

LICENSING REVIEW – LA BOHEME – THURSDAY 27TH FEBRUARY 2014

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APPLICATION FOR REVIEW OF LICENSED PREMISES

**LA BOHEME
CROSS YORK STREET
LEEDS
LS2 7EE**

NOT PROTECTIVELY MARKED



**WEST YORKSHIRE
POLICE**

Leeds District Licensing Department

Licensing Department

Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Tel: 0113-2413067

Fax: 0113-2413123

Email: david.shaw1@westyorkshire.pnn.police.uk

Website:

Your ref:

Our ref:

9th January 2013

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

Private & Confidential

RE: APPLICATION FOR REVIEW OF PREMISES LICENCE :

PREMISES:

La Boheme
Cross York Street
Leeds
LS2 7EE

In accordance with Section 51 Licensing Act 2003, I hereby serve the application on the following:-

PREMISES LICENCE HOLDER:

Wildcard Leisure Ltd
328 West Point
Wellington Street
Leeds
LS1 4JU

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

West Yorkshire Fire & Rescue Service:

Station Officer
Leeds Fire Station
Kirkstall Road
Leeds
LS3 1NF

Leeds City Council:

Health & Environmental Action Service:
Millshaw Office
Millshaw Park Way
Churwell
Leeds
LS11 0LS

Leeds City Council – Health & Safety Team.

Health & Environmental Action Service
Millshaw Office
Millshaw Park Way
Churwell
Leeds
LS11 0LS

Health & Safety Executive

Principal Inspector
Marshalls Mill
Marshall Street
Leeds
LS11 9YJ

Children & Young People Social Care.

Safeguarding & Reviewing
4th Floor East
Merrion House
110 Merrion Centre
Leeds
LS2 8QB

Leeds City Council

City Development Department
Planning & Development Services
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

**West Yorkshire Trading Standards.
(Weights & Measures Authority)**

Licensing Team
PO Box 5
Nepshaw Lane South
Morley
Leeds
LS27 0QP

NHS Leeds

NHS Leeds Head Quarters
North West House
West Park Ring Road
Leeds
LS16 6QG

Further and in accordance with Section 52(1)(b) / 88(1)(b) Licensing Act 2003, I hereby give notice, that the holder of the premises licence / the club and any responsible authority, may make representations to the licensing authority about this review application, any time between the dates indicated on the notice which has to be displayed by the licensing authority, at or near the site of the premises to which the application relates, for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority – "The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005" (S/I 2005/No.42).

Yours faithfully,



David Shaw
Sergeant 285
Leeds District Licensing

NOT PROTECTIVELY MARKED

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

**Application for a review of a premises licence or club premises certificate
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, **Sergeant David Shaw**, apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

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

La Boheme,
Cross York Street

Post Town **LEEDS**

Post Code **LS2 7EE**

Name of premises licence holder or club holding club premises certificate (if known)

Wildcard Leisure Ltd

Number of premises licence or club premises certificate (if known)

PREM/02505/006

Part 2 – Applicant details

- | | |
|---|-------------------------------------|
| I am | Please tick ✓ yes |
| 1 An individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below) | <input type="checkbox"/> |
| 2 A responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3 A member of the club to which this application relates (please complete (A) below) | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick Yes

I am 18 years old or over

Current postal address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name

Address

Telephone number (if any)

E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name: West Yorkshire Police |
| Address: Leeds District Licensing Department Millgarth Police Station Millgarth Street LEEDS LS2 7HX |
| Telephone number (if any) - 0113 241 3067 |
| E-mail (optional) - david.shaw1@westyorkshire.pnn.police.uk |

This application to review relates to the following licensing objectives(s)

Please tick one or more boxes ✓

- | | | |
|----|--------------------------------------|----------|
| 1. | the prevention of crime and disorder | x |
| 2. | public safety | x |
| 3. | the prevention of public nuisance | x |
| 4. | the protection of children from harm | x |

Please state the ground(s) for review (please read guidance note 2)

The grounds for this review are based principally on crime and disorder and public safety.

In the latter half of 2013 there have been several serious disorder incidents, where police have been required to attend and control drunken revellers, on one occasion involving very large numbers of extremely inebriated under-18s. A stepped approach has been taken by the police in that several meetings have been held with the management of the premises where advice has been given, but this has been unsuccessful in achieving a level of management sufficient to prevent continued disorder, drug-taking, under-age drinking and violence, not to mention numerous reports of noise nuisance from local residents.

During the latest disorder incident discarded knives were found outside the premises by attending police officers and customers at the venue were extremely violent. This incident occurred despite a specific warning having been given to the management of the risks involved in holding the event.

The police have no faith in the management's ability to properly assess the risks involved in holding certain promotions. Decisions to hold risk events are being made in order to maximise profits regardless of the resulting danger to the public, and the likelihood of increased crime.

Please provide as much information as possible to support the application (please read guidance note 3)

Wildcard Leisure Ltd began operating the premises, now known as La Boheme, on 21st December 2012. The designated premises supervisor on inception was Joel Baker.

Leeds City Council Entertainments Licensing Officers attended at the premises on 3rd May 2013 to find that several conditions of the premises licence were not being adhered to; the CCTV was not properly in operation, there was no drugs safe, the Check 21 system was not being used, and the required radio communications system (BACIL) had not even been acquired. This was five months into the premises being operated.

Between the premises beginning to conduct licensable activities and the present day, Leeds City Council Environmental Health Department has received numerous complaints of persistent noise nuisance well into the night and the early hours of the morning, as evidenced by the department.

On a visit to the premises by police on 29th September 2013, in response to a report by a member of the public that a friend had been assaulted inside and was bleeding from the head, customers were seen by officers to be openly smoking cannabis. The clientele were very anti-police, and the door staff employed there were ineffective. Bottles were thrown at a police officer and several hostile, and racist, comments were shouted at officers.

In the early hours of 13th October a violent disorder incident took place following a 'Dons of House' promoted event at the venue, during which 50-70 people were fighting, shouting and throwing bottles in the street outside the premises. Evidence from police who attended, and from a local resident, indicate that there was substantial drug dealing outside La Boheme on that night, that the door staff employed were not effective, and that the management had no control whatsoever over the customers.

On the evening of 29th October a party took place at the venue aimed at 16-21 year olds. This in itself was in contravention of the premises licence. A large number of tickets had been sold to this age group, many of whom were under 18 and were seen purchasing spirits and other alcoholic drinks in nearby off-licences, and drinking from open bottles in the streets before entering La Boheme. Later that night there followed large scale disorder, where hundreds of teenagers were drunk, letting off fireworks in the street, fighting and failing to disperse when required by police officers who attended after numerous concern calls from members of the public. There was an estimated 700 such customers in the premises, some of whom were running in and out of fire doors unchecked by door staff.

Contrary to advice offered by the police La Boheme management ran a further 'risk' promotion on New Year's Eve, with elements from the 'Dons of House' promotion which culminated in 1) violent disorder on 13th October at this venue (outlined above), and 2) violent disorder and a stabbing at The Warehouse nightclub a few weeks earlier, which La Boheme management knew about.

Evidence obtained from visits to the premises by the Licensing Authorities, from local residents, from the police and members of the public, together with a series of disorder incidents, under-age drinking and drug use clearly show that the DPS and the management are unable, even after considerable liaison and consultation with the police, to run these premises successfully without hosting promotions and events that culminate in crime and disorder, threatening public safety, causing public nuisance and jeopardising the safety of children.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes please state the date of that application

| Day | | Month | | Year | | | |
|-----|--|-------|--|------|--|--|--|
| | | | | | | | |

If you have made representations before relating to this premises please state what they were and when you made them

None.

Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature: 

Date:- 9th January 2013

Capacity :- Leeds District Licensing Officer.....

| | |
|---|---|
| Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 6) | |
| Sergeant David Shaw Leeds District Licensing Dept Millgarth Police Station Millgarth Street | Mr. Bob Patterson Leeds District Licensing Dept Millgarth Police Station Millgarth Street |
| Post town Leeds | Post code LS2 7HX |
| Telephone number (if any) 0113 241 3067 | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) <u> david.shaw1@westyorkshire.pnn.police.uk </u> <u> robertpatterson@westyorkshire.pnn.police.uk </u> | |

Notes for guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.

