing Act 2003 – Section 158

- (1) *A person commits an offence if he knowingly or recklessly makes a false statement in or connection with-*
 - (a) *an application for the grant, variation, transfer or review of a premises licence or club certificate,*
- (2) *For the purposes of subsection (1) a person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.*
- (3) *A person found guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.*

A) FOLLOWING OUR APPLICATION ON THE 05/08/2013 we now submit further details as required.

On the 30^h August 2013 Licensing received an objection from G Begum in connection with the application for a premises licence, the resident relied on a document that contained false statements. This document has been extracted as at Sch A where an offence was where an offence was committed.

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We now request Licensing to investigate and proceed with prosecution under this section of the Act.

We hope this is sufficient information for yourselves to use this section of the Act.

Please contact me if you require any further information.

Yours Sincerely,

Gurpal Chana
Mexi Khana Halal Ltd
Director

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CORRECT STATEMENTS & EXPLANATIONS: G Begum

It is reported that:

- a) *We have previously experienced severe problems with Bar Noir which was located at the exact same spot and managed by the exact same people.*

The statement is deemed false. No evidence is provided to prove this resident had problems with Bar Noir. There have been zero complaints made to Leeds City Council Noise team and the Police. The venture does not have the same management team. Shahid Bashir has been appointed to run the late night wine bar restaurant.

Statements must be backed with evidence. No evidence has been provided to give any justice to this statement.

It is reported that:

- b) *My Family and other neighbours at the bottom of Copgrove Road suffered extremely at the hands of Bar Noir.*

This statement is false. Repeated as per section a). Any issues the residents had in 2007 were solved. We provide resident letters (**Sch 1**) to give confirmation.

This statement is false and has misled the application based on an assumption. No evidence has been submitted and is deemed false.

Its is reported that:

- c) *Me and my family could not sleep from Thursday to Sundays due to the unsavoury customers that Bar Noir attracted*

This statement is incorrect. The fact remains that Bar Noir on Thursdays and Sundays closed around 11.30. Very few customers visited on these days and were our quietest days. The comment on "unsavoury customers" is racist in nature. Bar Noir had many thousands of customers over years from many different backgrounds and ethnicities. It is extremely prejudice to say that Bar Noir only attracted unsavoury customers. We can confirm that Leeds City Councillors have been to the premises. We also had celebrities such as Lucas Radebe, General Levy, Mich Richards and others visit the premises. Are these Councillors and celebrities unsavoury? Are all the local businesses and hardworking people within the area unsavoury?

No evidence has been provided to prove any item in the statement.

It is reported that:

- d) *Most nights we were awoken by people under the influence of alcohol fighting, shouting, littering and urinating in our street. The customers of Bar Noir would park their cars outside our houses playing loud music, slamming the car doors, laughing shouting and often fighting. This affected our sleep and also made us feel unsafe in our own homes.*

The statement is false and fabricated. Actual and factual events are that residents in early 2007 had an issue with patrons parking cars outside their homes. Slamming car doors and possibly talking loud was an issue. The fact that this resident has fabricated the matter without any evidence to claim patrons would shout, fight and urinate is outrageous. No complaints have been made from this resident to the authorities. It is also not proven that these members of the public were patrons of Bar Noir. Why would customers walk 200metres down the street and around the corner to urinate and fight? Bar Noir had facilities for toilets. In June 2007 we employed a parking attendant to stop the very few patrons parking on Copgrove Road. No patrons of Bar Noir parked on Copgrove Road past this date. The resident has also claimed that this was most nights. Sun – Thurs were very quiet days with an average customer base of around 8. Claiming this was most nights is false and misleading. If this resident often witnessed people often fighting, then why was no report made to the Police? Due to me being a local resident, I would inform the Police on any Crime and Disorder. The statement claims that this was most nights! The fact remains that apart from the fabrication of the truth, residents had no issues post June 2007. We refer to resident letters (**Sch 1**) of improvements (**Sch 2**).

The statement has been fabricated to actual events. The resident has no evidence to succeed on any of the claims and is deemed false.

It is reported that:

I

- e) *I feel the management of Bar Noir did not have any consideration for the local residents and our lives were affected by their inconsistencies to comply by their license terms.*

This statement is not only false but subject to a libel case. It is proved with all statistics and evidence that the management team not only resolved issues but created one of the safest places in Leeds. In 2007 the management team interacted with all the residents and visiting each. I personally visited No 8 and sat with the father having tea to find out any issues. His reply to this matter was that he cannot stop his son continuing any action in the review. He said he had no issues. Putting in place improvements on issues of noise, the management team continued to speak to residents apart from 4 Copgrove Road (racist). We refer to resident letters (**Sch 1**) dated in 2008 to prove the continued contact. The management

team also changed security another two times up to 2009 to tackle other issues of crime and disorder. We refer to Police incident report and statistics (**Sch 3**) to prove the excellent policies of the management. The management team introduced other polices for continued improvement (**Sch 2**).

The opinion & statement is false. No evidence provided.

It is reported that:

- f) Now after more than five years the same management of Bar Noir have requested the same license to operate the same kind of business that will once again with any doubt cause us the same problems it did previously.

The application confirms what is requested and it is not a similar business. The claim is made that they will have the same problems. There is no evidence of any resident problems post June 2007. The management team includes 3 new managers named Shahid Bashir, Sirbjit Panesar and Deborah Wilkinson, and is not the same team as Bar noir. We refer to resident letters (**Sch 1**) of all noise issues as resolved.

The statement is false. No evidence is provided to prove the management team employed.