5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

2013 CHRONOLOGY OF EVENTS – LA BOHEME

Chronology for Premises Licence Review

La Boheme, Cross York Street, Leeds LS2 7EE

| Date | Action/Offence/Intelligence | Outcome/Involved |
|--|---|---|
| Tues 30 th April 2013 – LCC Licensing visit | LCC Senior Liaison & Enforcement Officer Carmel Brennand attended at La Boheme and spoke with Millan Shalo. He was not conversant with the conditions on his licence. Shalo stated that he employed his own door staff. He knew nothing about BACIL. He did not know that he needed a drugs safe. He stated that he did not have CCTV but that this would be available at the end of May, yet he said he intended to open for business on Friday 3 rd May. He was informed that he would be committing offences if he didn't have BACIL and suitable CCTV in place when trading. He was given 2 Check 21 posters. Shalo stated that the DPS (then Joel Baker) would be present when the bars are open. | Future visit required to ensure compliance with conditions of licence |
| Fri 3 rd May - Police Licensing Visit | <p>Police Licensing had advised the manager (and PLH, same person) Millan Shalo in December 2012 when he took over the premises that a drugs safe and BACIL radio should be in place before trading begins.</p> <p>On this visit:</p> <ul style="list-style-type: none">• DPS not on site• 2 door staff on duty, stated they had been employed that night by Shalo. As he has no SIA licence he cannot legally deploy his own door staff• No BACIL radio even obtained – stated he had been in touch with the company that week. Failing to comply with his | A further visit to be scheduled to check compliance |

| | | |
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| | <p>licence</p> <ul style="list-style-type: none"> • No Check 21 posters were displayed in the premises (despite being provided with them on 30th April) – stated he wanted them framed before putting them up. Fail to comply with licence • No drugs safe had been obtained – stated he had ordered one. Fail to comply with licence • Partial CCTV, cameras only on doors, and none inside. Fail to comply with licence • No search policy in place | |
| Wed 29 th May – Information | Information received by LCC Officer Stuart Feathersone from a person who wished to remain anonymous, who lived in a residence near to La Boheme, that the music emanating from the venue was so loud that the building he lived in was shaking | Forms one of many noise complaints made to LCC Environmental Protection Team by local residents |
| Sat 6 th July – Police Licensing Visit | <p>Visit due to RnB night at the premises (which sometimes attract challenging clientele) and previous breaches of licence.</p> <p>2 door staff on duty, again deployed by Shalo, who is not permitted to do this. Unless the door staff are employed by him (on the books of Wildcard Leisure Ltd), or are employed by him as self employed door staff (where invoices/receipts would be required to be completed), then as he is not SIA registered himself he commits an offence under S.3 of the Private Security Industry Act 2001.</p> | |
| Sun 29 th September – Response to Incident | <p>Report of a glassing inside the premises.</p> <p>Officers attend and it turns out to be a minor assault.</p> <p>Customers inside openly smoking cannabis, and door staff/management doing nothing about it.</p> <p>Customers extremely anti-police –</p> | |

| | | |
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| | <p>racist comments shouted at officers and a bottle thrown at an officer. Shalo stated that it was a private party, yet money was seen to be exchanging hands at the door as people entered the club.</p> | |
| <p>Mon 30th September - Meeting</p> | <p>Millan Shalo attends a meeting at Millgarth police station to discuss problems at the premises, chiefly previous breaches of the licence, the door staff situation, the drugs in the premises, and the disorder of customers towards police officers.</p> | |
| <p>Sun 6th Oct – Joint Licensing Visit by two Special Constables and two Licensing Enforcement Officers from LCC.</p> | <p>Arrest made for assault by officers outside La Boheme, where a man was punched and spat at in the presence of officers.</p> <p>6 door staff on duty, 2 from West Yorkshire Security and 4 independently sourced by management – further offence.</p> <p>DPS not on site. When asked if he was ever present Shalo admitted that Joel Baker was a friend who had agreed to be the DPS as a favour because he held a personal licence.</p> <p>Drugs safe not locked and so inoperable. Part B of licence still not displayed.</p> | |
| <p>Sun 13th October – Violent Disorder.</p> | <p>Large scale disorder at the premises involving 50-70 people fighting, shouting and throwing bottles. Police required to assist door staff and management in the dispersal of large groups from the venue</p> | |
| <p>Fri 26th October – Police Visit</p> | <p>On a visit to the venue 4 door staff had again been paid directly by the club.</p> <p>There were considerable amounts of broken glass and glass bottles lying around in the toilets upstairs, and there was evidence of smoking in the manager's office.</p> | |

| | | |
|---|---|--|
| | Mismanagement of the premises, and further offences committed re hiring of door staff by Shalo. | |
| Tue 29 th October – Serious Disorder. | <p>Large scale disorder at the venue, outside and in the nearby streets, involving hundreds of young adults and under-18s from La Boheme. Scores of under-18s staggering around the streets, drinking from open bottles, a 16 year old girl with a head injury and refusing treatment, fireworks being let off, and general disorder resulting in numerous calls being made to the police, substantial police resources being expended and 4 arrests.</p> <p>Management had been warned on 7th October by PC Arkle about the conditions on his licence re children under 18 – but ignored the conditions resulting in the running of this event and the subsequent disorder. This was an event promoted by a 17 year old individual for 16-21 year olds - in contravention of the premises licence (condition 70) which states that any person under the age of 18 will only visit the premises with a responsible adult, usually for the purposes of dining or attending a family/corporate event. Shalo stated it was a corporate event!</p> | |
| Thu 31 st October - Meeting | A meeting was called re the serious disorder on 29 th October. LCC enforcement officer tried to make contact with the DPS Mr. Baker, but was unable to do so. Meeting held without DPS. | |
| Fri 1 st Nov – DPS withdrawal | LCC Carmel Brennand received an e-mail from the DPS stating that he wished to cease being DPS for La Boheme. | |
| Tues 12 th November – New DPS | Application from Wildcard Leisure Ltd received by LCC for David Knight to be the new DPS with immediate effect. | |

| | | |
|--|---|--|
| <p>Sat 30th November – Alleged Assault</p> | <p>Allegation by a female inside the venue that as she was taking photos with her phone she had her arm grabbed violently by a doorman and was 'dragged out' of the club calling her a "nigga". She returned to Manchester but did not pursue the complaint following the initial report.</p> | |
| <p>Mon 16th December – Meeting</p> | <p>Shalo had a 'Dons of House' promoted event organised for Boxing Day night and also for New Years Eve. In the early hours of Sunday 15th December a stabbing occurred at The Warehouse nightclub in Leeds where a 'Dons of House' event was being run. Shalo attended Millgarth to speak to the police about his two future 'Dons of House' events on busy nights. He was advised to cancel them due to the likelihood of further very serious disorder due to the nature of the promotion, the clientele it attracts, possible retribution culminating from the promotion on 15th December, and the habitual use of knives by the client base attracted to this event. Shalo decided shortly after this meeting to cancel the promotions, but he decided that, for New Year's Eve, he would still have one of the main attractions from 'Dons of House' (Damon C Scott) appear. He was warned of the associated risks.</p> | |
| <p>Wed 1st January 2014 - Disorder Incident</p> | <p>At 3am there was a fight inside the venue and a number of customers were ejected by door staff. The police attended and had great difficulty in moving customers away. Two lock knives were found on the floor outside. The police in attendance reported that inside the premises it stank of cannabis, and a female was knelt in the foyer area being sick in the corner. An arrest was made and the demands on police resources were again high caused by mismanagement of the club.</p> | |

OVERVIEW – APPLICANT’S STATEMENT

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:

URN:

Statement of: David Shaw


Date of birth: Over 18

Occupation: Sergeant 285

This statement (consisting of: 8 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:

Date: 27th January 2014

Time and date statement taken: 

Check box if witness evidence is visually recorded (supply witness details on rear)

I am a sergeant in West Yorkshire Police, currently engaged on duties in the Leeds District Licensing Department. My role involves the police supervision of Leeds area licensing officers. I liaise with owners and designated supervisors of licensed premises, together with management of such, and I am also tasked with implementing remedial and enforcement procedures on those who fail to fulfil their legal responsibilities as licence holders or designated premises supervisors.

On 21st December 2012 an application to transfer a premises licence was received by Leeds City Council (LCC), for premises known as La Boheme on Cross York Street, Leeds, LS2 7EE. These premises had previously benefited from premises licences for venues known as Northern Light, The Loft and The Cannons. The applicant for the La Boheme licence was Wildcard Leisure Ltd, owned and directed by Millan Shalo. The licence was issued to Wildcard Leisure Ltd on 25th January 2013.

As outlined in the statement of Carmel Brennand, a LCC Senior Liaison & Enforcement Officer, Shalo was not conversant with the conditions on his licence in April 2013, some three months after it was issued. On a 'meet and greet' on 30th April at the premises Shalo stated to Carmel Brennand that he employed his own door staff. He is not permitted to do this as he does not possess a frontline Security Industry Authority (SIA) badge. Employing his own door staff would be an offence. He did not know that he needed a drugs safe, which is clearly stated in his licence and he said that he did not have CCTV, another important condition. He said that CCTV would be available at the end of May, yet he stated a clear intention to open for business on Friday 3rd May. Shalo knew nothing about BACIL (Businesses Against Crime In Leeds) – a radio system designed to network licensed premises communications, together with that of the police and LeedsWatch CCTV. This was another condition on his licence included to reduce crime and disorder. He was informed that if he opened for business without these measures in place he would be committing offences. He was provided with Check 21

Signature: 

Signature witnessed by:

RESTRICTED (when complete)

| | | | |
|----------------|--|------|--|
| NICHE Ref. No: | | URN: | |
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Continuation Statement of David Shaw

posters for display in the premises and said that the Designated Premises Supervisor (DPS), Joel Baker, would be present when the bars are open.

Following the meeting with LCC it became apparent that Millan Shalo was going to be the driving force behind operations at La Boheme, in effect the general manager of the premises as well as the premises licence holder. It was also clear, at this early stage, that he had failed to familiarise himself with the legal requirements pertaining to the running of his business, as he was unaware of the conditions of his licence and did not seem to comprehend the importance of ensuring that the conditions are met when operating the premises. In view of this, a visit by police officers was arranged to La Boheme on Friday 3rd May. The following facts emerged as officers checked the premises whilst it was open:

- The DPS was not on site. Although this is not a requirement in law, Shalo had informed the authorities that the DPS would be present when the bar(s) were open.
- There were two door staff on duty, who stated that they had been employed by Shalo. He is not permitted to deploy his own door supervisors and so committed an offence.
- No BACIL radio had been obtained. Failing to comply with his licence – offence committed.
- No drugs safe had been obtained. Failing to comply with licence.
- Partial CCTV only in operation, no inside cameras. Failing to comply with licence.
- No Check 21 posters were displayed, despite having been provided with them only a few days earlier. Failing to comply with licence.

A further licensing visit took place at these premises on Saturday 6th July. During this visit there were two door staff again deployed by Shalo himself.

In the early hours of Sunday 29th September the police responded to an incident at La Boheme. There was a report from a member of the public that there had been a 'glassing'. It transpired that there had been an assault, but it was minor. PC Ben Ryder's statement describes the management of the premises when he went inside to investigate the complaint. Customers were openly smoking cannabis unchallenged by Shalo, his staff or the door supervisors. Many customers were openly anti-police; PC Ryder suffered verbal racist abuse whilst walking through the venue and he had a bottle thrown directly at him. Shalo told PC Ryder that it was a private party, a blatant untruth as money had been seen exchanging hands at the door as customers entered the club. PC Ryder was in fear for his safety, and as such was unable to preserve the scene of the assault in a toilet block, where there was blood. The level of aggression towards him inside the venue was such that he needed to leave before he was further assaulted or worse.

Signature:



Signature Witnessed by:

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| NICHE Ref. No: | | URN: | |
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Continuation Statement of David Shaw

Due to the incident on 29th September, Millan Shalo was asked to attend at Millgarth police station to discuss growing problems at the premises, chiefly previous breaches of the licence, the door staff situation, drugs in the premises and the treatment of police officers by his customers. Shalo apologised, promising to adhere to all the licence conditions and to control the use of drugs in the premises. He also said that he was going to employ a reputable, licensed door supervisor company in future, who could assist him with proper risk assessments of events and a more professional security set up.

In view of a growing concern that La Boheme was not being managed effectively, with the prospect of further crime and disorder anticipated, a further joint licensing visit was organised. Police and LCC Enforcement Officers attended at the venue in the early hours of Sunday 6th October. There were six door staff on duty, four of which had again been independently sourced by Shalo. The DPS was not on site. When Shalo was asked if the DPS was ever present, he admitted that Joel Baker was in fact a friend who had agreed to be the DPS as he held a personal licence. This caused concern because this is not what the police were told originally. The drugs safe was not locked, and so effectively was not able to be used. Part B of the licence was not displayed as is required by the Licensing Act 2003. Whilst officers were conducting the licensing visit a man spat in the face of another man and then attempted to punch him in front of a police officer, necessitating an arrest for assault.

Large scale disorder broke out at the premises one week later, on Sunday 13th October. A member of the public reported fighting. Between 50 and 70 people were fighting, shouting and throwing bottles. Police attended and were required to assist door staff and management in the dispersal of large groups from the venue.

I organised a further joint licensing visit to La Boheme on Friday 26th October, and I attended myself together with other police officers and LCC Enforcement Officers. There were not many customers in the premises on this visit, but I saw a large quantity of broken glass strewn in the upstairs male toilets, there was a strong smell of cannabis throughout the venue and evidence of heavy smoking in Shalo's office. When I asked him about this, his reply suggested that he didn't know it was an offence. In addition, another 4 door staff had yet again been deployed and paid directly by Shalo, almost a month after he had promised to employ a licensed door supervisor company and not to deploy his own door staff.

Signature:



Signature Witnessed by:

| | | | |
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| NICHE Ref. No: | | URN: | |
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Continuation Statement of David Shaw

It was apparent that repeated warnings, and advice, proffered by police was not being heeded, and this operator was ignoring both the law and the police.

On the evening of Tuesday 29th October another bout of serious disorder erupted at the premises. This involved hundreds of under-18s and young adults outside the venue and in nearby streets. Scores of under-18s were staggering around the streets, drinking from open bottles. One 16 year old girl had a head injury, but refused treatment. Fireworks were being prolifically let off and general disorder was rife resulting in numerous calls for the police. Substantial police resources were required to bring order back to the locality and four arrests were made. A teenage girl was bitten by a police dog, and specialist police resources had to use recognised PSU manoeuvres and tactics to disperse the crowd.

A specific warning was given to Shalo by PC Catherine Arkle on 7th October about under-18s in La Boheme. This is evidenced in an e-mail from PC Arkle. Part of that e-mail reads..."There is a condition on your premises licence which states 'A person under the age of 18 will only visit the venue with a responsible adult, usually for the purpose of dining or attending a family/corporate event'. You must comply with this condition." Despite this Shalo decided to run the event in contravention of his licence, which resulted in serious disorder and considerable police resources being required.

The promoter for this event was 17 years of age. From observing Facebook conversations he calls himself Julian New Junior (JNJ) – clearly a 'stage name'. A Facebook link shows a girl in the name of Georgia Rey who asks "Eh can I buy alcohol from the bar I'm 16", referring to the event at La Boheme on 29th October. JNJ replies "If you wanna purchase alcohol at the bar get someone 18 to purchase it for you, or if you can find me at the right time ask me to purchase it for you and I will..."

Another individual on Facebook asks JNJ "Nigga how's everyone gunna fit in that room when there's like over 800 coming watch the party get shut down." JNJ replies "If Milan says his club is licenced to fit 1000 people then it's licenced to fit 1000 people, it's s club night it can't get shut down..." This is an example of a promoter that Shalo employed to organise an event at his premises, plus the event itself was contrary to his licence.

A local resident, Natasha Atwal, who lives in the Iceworks apartments behind La Boheme has provided a statement to the police outlining how the noise has become unbearable throughout 2013 since La Boheme began operating. In relation the events of 29th October, she states "Last night, 29th October, there were hundreds and hundreds of under 18s in the street, on Cross York Street, outside La Boheme. Before the police could arrive there were scores of teenagers with bottles of Bombay Sapphire, Jack Daniels and Smirnoff drinking them in the street from the bottles. The door staff could see this but they did nothing about it. There were no female door staff checking young girls going in, and I saw no wristbands on customers. The door staff were working at the door nearest to the viaduct,

Signature:



Signature Witnessed by:

| | | | |
|----------------|--|------|--|
| NICHE Ref. No: | | URN: | |
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Continuation Statement of David Shaw

but there were none at the fire exits at the side of the club, and literally hundreds of teens were arriving and going in and out of the club unchecked by anyone via the fire exit." This witness could see everything that was happening from her apartment balcony. She describes how the customers were out of control, drinking alcohol from bottles in the street and going in and out of the premises unchecked by door staff or management.

A meeting was convened on 31st October with Shalo, to discuss the incident on 29th October. LCC Enforcement Officer Carmel Brennand attempted to contact the DPS, Baker, by telephone and e-mail but no reply was received and the meeting had to go ahead without a DPS. During this meeting Shalo apologised and said that he would never hold another under-18s event again. He was reminded that by holding it he had committed offences by failing to comply with his licence, as per the warning given to him by the police on 7th October. I informed Shalo that non-compliance with conditions would no longer be tolerated. I informed him that this was the fourth crime/disorder incident that the police had had to deal with within a six month period and that any further serious disorder or crime incidents in the near future would be likely to lead to the premises being reviewed by the Licensing Committee, as improvements had not been seen and protection of the public was paramount. He agreed, again, to only employ a reputable door supervisor company, and not to hold risky events that are likely to result in crime and disorder.

On 1st November Enforcement Officer Carmel Brennand received an e-mail from Joel Baker, the DPS, stating that he wished to withdraw his services as DPS for La Boheme. This was followed by a formal request to have his name removed from the licence on 16th November, as requested by Ms Brennand. Part of Baker's second e-mail read, "This is great news as it is a venue which is run very badly and the nights that was staged there was only asking for trouble I would advise that the venue is monitored very closely as me Shalo is very inexperienced." This casts aspersions on the ability of Shalo to manage licensed premises whilst upholding the licensing objectives, but it also indicates a total lack of responsibility on Mr. Baker's part; he was the DPS for these premises for ten months, during which time there is no evidence whatsoever that he supervised the venue at all. He was not present at any of the police visits, he was not present when the bar was open as originally promised by Shalo, and he had to be told about every incident of crime and disorder after the fact. On 12th November an application was received by LCC for David Knight to be the new DPS with immediate effect. I have never met this individual, who appears to be another 'notional' DPS appointed to fulfil the requirement in law for such a person, but still with Shalo in full control of proceedings.

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Signature Witnessed by:


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Continuation Statement of David Shaw

An allegation of assault was made to the police on Saturday 30th November by a female inside the premises. She told the police that she was taking photos on her mobile phone when a doorman violently grabbed her arm and she was "dragged out" of the club, the doorman calling her a "nigga." This complainant returned to Manchester afterwards and did not subsequently wish to pursue the matter.

La Boheme management had two yuletide events organised, one for Boxing Day and the other for New Year's Eve. The event was called Dons of House, promoted by Craig Morton, and was scheduled for both dates. In the early hours of Sunday 15th December the Dons of House promotion was held at The Warehouse nightclub in Leeds and culminated in serious disorder during which a man was stabbed. This occurred at premises which are run by an experienced management team with an established reputable door supervisor company controlling customers, and where there is very rarely any trouble. Clearly, I was very concerned that the same clientele who were present at The Warehouse would attend at La Boheme. This would be reason for concern in itself, but add to that the fact that there may be plans for retribution amongst the friends of the stabbed man, together with the poor track record of management at La Boheme, and these promotions being held on two extremely busy nights, and a potentially explosive situation could arise.