It is reported that:

- g) *We feel the late night operating hours they have requested are more suited to centrally located businesses and not residential areas.*

It is agreed that premises operating to these hours must follow the licensing objectives and not cause no nuisance of any kind to the City of Leeds. It is also fact that the City Centre now has a big residential population. The statement to suggest this business would suit city centre is false. The venture specializes in providing a function to residents of the area. Previous success of Bar Noir from financial accounts and public demand prove that the premises are what the area seeks. The application (**Sch 4**) contains all the control measures of successful policies adopted from Bar Noir to eliminate any issues as required by the licensing objectives.

No evidence proves that this new venture is more suited for City Centre or that this particular area has no public demand.

14 WELL HOUSE ROAD
LEEDS, LS8 4BS
COMPANY NO: **08621381**

Cllr Bill Urry
Leeds City Council
Leeds

Sent via email and post

19 Sep. 13

Cllr Urry,

RE: NOTICE OF OFFENCES COMMITTED

With reference to your objection letter received by Leeds City Council on the 09/09/2013, we can confirm our intent of further legal action.

We are quite horrified to the extent of your false statements and disregard to the actual truth. You have not presented any evidence to substantiate your claims and are deemed absolutely fictional.

False Statements

We will now formally make a complaint under Section 158 (1) (a) and (2) under the Licensing 2003. A person found guilty under this offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale. A full report will be available from Leeds City Council Entertainment.

Defamation (may not be applicable)

The objection letter also contains personal attacks on the management team who are Gurpal Chana and Rushpal Chana. These objections are public record and can confirm that offences have been committed under the Defamation Act of 2013 Section (1).

Under Civil procedures rule 3.1 Pre-action Protocol for defamation, we Gurpal Chana and Rushpal Chana give you notice. A letter of claim shall follow this by 23/09/2013 under rule 3.2 and 3.3.

You will have 14 days to file a response under 3.4 and 3.5. We advise you seek legal advice and provide us with your solicitor's details.

If for any reason, you were not the author of this objection then please advise us immediately.

Please contact us on 07970 647722 if you would like to discuss the above.

Yours sincerely

Gurpal Chana

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CORRECT STATEMENTS & EXPLANATIONS: B Urry

It is reported that:

- a) But I am not persuaded that there would be a significant demand in this older age group for a late night drinking – equalities law could make it impractical to enforce an age limit.

The statement is deemed false. Mr Urry is neither an expert in this field or has he conducted any research to state this opinion. The fact remains that there is a massive demand for this age group. This is extreme prejudice on ageism. The previous premises changed its music policy late 2008 and its target audience was that of over 30's. Crime and disorder record proves that this policy was successful. The premises licence operated till July 2010 and there after operated under TENS. We attach a TEN application of events with 70's themed music.

The new venture has never said that it has an age restriction for over 40's. The venue under law is open to over 18's and governed by check 25 as the application states. Through practical experience the type of music isn't enjoyed by a younger audience and the majority of custom will be of a more mature nature. We will never stop or discourage younger customers coming to the premises to enjoy a meal accompanied by classic music.

Opinions must be backed with evidence and research. No evidence has been provided to give any justice to this statement. The statement is prejudice to mature citizens of Leeds.

It is reported that:

- b) In my view there is a real danger that a facility opening for the sale of alcohol at 11.00 pm with sale and drinking up continuing to 3.00 am, would mainly attract clients who had already drinking at other establishments.

The opinion is deemed false. No evidence has been provided to suggest that clients have already been drinking at other establishments. The premises specializes to a specific audience who must be members. Most of the previous customers of the Bar Noir came specifically to one venue. No research has been conducted to prove this statement.

This statement is false and has misled the application based on an assumption. No evidence has been submitted and is deemed false.

Its is reported that:

- c) This could exacerbate local disturbance and anti social behaviour, particularly during main egress around 3.00 am.

This statement is incorrect. No evidence is provided and documents prove that there has been, no local disturbances and anti social behaviour post June 2007. No complaints have been made or reported to any authority. The control measures to uphold the licensing objectives as per the application eliminate any issues from this statement. The statement is misleading in suggesting any premises, that operates in early hours could exacerbate disturbances and anti social behaviour. Times of operating, has nothing to do with what is opinionated, and is more based on an individual to create disturbances and anti social behaviour. This could happen at any time of the day at any place within Leeds. Do we really need to provide Police statistics on Crime and Disorder to prove what times local disturbances and anti social behaviour occurs throughout Leeds? The statement without evidence is deemed false.

No evidence has been provided to prove any item in the statement.

It is reported that:

- d) The historic video evidence provided by neighbours on Copgrove Road suggests that local residents in Copgrove, and very likely Easterly, and Upland Roads too could be seriously affected by noise and other anti social behaviour in the small hours – especially if people had been drinking before arrival and then walk home.

The statement is false. Neighbours did not provide a video evidence as only one resident provided footage of disturbances unrelated were customers of bar Noir. The footage was also edited with dates and enhanced sound that distored the mic. The footage shows cars driving past Bar Noir through Copgrove Road. What does this have to do with Bar Noir? The fact also remains that Gipton Lodge has a high volume of African residents of which is 5 doors away from the main complainant. The residents have complained according to Leeds City Council of loud music/discos within Copgrove Road. This has been complained when Bar Noir was closed to the public. We attach email from M Ward of Leeds City Council.

Video footage shows members of the public attending house parties on Copgrove Road nad not attendees of Bar Noir. The footage is also limited to show where these people actually came from or attending.

The closest resident that has a full view to the entrance of Bar Noir is Easterly Road. Houses on Upland road are closer to the entrance of the premises then those of Copgrove Road. **NO COMPLAINTS HAVE BEEN MADE** by these residents. Mr Urry has no evidence to prove these residents are likely to have noise problems. We attach ordnance map of the area.