Millan Shalo agreed to meet with police on 16th December to discuss this. He was shown the footage of the disorder and the stabbing. I discussed the risks with him in person, and advised him to cancel the two Dons of House events. I told him that the police had serious concerns that if the promotions went ahead there would be a high chance of further disorder or worse. Shalo decided to cancel the promotions, but he expressed a concern that by doing this he would be losing a lot of money. Dons of House was duly cancelled, but for New Year's Eve he made the decision to host Damon C Scott, who was the main attraction from the original promotion. He was warned of the risks associated with this decision, namely that hosting the headline act from the original promotion would be likely to attract the same clientele in the same numbers as would have attended the full event. As can be seen from an e-mail sent by Shalo on 24th December to the police, he states, "Risk associated with this event is that Damon C Scott was initially billed for the cancelled Dons of House event. Whilst we have been assured by the promoters that their events have been cancelled we anticipate that some of the crowd might still turn up on the night." He went on to ask for police assistance on the doors for New Year's Eve – a request which was at least a month too late in the asking. His estimated attendance figures for NYE was between 200-600 for the Damon C Scott promotion, basically indicating that he had no idea how many people were likely to be there, making the risk even greater.

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Continuation Statement of David Shaw

At approximately 3am on Wednesday 1st January a further serious disorder incident occurred at La Boheme. There was a fight inside the venue and a number of customers were ejected by door staff. The police attended and had great difficulty in moving customers away. In Inspector Richard Clarke's statement he explains that two lock knives were found on the ground outside the venue, supporting the serious concerns previously expressed by the police that further violent attacks may take place if this event was held. These knives may well have been used if the police had not arrived at the scene promptly to disperse the aggressive crowd. The door man who had removed a knife from one of the trouble makers stated that twenty-plus door staff was not enough, and that it was out of control inside the club and needed to be shut down. Inside the premises, Inspector Clarke describes how it stank of cannabis. A female was in the foyer being sick in the corner, and an arrest was made for a public order offence. The demands placed on the police service on New Year's Eve are historically very great, with sporadic incidents of a public order nature throughout the city centre and beyond. Although this demand is catered for by increased numbers of officers, it still places a strain on available resources when one venue requires a large number of officers for a prolonged period. This was one such incident. It was avoidable and it increased the vulnerability of other users of the Leeds night time economy on this night.

In addition to the crime and disorder considerations delineated above, there are considerable public nuisance issues connected with the running of this venue in the latter half of 2013. In a statement, previously mentioned, from Natasha Atwal, who lives in the Iceworks apartments behind La Boheme, she describes how bad the noise nuisance was for her. She concludes her statement, "It is getting to the point where there is just no quality of life living in the apartment. The noise, the fighting, the drunkenness, broken bottles, drugs and teenagers is becoming more frequent, and it is really upsetting for me and lots of others I know who live here. The police don't seem to be able to do anything about it, other than turn up each time it happens. I feel unsafe, intimidated and it isn't acceptable." Earlier in her statement she explains that she went down to the venue and spoke with Millan Shalo on 29th September (the night when the glassing was reported and when the police officer had a bottle thrown at him). She was complaining about the noise and she states that Shalo said to her, "If you wanted to come in here I wouldn't let you it's so bad in here. There's not a lot that scares me, but tonight I'm scared."

Gurdip Mudhar, from Leeds City Council Environmental Protection Team (EPT), has provided a statement which outlines the complaints of noise nuisance received by his department from September 2013 onwards. He has documented numerous complaints received from residents who live near to La Boheme. A complaint received from a female on 7th September, two complaints on 29th September

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Continuation Statement of David Shaw

from different parties, a complaint on 27th October – this was attended on the night by an Environmental Protection Team Officer Mark Farnham who confirmed that the music was extremely loud and was emanating from La Boheme. A further similar complaint was received on 29th October from a female, and another on 3rd November – this complainant subsequently furnished the EPT with a nuisance diary. On 5th November the EPT received another complaint and two complaints on 8th November – a site visit was carried out in response to these two complaints and loud noise could be heard outside the venue. An unannounced visit to the premises was conducted by Gurdip and a colleague of his Paul Barnwell at 11.45pm on Friday 13th November, where they found that the music systems were not fitted with any sound limiting devices and so noise levels from systems could not be controlled.

In a period of just over three months, between the end of September and the New Year, there have been no less than four serious incidents of disorder that the police have had to deal with at these premises. There are numerous occasions where the management has failed to adhere to important conditions on the premises licence, such as CCTV, BACIL radio, drugs safe, the deployment of door staff, etc, all of which amount not only to the commission of offences under the Licensing Act 2003 but serve to seriously undermine the licensing objectives, and these failures have been after warnings from both the police and the licensing authority. Added to the crime and disorder incidents are many separate complaints from local residents about noise nuisance, corroborated by nuisance diaries provided to the EPT. Further, children have been put at risk by holding the 16-21 event on 29th October – this after management was warned not to hold the event as it was again in contravention of the premises licence.

Two DPSs have been conspicuous by their absence – neither has played any meaningful part in the supervision or management of La Boheme. The premises have been run solely with the purpose of maximising profits with little, if any, regard to promoting the licensing objectives. In fact, crime and disorder incidents, recurrences of public nuisance incidents, public safety and protection of children have been allowed to be jeopardised on many occasions by the premises licence holder, despite considerable advice and assistance from the police and the licensing authority being provided.

I believe that the premises licence holder is unable to manage licensed premises in a safe and responsible manner, in a way that promotes the licensing objectives, and as such he will if permitted to hold this licence any longer allow further incidents to occur that greatly risk safety to the public, and cause untold nuisance to local residents.

Signature: 

Signature Witnessed by:

SUPPORTING STATEMENTS:-

Carmel Brennand – Leeds City Council Senior Liaison & Enforcement Officer

Ben Ryder – Police Constable, West Yorkshire Police

Natasha Atwal – Local Resident

Richard Clarke – Police Inspector, West Yorkshire Police

Gurdip Mudhar – Leeds City Council Environmental Health Officer

WITNESS STATEMENT

(CJ ACT 1967, s.9;MC Act 1980, ss.5A(3)(a) and 5b;MC Rules 1981, r.70)

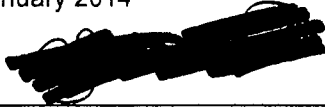
Statement of Carmel Brennand

Age/Date of Birth – Over 21 Occupation – Senior Liaison & Enforcement Officer

This statement (consisting of 7 page(s) each signed by me) is true to the best of my Knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated 20 January 2014

Signature :



I am the above named person. I am employed full - time as a Senior Liaison and Enforcement Officer with Leeds City Council's Entertainment Licensing Section. My duties include visiting licensed premises with other agencies to ensure compliance under the Licensing Act 2003, in promoting the four licensing objectives; the prevention of crime and disorder; public safety; the prevention of public nuisance and the protection of children from harm. I also attend pub watches in my allocated areas to offer advice and guidance to operators and staff of licensed premises. I have delegated authority under the said Act.

Since the 24th November 2005, the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment are licensable activities under the Licensing Act 2003. This means that a premises carrying on any of these activities require a Premises Licence authorising the activity.

Premises at Cross York Street, Leeds, LS2 7EE, previously known as Northern Light, The Loft Creative Event Space and then The Cannons have been licensed for alcohol and regulated entertainment since the new Licensing Act 2003 came into being. On the 21 December 2012 an application to transfer the Premises Licence PREM/02505 was received at the Entertainment Licensing Section for the premises to be known as La Boheme. The application was to specify Wildcard Leisure Ltd as the new Premises Licence Holder and Joel Ricki Baker as the new Designated Premises Supervisor. The newly issued Premises Licence PREM/02505/006 was issued and sent out to Mr Milan Shalo, the director of Wildcard Leisure Ltd, on 25 January 2013. (I produce a copy of the covering letter and the licence as my exhibit CB1).

My duties include carrying out ' meet and greets' in the city centre where new licences have been issued after either the grant of a new licence or a change to the specified Premises Licence Holder or Designated Premises Supervisor on an existing licence. The purpose of

this is to introduce myself, ensure the Premises Licence has arrived and is displayed correctly and that the new operators understand and are compliant with the conditions therein. After a visit to the premises and trying 6 telephone numbers from the application forms and the website I had been unable to speak to anyone to arrange an appointment. Mr Shalo finally contacted me at the request of the building owner and an appointment was made for Tuesday 30 April 2013.

At 01:00 pm on Tuesday 30 April 2013 I attended at the premises on Cross York Street, Leeds 2 , known as La Boheme and met with Mr Milan Shalo. Part B of the Premises Licence was not displayed and Mr Shalo could not locate the Part A. As I went through the main points of the licence, it became clear that Mr Shalo had not even read the licence. I advised Mr Shalo that as far as his business is concerned the Premises Licence is his 'bible', he should find it , read it and make sure that he can comply with all the conditions. I then started to go through the main conditions I had picked out of the licence. I asked Mr Shalo which door staff company he used he stated that he had his own SIA so he employed his own door staff. Mr Shalo did not have and was not aware he required a BACIL (Business Against Crime In Leeds) radio. I asked if there was a drugs safe in use, Mr Shalo replied that he was not aware he needed one. When I asked if there was CCTV and if the footage was available for 31 days, Mr Shalo stated that he did not have CCTV on site but that it should be in place at the end of May. I then asked when he was next opening. Mr Shalo stated he was open the next weekend, Friday to Sunday. I strongly advised him that he needs BACIL and CCTV for this weekend and that if not in place would result in serious breaches of conditions and as such would be committing offences under the Licensing Act 2003. I went through the Trading Standards pack that we give out to new operators, paying particular attention to the Designated Premises Supervisor (DPS) authorisation form. Mr Shalo told me that the DPS works when the bars are open. I gave him 2 new posters for Check 21 and went through some posters for proof of age and information about false IDs. Mr Shalo explained that he had initially run burlesque nights once a month. When I advised him that if he operated them more than once a month, he would have to apply for a Sexual Entertainment Venue Licence, he stated that he had suspended them. I advised him that I had no choice but to inform West Yorkshire Police that he was opening this weekend without the benefit of a BACIL radio or a CCTV system. I did inform him that I would get Sean Walker from Bacil to get in contact with him. I resumed from the premises at 01:55 pm and arrived at Millgarth Police Station at 02:00 pm for a pre- arranged appointment. I informed PC Arkle and Sean Walker of the results of my visit to La Boheme and the conversation with Mr Shalo.