The statement is false and misleads these proceedings. No evidence is provided to show noise issues post June 2007.

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14 WELL HOUSE ROAD
LEEDS, LS8 4BS
COMPANY NO: **08621381**

Mr N & M Manzur
8 Copgrove Road
Leeds
LS8 2SP

Sent via email and post

19 Sep. 13

Mr N & M Manzur,

RE: NOTICE OF OFFENCES COMMITTED

With reference to your objection letter received by Leeds City Council on the 30/08/2013, we can confirm our intent of further legal action.

We are quite horrified to the extent of your false statements and disregard to the actual truth. You have not presented any evidence to substantiate your claims and are deemed absolutely fictional.

False Statements

We will now formally make a complaint under Section 158 (1) (a) and (2) under the Licensing 2003. A person found guilty under this offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale. A full report will be available from Leeds City Council Entertainment.

Defamation

The objection letter also contains personal attacks on the management team who are Gurpal Chana and Rushpal Chana. These objections are public record and can confirm that offences have been committed under the Defamation Act of 2013 Section (1).

Under Civil procedures rule 3.1 Pre-action Protocol for defamation, we Gurpal Chana and Rushpal Chana give you notice. A letter of claim shall follow this by 23/09/2013 under rule 3.2 and 3.3.

You will have 14 days to file a response under 3.4 and 3.5. We advise you seek legal advice and provide us with your solicitor's details.

If for any reason, you were not the author of this objection then please advise us immediately.

Please contact us on 07970 647722 if you would like to discuss the above.

Yours sincerely

Gurpal Chana

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SCH 2

RESIDENT LETTERS

Racism:

The letters from all other surrounding residents show the actual events. Some have reported that Wazim Manzur made racist comments. Although we cannot rely on this as proof, but does show a suggestion that the representation may be possibly racially motivated.

Noise:

The letters prove that all noise issues in 2007 have been resolved. Each letter shows that the residents did have problems and are satisfied that they were solved

The panel are to consider:

Is racism a reason to object?

Do Leeds City Council simply allow racist views?

All other residents prove that issues on noise were solved.

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Richard Singer
14 Copgrove Road
Leeds
LS8 2SP

Dear Council,

I live very close by to Bar Noir and can confirm that we have no problems with noise or anti social behaviour.

I am generally awake during the hours between 12am to 5am due to my illness and my bedroom is situated at the front of house usually with the window open. There were a few problems with noise in the early parts of 2007 but since a car parking attendant has been present there has been no cars parked near any of the premises on Copgrove Road. I have young children and would without a doubt close down the bar if I felt noise was a issue. I have contacted the owners in March to express any problems I have faced and can say that owners have solved all issues.

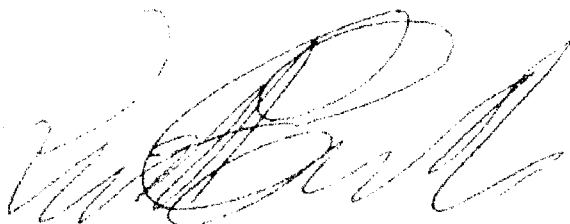
I am very active in any problems arising in our street and usually residents come to me if there are problems. I can tell you that any objections you get are total lies. I have noticed that Nos 2, 4 & 8 Copgrove Road tend to stick together as they are all meerpuri muslims. This is type of cast system and if you receive a complaint from 1 then the others will 100% follow.

I can also tell the council that Wazim of 4 Copgrove Road verbally said to me that he wants to close the bar. His reasons were that he did not want blacks in our area (he used the N***** word instead of blacks). I found this to be very racist and he has also put extreme pressure on other residents to close the bar. I understand from previous conversations with Wazim he has had problems at his work (when he worked for unity housing) with the black community. I have cut of all ties as a neighbour as his extreme views are very offensive.

I have also witnessed him harassing residents at no 6 to try and get them to write letters. I have spoke to no 6 and they have said that he wrote letters without there knowledge. I found wazim to be a liar and a racist over the past year. Closing the bar would be very harsh as problems within our street are non existant.

I hope the council see the real truth and not follow lies told by no 4.

Richard Singer
Kind regards.



19

24-1-07

Stephen Holder
Entertainment Licensing
Civic Hall
Leeds
LS1 1UR

Paul Le Blue
12 Copgrove Road
Leeds
LS8 2SP

20

17 Dec 07

Dear Stephen,

RE: BAR NOIR – OPERATING HOURS

We do not have any problems what so ever with the operating hours of Bar Noir. We will say that any reports of noise and litter are not true.

I am very shocked that people are trying to close down a venue that is so good for this area. We have also been very pressurised from Waz at No.4 to make a complaint for which we have none.

Yours Sincerely,

Naila Mughal
6 Copgrove Road
Leeds
LS8 2SP

13th January 2008

To whom it may concern,

RE: Letter of complaint – Bar Noir, Clock Building, Roundhay Road, Leeds LS8

We refer to correspondence dated 30th March 2007 addressed to PC McGlennon. I write to advise you that this correspondence was not written by my mother (Mrs S. Mughal) but was written on behalf of my mother by my neighbour Mr Wasim Manzur. My mother was not fully aware of the content of this letter but does agree with the incident that took place in the early hours of 18th March 2007. Since the said incident we contacted the owner of Bar Noir and have resolved any issues we have had.

With reference to para 2 we do not have any issues with regards to blocking my drive by Bar Noir customers. We have not witnessed any people swearing, shouting, arguing and behaving very drunk and disorderly since measures have been taken by the owner of Bar Noir from June/July 2007.

I would like to retract all communications/correspondence you may have received on or behalf of Mrs S. Mughal and can confirm that we have no objection to the opening hours of Bar Noir.

If you would like to discuss the content of this letter please do not hesitate to contact me.

Yours faithfully



Naila Mughal

Enc. Copy letter dated 30th March

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Mr & Mrs Jeffers
7 Copgrove Road
Leeds LS8 2SP

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January 26, 2008

Licensing Department
Leeds
LS1

Dear Sir or Madam:

We can confirm that our street remains peaceful and that we have no reasons for Bar Noir to close

We do not have any problems with noise or litter. We did between Jan 07 to May 07 have many vehicles parked on our street which did cause some disturbance. Since they had a Car Parking attendant no cars park on Copgrove Road

I will also say that Bar Noir is positive place for the black community to go and my understanding is that it is peaceful place to go.

Sincerely

16 Copgrove Road
Leeds
LS8 2SP

Joyce Maynard & Nick Fry

18-Jan-2008

Licensing Dept
Civic Hall
Leeds

Dear Sir or Madam:

We at the above address find it very wrong that Bar Noir's hours are being decreased. We had no problems on our street with customers coming or going. There are no noise issues near our premises. The only thing at night we can hear are vehicles going up and down Roundhay Road.

We can also confirm that there have been a lot of house parties on our street which may be seen to be related to Bar Noir. Somebody from number 4 recently has visited us and has asked us to make complaints about Bar Noir. When we replied that we don't have any issues, he has then asked for us to do him a favour and make up complaints. We replied that we were not going to make problems up. He has most probably done this to all the other residents.

We feel the Bar Noir is good for the area as it is somewhere for locals to go. We have attended Bar Noir once or twice and find it a very peaceful place to go. We cannot understand why anybody would want to object to a trendy wine bar in our area.

Sincerely



Joyce Maynard & Nick Fry



Mr P M Flakowski,
10 Copgrove Road,
Leeds LS8 2SP

To Council,

I can say that I have no problems with opening hours of Bar Noir. We don't have problems with noise or cars parking. I can say that our area is still very quiet on a night.

I have been to Bar Noir and can say it is very nice. We have never had a problem when we have been there.

Mr P M Flakowski

Robert Flakowski

24

Mr. A Kotia
3 Copgrove Road
Leeds
LS8 2SP

19 December 2007

Leeds Licensing Team
Civic Hall
Leeds
LS1 1UR

Dear Sir or Madam:

RE: BAR NOIR

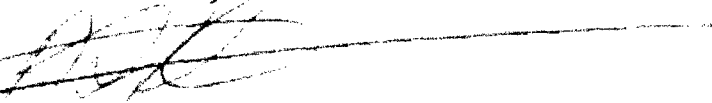
I was the only resident to object to the original license and was in attendance with councilor Kendall at the first hearing. I must stress that if bar noir cause I or my family any problems, then we will without a doubt be sending a letter of complaint to you.

We are the closest house to Bar Noir and can confirm that we do not have any problems on our street with noise or litter. Although there were many cars parked on our streets in April 2007 which did cause some noise, a car parking attendant has resolved that issue. We did contact Bar Noir in March 2007 to express our views for improvements needed and can say that all issues were 100% completed. We can say that any complaints you may have are totally false. My property is installed with CCTV from which the car park of Bar Noir is covered. If you would like to see recordings then please contact me as it is clear on footage that our street is of a peaceful nature

I would like to bring to councils attention that Wazim Manzur, a neighbour residing at 4 Copgrove Road has approached me and other residents on many occasions. On his visits to me and other residents he has expressed racist views. He has constantly said that we need to get the niggers out of this area (please excuse my language) and have explained to him that those comments are offensive. He also said to me that it is my **Islamic Duty** to side with fellow Muslims. As a true Muslim it is in our religion that lying is forbidden That is why I must stress that Wazim Manzur has used our religion to get other residents to complain for his personal racist views

I hope that the council take my findings on board and not punish Bar Noir for wrongful accusations.

Yours faithfully,



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Mr. A Kotia

SCH 3

LEEDS CITY COUNCIL EVIRON PROTECT

The email from Mike Ward shows that no complaint from residents of Copgrove Road for noise issues have been made since 15/01/2007.

The statement shows they have raised no objections based on the previous premises Bar Noir. The historical facts prove that there were no noise issues post 2007.

The additional complaints in 2011 also proves that the residents have other issues with noise from loud music since Bar Noir closed in 2010. It may even be possible that complaints and issues in 2007 may be unrelated to Bar Noir and more to do with house parties within the area.

The panel are to consider:

Leeds City Council Experts in noise have rec'd no complaints since 2007?

Leeds City Council EPT have raised no objections based on historical facts?

All other residents prove that issues on noise were solved.

Other complaints on noise have been made even though Bar Noir was shut.

From: Ward, Mike (Environmental Prote (Environmental Prote <Michael.Ward@leeds.gov.uk>
To: achananumerics <achananumerics@aol.com>
CC: Mudhar, Gurdip <Gurdip.Mudhar@leeds.gov.uk>
Subject: RE: Mexi Khana Halal Ltd
Date: Fri, 27 Sep 2013 14:56

To Mr Chana

Please be advised that we did not approve your application; rather, we did not raise any objection to it. We raised no objection on the basis of the complaint history, which gave us little substantive evidence to suggest we should object. We are however aware of the problems experienced at a time when the venue was regularly open and active. We will of course respond to allegations of disturbance should we receive any in future and do so according to our policies and procedures.

In response to your request for information I am able to offer the following detail in relation to historic complaints on our books for Bar Noir. This information would have been considered whilst we looked at your application. Complaints alleging noise arising from other businesses often help show sensitivity to noise where we have no previous history for a new premises (where for example the venue has come about as a result of a change of use).