At 09:32 am on Wednesday 1 May 2013 I sent an email to Mr Shalo reinforcing the advice I

had given the previous day in respect of the conditions together with information leaflets on drug safes and West Yorkshire Police CCTV guidelines. (I produce a copy of my email dated 1 May 2013 as my exhibit CB2).

On 29 May 2013 I received an email from Stuart Featherstone, Senior City Centre Liaison Officer advising that during his tour of the city centre he had been approached by a local resident of La Boheme who had voiced concerns about the noise from loud music being played until 6 am the previous bank holiday weekend. Mr Featherstone passed on the complainant's details to me and I spoke to him the following day. This gentleman explained he wished to remain anonymous. He had just moved into a flat near La Boheme as he works in licensed premises in the city centre and as such understands the trade and the hours. However he could not believe the loudness of the music coming from La Boheme stating, ' It was so loud the building was shaking'. He further added that he had taken footage of the people out in the street and given this footage and information on the disturbance to his landlord. He believed other residents had also complained to the landlord and that the landlord was going to contact the Environmental Protection Team at Leeds City Council and make a complaint on behalf of all of them. I advised the gentleman that if he wanted to make a complaint directly to me, I would not divulge his details. He said he would think about it.

At 01:00 am on Sunday 6 October 2013 I was working in company with my colleague Mr Paul Rix, Senior Liaison and Enforcement Officer and officers of West Yorkshire Police. We attended at La Boheme, Cross York Street, Leeds LS2 7EE. The purpose of the visit was to conduct a joint licensing inspection of the premises, to ensure the premises were operating in accordance with the Premise Licence PREM/02505/006 granted to the venue. The DPS Joel Baker was not on site. Mr Milan Shalo was on site and when asked if the DPS was ever on site admitted that Mr Baker was a friend who had agreed to be the DPS as a favour because he had a personal licence. A door man on the main door, who identified himself as Mr Elroy Caines initially advised officers that the 6 door staff were supplied by West Yorkshire Security however on further questioning, stated they him and one other had been supplied by West Yorkshire Security and he had deployed the other four, explaining two were independents, the remaining two were being trained/on probation. As there were customers going in and out, we were unable to pursue this matter further but advised Mr Shalo that further enquiries would be made into the employment of door staff. I went through the inspection sheet with Mr Shalo. Whilst we were in the office to check the CCTV, I noticed an ashtray on the office desk with cigarette stubs in it. I advised Mr Shalo that he should not be smoking in the office. There were a number of issues highlighted through the visit and these were detailed on the inspection sheet, namely; the drugs safe required

locking and the 2nd key to be given to the police, all the barstaff to be authorised in writing by the DPS, the original Part B of the Premises to be located and displayed correctly and lastly that a representative from the premises should attend the city centre pubwatch. Just as Mr Shalo was signing the inspection sheet, a disturbance broke out on the street and the police officers arrested a male for assault. (I produce a copy of the inspection sheet as my exhibit CB3).

On Wednesday 9 October 2013 I emailed Mr Milan Shalo with the details for the next city centre pubwatch and asked him to contact me when the issues I had raised had been rectified. (I produce a copy of my email of 9 October 2013 as my exhibit CB4).

At 12:45 pm on Monday 28 October 2013 I received an email from Mr Gurdip Mudhar, Environmental Health Officer, Leeds City Council advising that he was dealing with a noise complaint, namely loud music, shouting and screaming; from a local resident. The resident made particular note of Saturday 12 October and Friday 18 October when there was fighting outside the club. Mr Mudhar requested that I pass this information about disorder on to West Yorkshire Police. (I produce a copy of the email dated 28 October 2013 as my exhibit CB5).

At 10:33 pm on Tuesday 29 October 2013 a complaint/enquiry was made on Leeds City Council's website and forwarded to the Entertainment Licensing Section. The enquiry received was :-

'A club called La Boheme has been open on Cross York street and is creating havoc. As I type this the police are outside struggling to control crowds of people. This is a Tuesday night, the weekends are much worse. The noise from people fighting, screaming and cars honking horns is terrible. Also, from our 3rd floor flat we are able to hear the beat of the music. I believe this club has a late licence. Please tell me why this was granted and no one in any of the flats surrounding the club were consulted about its opening. This is unacceptable and we will continue to fight this.'

(I produce a copy of the enquiry dated 29 October 2013 as my exhibit CB6).

As a result Complaint/Enquiry GE/002091 was generated on our system and allocated to me to deal. I emailed the gentleman acknowledging receipt of his complaint and advising that I would be dealing with the matter in conjunction with West Yorkshire Police and the Environmental Protection Team. I gave a brief history of the Premises Licence; it's grant, hours etc. I passed the information onto West Yorkshire Police.

At 05:00 pm on Thursday 31 October 2013 a further complaint was received from a female by telephone at Entertainment Licensing Section in respect of La Boheme, Cross York

Street, LS2 7EE. Complaint GE/002093 refers. The complainant stated that :-

'The above premises is serving alcohol to underage persons. She also states that she was horrified by what she saw last night (30.10.2013) which was boys putting their hands up girls skirts. She is questioning why they have a licence and believes the licence holder has a criminal record. She had gone down to the club with her friend to collect her 16 year old son. She said friend's son was drunk and that he and his friends had all got served at the bar. Complainant's friend is obviously talking to other parents and allegedly some 16 year old girls were quite distressed as they had hands up their skirts and felt molested. Complainant also concerned about general welfare of the females going in these premises on other nights. They are vulnerable. I explained that unless incidents were reported to the police or us, we do not know what is going on.

She said her friend had taken photos of what was said on face book about how to get alcohol and she would try and forward them to me. She said that these comments and those from girls who had felt molested had all been removed. Asked if I could pass this information onto West Yorkshire Police. She said yes and would try and get more information, however she wished to remain anonymous.

As a result of the serious disorder and allegations of sales to underage at the premises on Tuesday 29 October 2013 West Yorkshire Police organised a meeting with the operator of La Boheme, Milan Shalo for 12:00 noon on Thursday 31 October 2013. I tried to contact the DPS Joel Baker on the mobile telephone number given on his Personal Licence application form, but this number appeared no longer in use. I then contacted him by email to invite him to the meeting. (I produce a copy of my email timed and dated 08:51 on Thursday 31 October 2013 as my exhibit CB7).

At 12:00 noon on Thursday 31 October 2013 I attended at Millgarth Police Station for the meeting in respect of La Boheme. Present at the meeting were Sergeant (PS) David Shaw, Sergeant Robert Fullilove and Catherine Sanderson also of West Yorkshire Police who took the minutes and Mr Milan Shalo with Mr Raj Matis; who stated that although he was a solicitor, he was accompanying Mr Shalo purely as a friend rather than in a legal capacity and Mr Joe Grinnion on behalf of Protec Security who had just been employed to supply door staff at the venue. After discussing the event held on the 29 October 2013, I went on to say that I had invited the DPS Joel Baker to the meeting as I believed as a named individual on the Premises Licence, he should be aware of the issues. Mr Shalo stated that Mr Baker aware of them and he would update him after the meeting. I then went on to explain that although no-one from the Environmental Health had been able to attend this meeting, I was aware they had received complaints about this and other events. I also informed Mr Shalo within one of the complaints received, one alleged that the promoter was only 17 years old.

Mr Shalo admitted that one of the promoters was young. I went on to advise Mr Shalo that condition 70 on the Premises Licence states :-

A person under the age of 18 will only visit the venue with a responsible adult, usually for the purpose of dining or attending a family/corporate event.

Mr Shalo tried to argue that this was a corporate event. I stated that it was not, it was a promoted event by a 17 year old for persons under 18 years of age, promoted on facebook with a view to making a profit. And that at a party for children/under 18's, you would not accept 1 responsible adult, i.e. a member of door staff or bar staff for 20 children never mind 700 plus. I explained that by having this event was a serious breach of the Premises Licence condition and I reminded him that as early as May 2013 I had advised him to read his licence to ensure compliance with it. I then drew his attention to condition 67 which states :-

We will maintain quarterly meetings with our local residents committee.

I explained these premises had caused problems for the local residents in 2007 and 2008 under previous operators and as a result this condition was imposed by the licensing committee. Mr Shalo claimed he met residents on a daily basis.

The meeting concluded at 01:25 pm after agreement by Mr Shalo to liaise with agencies and use Mr Grinnion's knowledge in drawing up risk assessments for future events held at La Boheme.

At 08:08 am on Friday 1 November 2013 I received an email from Joel Baker in response to mine dated 31 October 2013. Mr Baker writes that he was unaware of the event held on 29 October 2013 as indeed other events organised by Mr Shalo and that as a result he has not been on site for any of them. Mr Baker states he wants to remove his licence from the premises. (I produce a copy of Mr Baker's email as my exhibit CB8). At 08:25 am on Monday 4 November 2013 I replied to Mr Baker on 4 November 2013 advising him how to remove his name as the DPS for La Boheme. (I produce a copy of my email dated 4 November as my exhibit CB9).

On Wednesday 6 November 2013 an email was sent from Trading Standards at West Yorkshire Joint Services to both Entertainment Licensing Section and West Yorkshire Police advising that they were dealing with a complaint regarding an under-age event at La Boheme. (I produce a copy of the email dated 6 November 2013 as my exhibit CB10).