The thing to note in this instance is that we are not certain if there has been any activity at all at the premises more recently and so a lack of complaint may actually underline a lack of activity rather than good practice to prevent noise.

reference	type	General area complainant resided	Date received	Named and address of premises	Allegation made
07/00484/NOILIC	NOILIC	Copgrove Rd	09/01/2007	Bar Noir Clock Buildings Roundhay Road Leeds LS8 2SH	Noise nuisance - loud music from club/bar - open 5am. Caller is a council employee and has been diary. Advised that he will be contacted within 5 w
07/00885/NOICOM	NOICOM	Copgrove Rd	15/01/2007	Bar Noir Clock Buildings Roundhay Road Leeds LS8 2SH	Noise until 5am - Sat + Sun - large crowds outside thinks they are drug users
08/01089/XNOILI	XNOILI	Copgrove Rd	12/01/2008	Bar Noir Clock Buildings Roundhay Road Leeds LS8 2SH	Car alarm sounding outside Description Of Noise : Thumping bass coming from last couple of months, which is a street away and main road (Roundhay Road), this has become loud last few weeks and it is no longer possible to block sound of this
10/14137/NOILIC	NOILIC	Brookfield Avenue	13/05/2010	Bar Noir Clock Buildings Roundhay Road Leeds LS8 2SH	
Complaints of a similar nature concerning other premises close by					
07/27097/XNOCOM	XNOCOM	Copgrove Rd	30/11/2007	*** Roundhay Road Leeds LS8 ***	Noise from disco
11/10103/XNOCOM	XNOCOM	Copgrove Rd	16/04/2011	*** Roundhay Road Leeds LS8 ***	loud bass beat (music)
11/15376/XNOILI	XNOILI	Copgrove Rd	15/06/2011	*** Roundhay Road Leeds LS8 ***	Loud music

Thank you

From: achananumerics@aol.com [mailto:achananumerics@aol.com]
Sent: 24 September 2013 10:19
To: Ward, Mike (Environmental Prote
Subject: Mexi Khana Halal Ltd

Dear Mr Ward,

RE: PREM/03361/001- MEXI KHANA HALAL LTD

With reference to the above, we would like to thank you for your approval on the application.

I have spoke to Mr Gurdip Mudhar about historical issues with the former premises named Bar Noir and he has referred me to yourself in order to get confirmation on certain issues. Mr Mudhar has confirmed all the details from your systems but would require it by writing (email preferable).

Could you please confirm the last time any resident on Copgrove Road complained on noise issues?

Having spoken to Mr Mudhar, we understand that it was on the 14/05/2007.

We should be so grateful for your assistance.

Gurpal Chana

Director

The information in this email (and any attachment) may be for the intended recipient only. If you know you are not the intended recipient, please do not use or disclose the information

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SCH 4

IMPROVMENTS

The following documents show that after an action plan meeting, extensive improvements were made to the premises. SCH 2 ALSO PROVES THAT RESIDENTS WERE SATISFIED WITH THE NOISE ISSUES.

The panel are to consider:

Improvements were made in 2007 to rectify issues with noise residents had?

Letters from residents prove these measures were successful?

ACTION PLAN MEETING

Please will the panel consider that we attended the action plan meeting and did everything required and effectively delivered our plans for improvements.

During May 2007 I was away on holiday having not had free weekend for 2 years due to commitments to Bar Noir. Rushpal Chana was contacted by Srgnt Chesters to attend a meeting in regards to improving problems that residents were having. I had arrived back from holiday a day earlier and contacted Carmel Brennand to confirm the location and time. During the conversation I heard that the meeting was at Stainbeck Police Station. Due to noise in the background I only heard beck Police Station and assumed it was Killingbeck. I never knew Chapletown Police Station had been renamed to Stainbeck. Rushpal Chana doesn't drive a vehicle and hasn't had much dealing with Police. Knowledge of what Police Station is which is very minimal. He assumed I knew where I was going. Forty-five minutes before the meeting we were having lunch at the Three Hulats which is only situated around the corner from Stainbeck Police Station. Having finished our meal we saw Carmel Brennand enter the building and speak to the management. On her leaving I said to her "Are you on your way there now" as it was still 30mins before the meeting. She replied "Yes, the meetings at 2.30". According to the Police's pack it is reported that she re-confirmed the venue. I will confirm that this was not the case. We then set off 15mins later towards Killingbeck Police Station. I will state again that Stainbeck Police Station was a 1min drive from Three Hulats. It then took 15mins to reach our destination and were stood in a queue for a further 15mins. Having then been attended to, we were told that the meeting was at Stainbeck. **Please will the panel consider that this was a small misunderstanding of address rather than mismanagement.**

The meeting concluded 30mins late and was very surprised to how formal and the number of attendees. Rushpal Chana was told by Srgnt Chesters that it would be a meeting between us, Carmel Brennand and himself.

I was fully aware of all the resident's complaints and had already previously visited all nearby houses. Wazim Manzur of 4 Copgrove Road had previously said to my face that he wants Bar Noir shut, so it was no surprise that he was in attendance. Wazim Manzur voiced his concerns about attendees of Bar Noir and came clear that the main problem was customers parking outside their houses. This problem had caused issues with patrons arriving to our venue with bottled drinks purchased elsewhere. These bottles were then disposed of on Copgrove Road and sometimes in the resident's gardens. Other problems arose as when customers were returning to their vehicles they would be talking loud. We voiced our concerns and told Wazim Manzur as I did previously that we were disgusted with how our premises were causing distress to our surrounding areas. We then confirmed how we were

going to tackle the problem and listed all areas we felt were necessary needed improvement. We also stated that some of Wazim Manzur's claims were a bit exaggerated and that the problems very easily resolved by means of having a parking attendant. It was also stressed to Wazim that he needed to contact myself if he felt he was still experiencing problems. I explained that this would help speed up any matters that needed resolving and that complaining to authorities would only delay in issues being resolved. I then told him that if I am made aware of any small problems he is having I can then do something about it. Wazim Manzur declined this offer and confirmed that he carry on dealing with authorities.