The officer explains that her complainant has furnished the face book link which showed comments about getting alcohol and the capacity of the premises. The email had 2 images attached to it, the first being a screen shot of a conversation between Georgia Rey who asks, ' Eh can I buy alcohol from the bar I'm 16'. Julian New Jr replies , 'If you wanna purchase alcohol at the bar get someone 18 to purchase it for you, or if you can find me at

the right time ask me to purchase it for you & I will, p.s. I'm not saying you can't have pre drinks before you turn up to the party:-) x '. (I produce the screen shot as my exhibit CB 11). The second image attached to the email is a screen shot of a conversation between Collins Nash Leedz who writes, ' Nigga how's everyone gunna fit in that room when there's like over 800 coming watch the party get shut down' . Julian New Jr, who I presume to be the organiser/promoter, replies, ' If Milan says his club is liscenced to fit 1000 people then it's liscenced to fit 1000, it's s club night it can't get shut down +people aren't allowed at the main entrance they have to go to the courtyard ' . (I produce the 2nd screen shot as my exhibit CB12).

On Tuesday 12 November 2013 an application from Wildcard Leisure Ltd was received at the Entertainment Licensing Section. The application was to replace Mr Joel Baker with Mr David Knight as the Designated Premises Supervisor; the application to have immediate effect. A new Premises Licence was issued and sent out on 8 January 2014 with no significant changes other than the name of the DPS to my previous exhibit CB1.

At 09:11 pm on Saturday 16 November 2013 I received an email from Mr Joel Baker, replying to my email of 4 November. Mr Baker confirms he wishes to be removed as the DPS for La Boheme and that he no longer authorises the sale of alcohol at the premises. I replied at 09:18 am on Monday 18 November 2013 advising Mr Baker that we had already received an application to replace him as the DPS and therefore he was no longer responsible for events at the venue from 12 November. Mr Baker responded at 12:27 pm the same day thanking me for updating him and interestingly his final comments to me were:-

' This is great news as it is a venue which is run very badly.and the nights that was staged there was only asking for trouble I would advise that the venue is monitored very closely as me Shalo is very inexperienced ' .

I produce the chain of emails between myself and Mr Joel Baker, the previous DPS of La Boheme, ending on 18 November as my exhibit CB13) 

Signature: 

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

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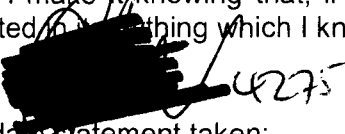
Statement of: Benjamin RYDER

Date of birth: Over 18

Occupation: Constable 4275

This statement (consisting of: **3** page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:



Date: 15/01/2014

Time and date statement taken:

Check box if witness evidence is visually recorded (supply witness details on rear)

I am the above named officer and work for West Yorkshire Police from Millgarth Police Station in Leeds; I work as a constable on the neighbourhood policing team covering Leeds city Centre. As can be expected working in a city centre, the majority of my duties relate in some form to the sale of alcohol and access to illicit drugs in the night-time economy, which are without doubt the greatest contributing factors to such a high incidence of crime and disorder in such a small geographic area.

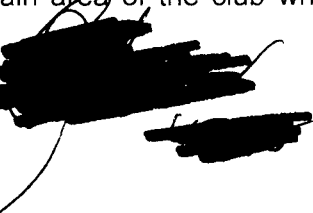
I worked as a door supervisor from 2002 to just prior to becoming a police officer in January 2008. I was licenced initially through Newcastle City Council's Licensing Department and then after the establishment of the Security Industry Authority I completed and passed the new door supervisor qualification. I also sought additional training from private security training services and trained two premises' security teams. I worked at a variety of premises from private functions and pubs, but mainly large city centre nightclubs with a capacity of up to 3000 people, and ended my employment in this sector as the head doorman of a busy city centre bar close to the notorious Bigg Market. As such, whilst expertise may always be contested and I have no recent experience per se, I feel that my knowledge of the workings of the industry is relevant to the content of this statement.

On the 29th September 2013 I was coming towards the end of a busy late shift which started at 1700hrs the previous day. At around 0230hrs I was asked to attend reports of a wounding – someone had been struck with a glass item – at a premises call LA BOHEME on CROSS YORK STREET, LEEDS. At this time I was in the company of PC 6724 CROSSLAND and his student officer PC 4981 THIRKILL.

Upon arrival at the premises there was some disorder outside and PC CROSSLAND and I agreed that he should stay outside to prevent this escalating and also protect the police vehicle. The proximity of the disorder to the front door of the premises – which is opposite and adjacent to large residential developments – did give me some concern; although it was not violent it was certainly aggressive, and I would have a professional expectation that this would be reported to police.

I checked with door supervisors that I could be escorted to the scene of the offence and agreed to enter by myself, checking I had radio communications upon entering. I was lead up the stairs on which people were loitering, which is point of concern for safety as it is best practice to keep stairs free of all types of obstruction in the case of mass evacuation. As I got to the top of the stairs there was an identifiable member of door staff who was talking casually to people at the ticket desk or cloakroom. I was guided in to the main area of the club which was playing loud music and there was a fairly extensive lighting display.

Signature:



Signature witnessed by:

RESTRICTED (when complete)

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Continuation Statement of Benjamin RYDER

Immediately upon entering the main room I was taken aback by the strong and noticeable smell of cannabis. This was shocking as the impact of the general smoking ban in 2006 had all but removed the smell of cigarettes which used to masquerade the smell of tobacco when people could smoke in licensed premises and so there was no excusing this taking place and I would have expected competent and confident staff to be tackling it.

There was no visible presence of door supervisors in the main room, the atmosphere was boisterous and aggressive in tone. Their general uniform on the front door was black and in the darkened room and flashing lights I couldn't readily identify anyone as being part of a security team. This is a further point of concern as door supervisors should be easy to spot in case of medical emergency or occurrence of a crime, either through high visibility clothing or being stood in a well lit area.

As I walked through my sight was cast at waist height as I used to do when enforcing the smoking ban some years earlier, and I lost count quite quickly of the number of small red dots close to people's hands – a clear indication of smoking taking place. The increasingly noxious smell of cannabis caused the belief that a large number of people were smoking cannabis openly on the dance floor and in the bar area.

As I reached the far end of the main room I felt an impact to the back of my neck and heard a hollow high pitch noise. I recognised it as a bottle impact and saw one bouncing and spinning at my feet. I then heard the phrase "NO FUCKING WHITES IN HERE" and was then hit by a liquid flying into my head.

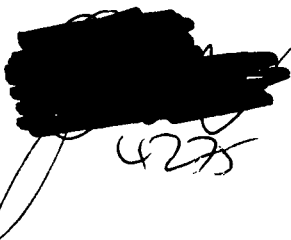
Given this level of open aggression and violence I was now satisfied with the reason as to why the door staff were not tackling the issue of drug use in the venue: they were not capable or confident enough to do so. Tackling the issue would not be easy – it rarely is – but the main control method is a firm entry policy with a high volume of searches which was in no shape evident.

I briefly considered calling for assistance but the noise was so loud it would only prompt a large response from colleagues which may have caused a flash point, which from the words and actions described above was a possibility, and one that should be avoided. I went into the lobby area at the far side of the main room which was focussed around a large staircase. I asked the guiding door supervisor if it was always like that and he turned to me, nodded and smiled. We approached the entrance to the toilets and I was told it happened in the ladies toilet. My guide disappeared and the door supervisor monitoring the toilets opened the door for me.

I entered the toilets, shouting that I was a male police officer and was entering the room. The area was in a dreadful state – hardly a surprise to be fair in such a large venue – with a mixture of dirty water, drinks and blood swilling around on the floor. There were a handful of females in the toilet area and I asked them to leave, giving the door supervisor instructions not to let anyone in.

I checked the cubicles and shouted if anyone was hurt. There was no response and no sign of anyone being injured so I asked the door supervisor where the injured person was and he replied that he didn't know. I tried to ask women to leave but they refused and went to the sinks where there was a concentration of blood and I asked them not to, holding out my hands to stop them. I was asked why and gave a simple response. One female turned around, picked up a drink and threw it at the sinks, displacing the blood and seriously damaging any evidence that could have been gained. As I entered I heard a male shout the following: "WHAT THE FUCK DO THE POLICE THINK THEY ARE DOING COMING IN TO OUR CLUB?".

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Signature Witnessed by:

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Continuation Statement of Benjamin RYDER

Around five women left the toilets and as they did two black women and a black male pushed by him and approached me. I asked them to leave and they just ignored me. The male was strutting and grimacing his face and was staring at the floor when he said words in an aggressive manner that questioned why the police were there and why he should listen to them. I explained I wanted to help the injured person and preserve the evidence in the room. The male then became threatening in behaviour and words and I noticed he was holding a bottle in a conventional grip. He walked up close to me tilting his head forwards and down and adopted an aggressive look on his face and took small arrogant steps towards me and said: "WHAT THE FUCK ARE YOU DOING IN THIS CLUB?".

I rapidly assessed the situation and was considering a pre-emptive strike in order to defend myself to either arrest or escape. I decided not to as I had no clear exit, was outnumbered and had to consider it may have been some sort of act of bravado. I stepped to one side and shouted to the door supervisor outside: "GET ME THE MANAGER".

My views at that point were that the injured person was not present, the scene was heavily contaminated, no suspects were identified and the scene was not covered by CCTV. There would be significant disorder if police were to shut the premises and I didn't want to stay at the location by myself given the intimidating, aggressive and violent behaviour I had been subject to. I consulted the duty inspector who agreed and as I was leaving the toilets the manager came forward and I went back in to the toilets to speak to him as it was quieter.

I asked the toilets to be shut and began speaking to the manager – who I have met subsequently and cannot remember his name – and he appeared flustered and stressed. The toilet doors opened and women came flooding in, I considered stopping them but then decided there was little point now. I asked a few questions and got the general impression from his body language that he had no control of the event at all. I distinctly recall asking about the open drug use and a female shouted: "YOU CANT STOP IT, IT'S THE SPIRIT OF BOB MARLEY".

I informed me that I would be reporting the debacle I had witnessed and the manager said he was shutting the premises.

I left by a fire exit and joined my colleagues outside where a crowd had gathered. The demeanour of people was aggressive and I heard threats towards my colleagues and I. The crowd was mainly of Afro-Caribbean appearance and I am used to what can appear to be quite animated body language and voices which are quite common from people of this ethnic origin in social settings, but the behaviour was well beyond that and was quite simply disorderly.

In reflection of my time in the premises I am of the firm opinion that the management and door supervisors were intimidated by the crowd – not the volume but the demeanour and tone of it – and lacked the experience, professional awareness, skill and confidence to be working there. Criminal acts were tolerated, concern for the safety of injured people was missing and there was no adherence to basic principles of fire safety or monitoring the tone and behaviour of people on the main event space. I would have been personally and professionally ashamed to work there.

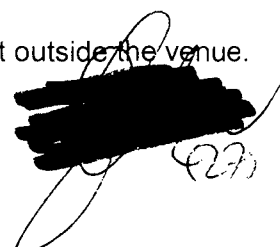
Shortly after being sent to another incident I heard reports of another serious assault outside the venue.

Signature:



9278

Signature Witnessed by:



9278

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:

URN:

Statement of: Natasha ATWAL

Date of birth: Over 18

Occupation: Project Administrator

This statement (consisting of: 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:

Date: 30th October 2013

Time and date statement taken: 1130 - 30th October 2013

Check box if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and I live in the apartments called the 'Iceworks' in Leeds. Behind where I live is a nightclub called La Boheme, which is causing me and other residents lots of problems.

Over the last four or five months, since La Boheme opened, the noise and the disorder I have had to put up with has been unbearable. It wasn't at all bad under previous owners, as I have lived in these apartments for about four years, but now it is getting so bad that I may have to actually move. There have been so many incidents recently of noise and bad behaviour that me and other residents I know are getting really angry.

For example, on 29th September, extremely loud music began at 11pm. I looked out of my window and the entire street was full of people, all shouting and bawling, smashing glass bottles in the road, running around. I went downstairs and spoke to the manager, who I know to be called Milan, and asked him what he was doing about the noise and the chaos. He said to me, "If you wanted to come in here I wouldn't let you it's so bad in here. There's not a lot that scares me, but tonight I'm scared."

On 5th October there was a tremendous amount of noise and hundreds of people in the street drunk and acting rowdily.

A week night a couple of weeks ago was what I call a 'pop and crisps night', where young people attend the club. I got up at about 4am, because I couldn't sleep for the noise. I told my boyfriend to move his car before it got damaged, and when he went into the street he saw a teenager vomit all over his car. When I was looking out of my window at this happening, I saw a number of people selling drugs to people in the street; I could see small packets of what I thought was cannabis and cocaine.

Last night, 29th October, there were hundreds and hundreds of under 18s in the street, on Cross York Street, outside La Boheme. Before the police could arrive there were scores of teenagers with bottles of Bombay Sapphire, Jack Daniels and Smirnoff drinking them in the street from the bottles. The door staff could see this but they did nothing about it. There were no female door staff checking young girls going in, and I saw no wristbands on customers. The door staff were working at the door nearest to the viaduct, but there were none at the fire exits at the side of the club, and literally hundreds of teens were arriving and going in and out of the club unchecked by anyone via the fire exit. I decided to go to buy some cigarettes at about 9pm. I walked passed New York Food and Wine off-licence, and I saw girls who looked about 14 or 15 years old coming out of the shop with full bottles of vodka and other alcohol. It was particularly worrying because they were drinking it straight from the bottles in the street outside

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Signature witnessed by:

RESTRICTED (when complete)

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Continuation Statement of **Natasha ATWAL**

the shop. One of the people who serves in the shop (as I have seen the people who serve before) was stood outside as if he was looking out for police or people watching what they were doing.

The police arrived after I called them. Two officers came. They were taking alcohol off the youngest teens and tipping it away. Eventually a lot of officers arrived, and the crowd became controlled in the street. Then fireworks were let off in the street and the police struggled to deal with so many drunken children.

It is getting to the point where there is just no quality of life living in the apartment. The noise, the fighting, the drunkenness, broken bottles, drugs and teenagers is becoming more frequent, and it is really upsetting for me and lots of others I know who live here. The police don't seem to be able to do anything about it, other than turn up each time it happens. I feel unsafe, intimidated and it isn't acceptable.



Signature:

N. Atwal

Signature Witnessed by:

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:

URN:

Statement of: Richard Clarke

Date of birth: Over 18

Occupation: Police Inspector

This statement (consisting of: 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:

Date: 17th of January 2014

Check box if witness evidence is visually recorded (supply witness details on rear)

I am a Police Inspector within the West Yorkshire Police Service currently stationed at Millgarth Police Station. I am in charge of Leeds City Centre Neighbourhood Policing Team. My area of responsibility includes the main City Centre from the Metropolitan University to Mabgate, South of the City boarding onto the M621 to the industrial area along Kirkstall Road. I have held this post since January 2011.

My Team is heavily committed to Policing the core City Centre during the night time economy. Driving down crime and disorder within the City. In order to do so we are involved with partnership agencies such as Pub Watch, BACIL (Businesses Against Crime In Leeds), Taxi Enforcement, Council Licensing department and our own Licensing Team.

We actively encourage pubs and clubs to engage with these agencies to proactively manage their own premises.

The licensing department will work with the DPS providing expert advice, best practice, working guidelines, legal boundaries and constraints. The focus is on early intervention to prevent problems escalating. This working model has been key in driving down violent crime in the City.

Only if this early intervention fails will more formal proceedings take place.

The City Centre has two hot spot areas which have unique styles. Police and partnership resources are dedicated to these areas to support the high footfall.

La Boheme, Cross York Street, is a club with a capacity in the region of 900-1000 customers. Over the last 6 or 7 months it has regularly been raised by my Officers as a problem venue. The premises are slightly away from the core night time economy areas of the City Centre. Situated on a side road away from any other bars and clubs. It has some residential premises around it. Over this time 4 formal licensing visits have been made to the establishment. The Police have received 5 calls for service. A number of these calls for service have required multiple resources to attend to stem disorder and deal with problems inside and outside the club. Because of the premises isolated location from other bars and clubs any disorder, crime and call for service can usually be linked directly to the club itself.

Concern has been raised regarding the style of events run by La Boheme, often attracting problematic clientele which then results in outbreaks of disorder. A lot of incidents are under-recorded with a

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Signature witnessed by:

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Continuation Statement of Richard Clarke

perception that staff at the premises do not report these matters themselves but the calls are made by concerned members of the public who live nearby. This reluctance to engage with the Police raises my concern regarding the overall management and control of the premises and their own involvement in the disturbances.

Some premises are reluctant to report issues to avoid raising the profile of the establishment or potential fear of repercussions from individuals involved in the incident. This under-recording masks problems and makes it much more difficult for the Police to support the DPS.

Incidents of disorder in one area of the City has a massive impact on the template of resources covering other areas. In order to resolve these outbreaks Police Officers respond from across the City and are pulled away from competing demands. This can often cause unrelated incidents to take place in areas where staff have been taken from.

At 0305hrs on Wednesday the 1st of January 2014 I was on uniform patrol within Leeds City Centre as the Events Commander for the Public Order Operation for the City Centre covering New Years Eve. I was in direct control of 4 Police Serials. Each serial contains one Sergeant and seven Police Officers with a Police Van for transport purposes.

At this time I attended a call at La Boheme regarding a disturbance inside and outside the night club. On arrival two full PSU Police serials were already deployed at the scene. There was also a Police Dog Unit present. Approximately 40 to 50 members of the public were gathered outside the front of the club. I would describe the general mood as unpleasant. Clearly many members of the group were heavily intoxicated. They did not appear to want to speak to the Police Officers present and were clustered in small groups along the footpath, in the road and directly outside the club. The group were mainly young black Afro Caribbean males mixed with a few white and black Afro Caribbean females.

I spoke to Police Officers, members of the door staff teams and members of the public. It was explained to me that a fight had occurred inside the venue and a number of people had been ejected by door staff and were refusing to leave the front of the club. The group did not want to move away. They claimed that they were going to get back inside the venue or that they were waiting for their friends. I feared that if they remained directly outside further disorder would break out between either themselves, the door staff or with my Officers.

I was handed two knives;

A brown handled lock knife, exhibit RAC 1, by a member of the door staff. He stated that they had twenty plus door staff working but not enough to prevent trouble. He had removed the knife from one of the main trouble makers. He stated that it was out of control inside and the club needed to be shut down.

I was also handed a black handled lock knife found on the floor directly outside the main entrance when the first Police Units had arrived, exhibit RAC2.

A separate doorman stated that another knife had been found during the disturbance inside the premises and been handed to the management.

A DJ who had been working inside the club who was loading items from the club to his car, parked outside, stated that he would not go back inside the premises and it was 'nasty' inside. He agreed with the first doorman that the place should be closed.

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Continuation Statement of Richard Clarke

Due to the rapid nature of the deployment I was not able to obtain further details of the witnesses that I spoke to.

I split the Police units into two lines to move the members of the public away from the front of the club. One line down Cross York Street towards York Street and the other unit towards Kirkgate. This successfully cleared the immediate front of the premises. However the groups that had been moved on were still reluctant to leave the immediate area.