In the meeting our door charge was brought up. We were advertising £3 entry buy 1 drink get 1 free on entry. I explained that the door charge was a policy to discourage people entering simply to loiter and that it wasn't a money making scheme. We did this to push away certain undesirable customers and to drop our attendance levels. The Buy 1 free element was simply for our loyal and good customers a way of reimbursing the door charge. We have never had drinks promotions nor advertised our beverages. I explained that if a straight door charge was introduced it would push away our very good customers. Neither Carmel Brennand nor Sgnt Chesters could understand how this system worked. I confirmed that the policy would be monitored over the next few weeks. Although the policy is difficult to manage it has been 100% successful since introduced. It has pushed away undesirables and kept the very good clientele we have. I also confirmed that Licensing was contacted before the entry charge was introduced to find out if this encouraged binge drinking. Calls to Licensing confirmed that the policy was fine. Also at a later it was confirmed by the head of licensing on visit to our premises that the policy was fine.

In the meeting it was also noted that we were not taking any notes. My reply was *"Why do I need to take notes? I have to complete these tasks by this date to make improvements for complaints this resident has. It's not rocket science or neither do I need to write an essay about it"*.

Please find listed all improvements and measures taken to bring peace to the residents.

- **Double doors fitted – to stop sound escaping on customers entering & exiting.**
- **Removal of window fan – where sound was escaping**
- **Boarding of window where previous fan was located**
- **Sound proof foam around the fire door**
- **Sound proof foam between removed foam and board**
- **Employment of parking attendant**
- **Educating customers on quiet leaving**
- **Move speaker location so sound is directed into premises.**
- **Employment of Smoke area supervisor**



SOUND SERVICE (OXFORD) LIMITED

Noise and Vibration Reduction Specialists



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 Tel: 01993 704981 Fax: 01993 779569
 Email: sales.ssol@btconnect.com
 www.soundservice.co.uk

Invoice SP 16165

INVOICE ADDRESS

DELIVERY ADDRESS

R Charner
 14 Well House Road
 Leeds
 LS8 4BS

Contact: 07971 145365

INVOICE

DATE	YOUR REF	TAX POINT	DELIVERY VIA:-	No. OF PACKS
15/06/2007	Verbal	15-06-07	Next Day AM Delivery	2x boxes
QUANTITY	PRODUCT DESCRIPTION	UNIT PRICE	COST	
3.00	Acoustical M20AD nom 1x1mx20mm		£ 84.00	

SOUND SERVICE

55 WEST END
 WITNEY
 OXFORD OX28 1NA
 TEL: 01993 704981
 FAX: 01993 779569
 EMAIL: SALES.SSOL@BTCONNECT.COM
 WWW.SOUNDSERVICE.CO.UK

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PLEASE KEEP THIS COPY FOR YOUR RECORDS

AMOUNT £142.00
 THANK YOU
 AUTH CODE: 015317
 RECEIPT 10/07

we warrant that the Product Description and Delivery Date are correct and we are not obliged with a claim in respect of any other information not received in writing without further enquiry accepted. Payment is required at the date of delivery of the goods and is not subject to any other conditions.

ON

Paid CC With Thanks

VAT No: GB 434 5018 73

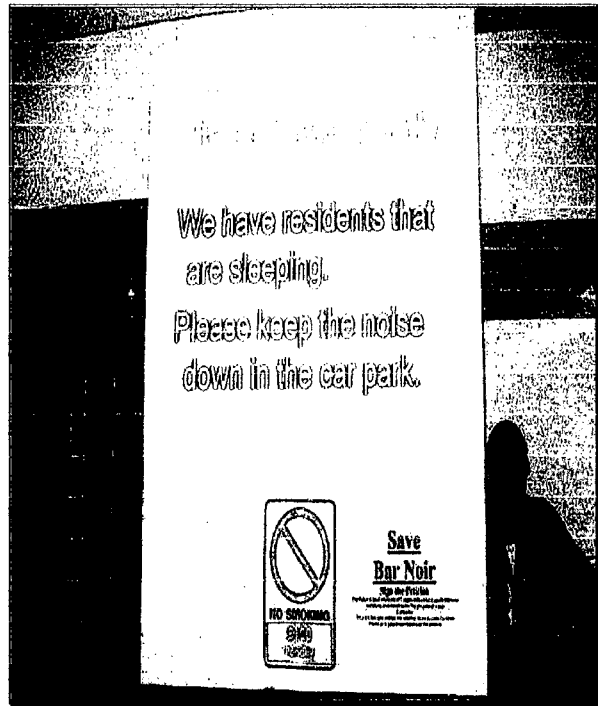
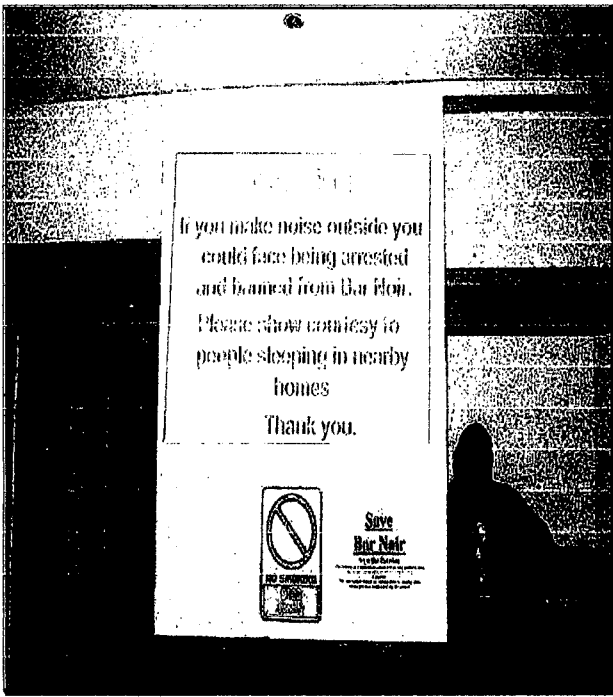
CARRIAGE	£ 36.25
SUB TOTAL	£ 120.85
17.50% VAT	£ 21.15
TOTAL DUE	£ 142.00

32

TERMS:
30 Days Net

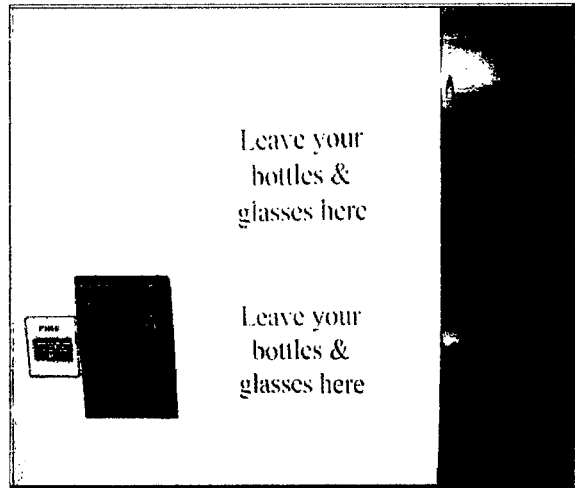
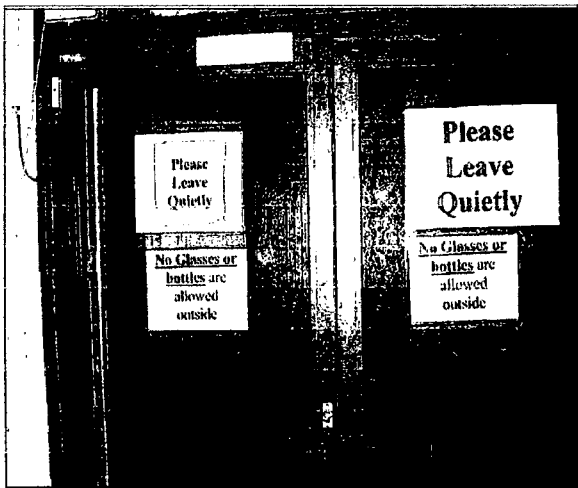
TERMS AND CONDITIONS WHICH ARE AVAILABLE ON REQUEST

PICTURES OF POSITIVE PROMOTION



THE ABOVE PICTURES ARE OF OUR POWER POINT PRESENTATION THAT DISPLAYS EVERY 3 MINUTES. NOBODY IN THE PREMISES CAN MISS THE PROJECTOR AS IT IS VERY BRIGHT.. THE VIDEO WALL SIZE IS ABOUT 60 INCHES AND PLAYS A PROMINENT ROLL IN ANY NOTICES WE NEED TO GIVE CUSTOMERS.

PICTURES BELOW ARE AT THE EXIT POINT. THERE ARE FURTHER NOYICES IN THE CAR PARK. CARMEL BRENNAND. HAS WITNESSED SIGNS IN CAR PARK ON HER VISIT IN MAY 2007



33

SCH 5

CLOCK HOTEL

Clock Hotel is almost directly opposite our premises. Their statement proves that the closest noise sensitive premises have no issues with noise. Clock Hotel is dependant on customers having a good sleep and there have been no complaints from these premises.

The panel are to consider:

A business dependant on customers sleeping, have not made one complaint of noise.

The Clock Hotel is directly opposite our premises on Roundhay Road.

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SCH 6

MAPS

The attached map shows the closest premises to the premises.

Clock Hotel is the closest and almost directly opposite to the premises.

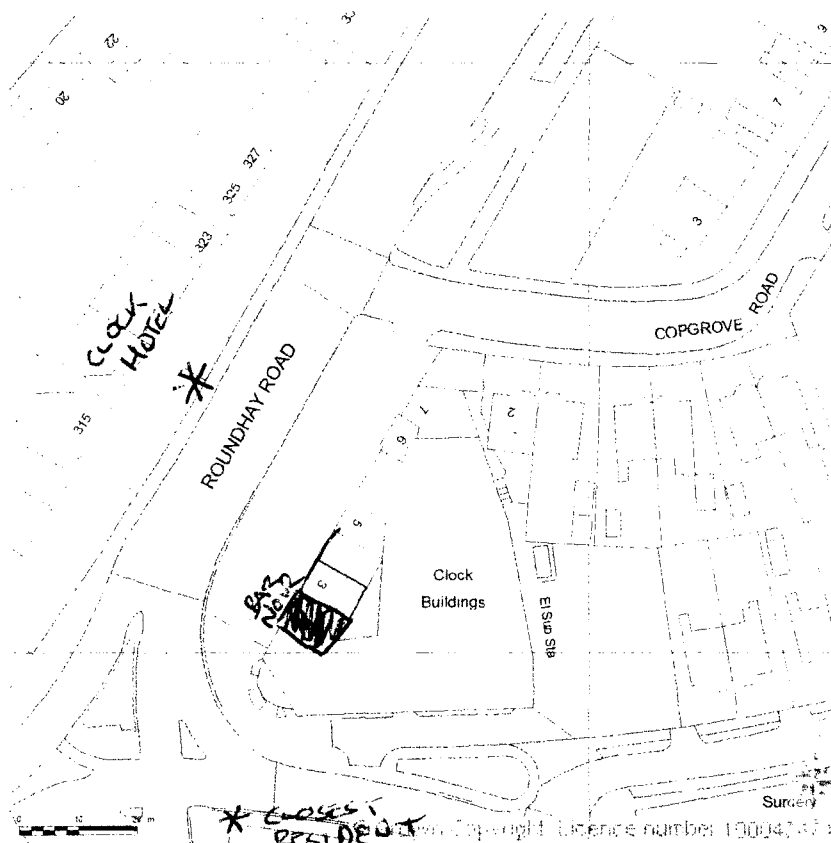
The closest resident is that of Easterly Road who can actually view the front of the premises from their window. There have been no complaints from these residents. Equally residents on Upland Road that are of equal distance to Copgrove Road have made no complaints

The panel are to consider:

The closest noise sensitive premises have made no complaints.

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SITE LOCATION PLAN
AREA 2 HA
SCALE: 1:1250 on A4
CENTRE COORDINATES: 432072 , 435938



Supplied by Streetwise Maps Ltd
www.streetwise.net
Licence No: 100047474

36

SCH 7

CRIME AND DISORDER

West Yorkshire Police experts in the field of crime and disorder have raised no objections. We have had various meetings over the last two years with the Police to plan and execute an effective plan on Crime and Disorder.

Attached is our crime and disorder record. These documents prove that any issue on Crime and Disorder as reported by residents is FALSE. The statistics show that it is one of safest places in Leeds. Not many venues can boast a record like this and proves that effective policies from management solved earlier problems.

The panel are to consider:

Experts in crime and disorder have raised no objection.

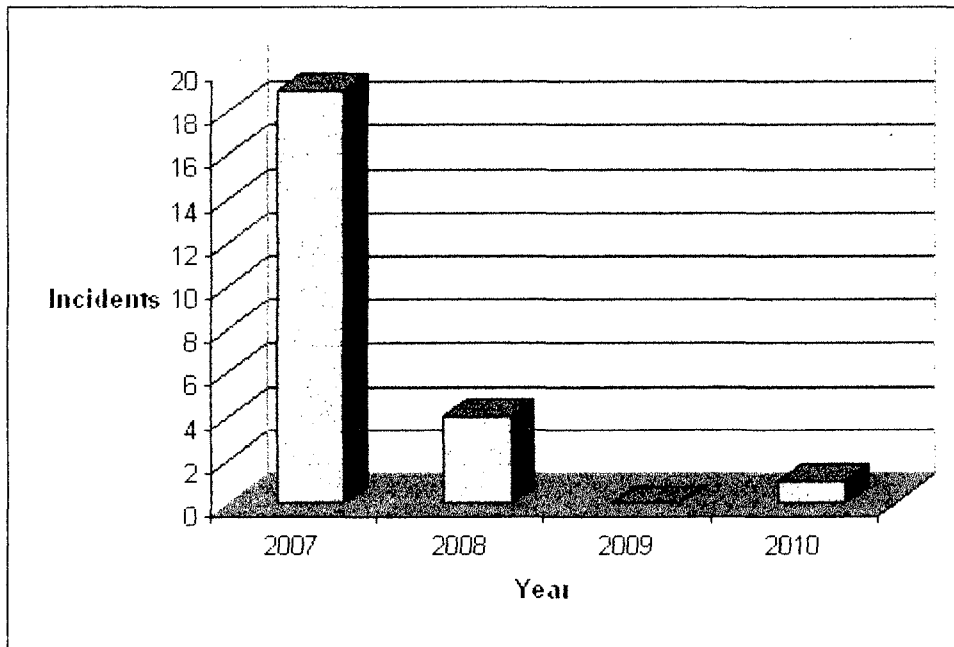
Why would experts approve the application?

The Police prove that residents objections in relation to Crime and disorder are lies.

37

GRAPHS & STATISTICAL ANALYSIS

Incidents that required the Police to attend or needed to be reported:



Information is recorded from actual Police IBIS system & Police documents.
All incidents can be referenced to the Police.

The record clearly shows the reduction in Crime & Disorder.

2007 - many calls were made to prevent crime and not of serious issue. This was a waste of Police time and due to inexperience adopted the wrong strategy. We changed the security in Aug 2007.

2008 - Crime & disorder was reduced significantly with the new security and only had 4 incidents.

Unhappy with the 4 incidents and security, another change of security team was adopted in Jan 2009.

2009 - No crime or disorder. New security working correctly. We were shut for 4 months during this period.

2010 - Only 1 incident that required the Police.

This record not only shows the reduction in crime but also proves that the DPS policy to change security when needed worked.

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OPENING STATISTICS

2007

Total days open	363
Days with no incidents	341
Days with incidents	22
Percentage of good nights	93.94 %
Percentage of nights with incidents	6.06 %

2008

Total days open	363
Days with no incidents	358
Days with incidents	5
Percentage of good nights	98.62 %
Percentage of nights with incidents	1.38 %

2009

Total days open	266
Days with no incidents	266
Days with incidents	0
Percentage of good nights	100 %
Percentage of nights with incidents	0 %

2010

Total days open	298
Days with no incidents	297
Days with incidents	1
Percentage of good nights	99.66 %
Percentage of nights with incidents	0.34 %

39