I spoke to a male who identified himself as being in charge of the premises and was called Millan Shalo. He confirmed that there had been a fight inside and that the main instigators had been removed. There were no specific reports of any assaults. I advised him that the club should be slowly closed down. Staff should stop serving alcohol at the bar, the music should change tempo, beat and style to slow down the dancing and relax the atmosphere, for lights to be gradually turned on and for small groups to be encouraged to leave. He stated that there were still approximately 200 people left inside. I explained that I feared there would be serious disorder inside and outside the premises if the above action did not take place. I showed him the two knives and explained that their search policy had been poor and other weapons could easily still be inside the venue. I did not want to close the premises immediately as this would cause a surge and potentially trigger immediate disorder inside and then outside the club. He agreed with this action and returned inside the club to make these changes.

Officers remained outside the venue to protect the establishment. The front of the premises is overlooked by a large block of flats and apartments. The disturbance outside and subsequent Police action had brought out a number of groups who were gathered on the upper floors watching the incident.

Cross York Street remained closed to vehicular traffic and the two Police lines restricted pedestrian movement but allowed members of the public to slowly egress the premises. Small pockets of revellers left. Some passed comments that they were please to leave and it had been a nightmare inside.

The large groups of males who had initially been outside were still reluctant to move away from the area. They were repeatedly informed that the club was shutting, the people inside were aware and could leave and would ultimately have to leave shortly. I feared that if the Police resources left the area the groups would rush the door to get back inside the club. The door staff deployed inside and the 3 to 4 outside on the main front door would not have been able to stop this from happening.

I moved the Police lines further away from the premises to the junctions of the street to encourage the groups to move away. At this time there were over a hundred people outside. One arrest was made for a public order offence. The male struggled and needed to be restrained on the floor. The Police dog unit was deployed on foot to move key individuals back away from the Police lines to avoid further disorder and the groups compromising the Officers making the arrest.

I was unable to release the Police resources even though the rest of the City Centre was far busier with a much larger footfall and number of vulnerable people, but because of the acuteness of this one premises it required dedicating at least 20 Officers. Fifty percent of the City Centres Police resources were deployed and fully committed outside this one venue.

Over the next 30 minutes I made regular checks with the door staff to establish whether there were any problems inside the venue and how many people were still inside. Small groups of half a dozen to a

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Continuation Statement of Richard Clarke

dozen people were steadily leaving in pockets but I was told on a number of occasions that there were still 200 people inside.

At approximately 3.30 I entered the club and spoke to Millan Shalo and again asked him how many people were still present inside. He again repeated that there were around 200 even though I had witnessed well over a hundred leaving. I went upstairs with him to the main foyer and inspected inside the main dance floor area. There were still several hundred people present indicating that the original figure given was inaccurate, the bar had closed, the lights were on and steady and the music playing was low and not overly powerful. There was a very strong smell of cannabis inside and outside the room.

A female was knelt in the corner of the foyer being sick on the floor. She was not with anybody and was not being looked after by any member of staff. Other members of the public were stood around ignoring her.

I returned back downstairs with Millan Shalo. He stated that he was able to manage the people still inside the club. I explained at length that this was not my only concern. The fact that there was still a large number inside and many of them had friends now outside was contributing to the outside group failing to disperse. I was not happy that he could prevent people from rushing the doors and if the Police resources left even if he could control the inside of the premises he would not also be able to manage the front doors and the people returning to the club.

It was clear the premises had to be fully closed and that he had lied about the numbers still inside. I was concerned that he did not appear to grasp the fact that he was responsible for the people leaving the premises as well as those still inside, and the simple fact that ejecting them did not stop them being his responsibility. I was not convinced that he was operating responsibly with due care to avoid crime and disorder.

The search process for weapons and drugs had clearly failed. Individuals had been allowed to over-consume and were left in a vulnerable condition.

Police resources remained outside the premises until all the customers had left the club. Units were still required to monitor the groups as they slowly dispersed back into the City centre away from Cross York Street.

Police resources remained in and around the area for over one and a half hours at a critical point on a very busy night. Fortunately this was the only major incident which was taking place at this time. If there had been another outbreak of disorder or a crime scene to maintain the Police resources available would not have been able to cope. This incident would have seriously compromised the safety of other members of the public across the City Centre.

On a standard night there are far fewer Police resources in the City Centre. A single incident like the above has a significant impact on the whole of Leeds District as resources are required to be diverted to control the incident. This takes time to achieve and often the incident escalates further before it is brought under control. The above incident was effectively managed and controlled due to the unique circumstances of the night.

I fear that if this venue is allowed to continue operating a serious crime will take place (stabbing), drug use will continue and fights inside and outside the club. Tarnishing the reputation of Leeds, increasing crime and disorder and committing further Police and partnership resources to this location.

Signature:

Signature Witnessed by:

WITNESS STATEMENT

(CJ ACT 1967, s.9;MC Act 1980, ss.5A(3)(a) and 5b;MC Rules 1981, r.70)

Statement of Gurdip Mudhar

Age/Date of Birth – Over 21 Occupation – Environmental Health Officer

This statement (consisting of 4 page(s) each signed by me) is true to the best of my Knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

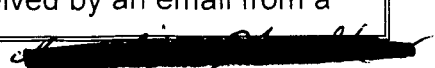
Dated 27th January 2014

Signature : 

I am an Environmental Health Officer employed by Leeds City Council. I have worked for Leeds City Council's Environmental Health Services since 1991 and qualified as an Environmental Health Officer in 1993 and hold a BSc Degree in Environmental Health and a Diploma in Acoustics and Noise Control. My duties include the investigation of Statutory Nuisances such as noise nuisance under the Environmental Protection Act 1990 and to ensure that the licensing conditions imposed by the Environmental Health (as Responsible Authority) under the Licensing Act 2003 in promoting the prevention of public nuisance objective is not undermined by the premises licence holder.

On the 7th September 2013 Environmental Health received a noise complaint (1st complaint) from the occupier of the residential apartments the Ice Works, New York Street) which is situated opposite the La Boheme Night Club. The complaint was made to the council via the ward members. The complainant in question raised several concerns in her email other than the music noise from the night club.(I produce a copy of the email as my Exhibit GSM 1) The complaint was later brought to the attention of the council's Licensing Section as there were some issues of concern which fell under the remit of other responsible authorities.

On 29 September 2013 Environmental Health received an email (2nd complaint) from a resident who also lives in the above- mentioned apartments. (I produce a copy of his email as my Exhibit GSM 2) The complaint was brought to the attention of the Wildcard Leisure Ltd, the Premises Licence Holder as well as Mr. Joel Baker, Designated Premises Supervisor) in writing (I produce a copy of the letters dated 1st October as my Exhibit GSM 3). The complainant in question had also contacted the council's out of hours Noise Service. (I produce a copy of the complaint form as my Exhibit GSM 4).

On 29 September further noise complaint (3rd complaint) was received by an email from a 

resident who occupies a flat within the residential block situated on Cross York Street, Leeds 2. (I produce a copy of her email as my Exhibit GSM 5) She was also asked to keep the nuisance diaries which were completed and returned to Environmental Health on 25 October 2013. (I produce a copy of the nuisance diaries as my Exhibit GSM 6)

On 27th October 2013 the 3rd complainant who lives in the above-mentioned apartment contacted the council's out of hours Noise Service at 00:21 hours and reported that he was being disturbed by loud music. The out of hours officer, Mr. Mark Farnham made the site visit at 1.04 hours and confirmed that the music was very loud and it was emanating from the premises in question. (I produce a copy of the noise complaint form as my Exhibit GSM 7).

On 29th October 2013, Environmental Health received another complaint by an email (4th complainant) from a resident who lives at the Ice Works, New York Street, and Leeds 2) She complained about the music noise as well as noise by the patrons queuing outside the night club. (I produce a copy of her email as my Exhibit GSM 8).

On 29th October 2013 further complaint (5th complainant) was emailed to Environmental Health by a resident (he lives in a residential block at Cross York Street, Leeds 2). He was concerned about the music noise and patrons shouting and swearing outside the night club. He requested to speak to the licensee but he was allegedly turned away by the doormen. (I produce a copy of this email as my Exhibit GSM 9)

On 3rd November 2013 the 6th Complainant who lives in a residential block at Cross York Street, Leeds 2 contacted the councils out of hours Noise Service at 2:15 hours and stated that his 'flat was vibrating with loud beat music'. The out of hours Noise Service was not available to make the site visit to witness the noise complaint. (I produce a copy of the noise complaint form as my Exhibit GSM 10). The complainant was asked to complete and return the nuisance diaries. On the 20th November 2013 the diaries were returned to Environmental Health. (I produce a copy of the nuisance diaries as my Exhibit GSM 11).

On 5th of November 2013, Environmental Health received the 7th complaint from a resident living in a block of flats at Cross York Street, Leeds 2. The complaint was largely about patrons fighting outside the night club and making noises whilst leaving the club. (I produce a copy of the complaint form as my Exhibit GSM 12).

Following a number of failed attempts to contact the Wildcard Leisure Ltd and no response


to our letter dated 1st of October 2013, I managed to contact Mr. Millan Shalo, (who I believe is the Director of Wildcard Leisure Ltd) on the 7th December 2013 and discussed the complaints that we had received. He stated that they have 3 dance floors, one on the ground floor and two on the second floor. He, however, stated that it was very unlikely that all three dance floors were in use on the same night. He agreed to investigate the complaints and to look into the sound system and seek professional help if necessary. He also agreed to give his personal phone number to the affected residents to call him whenever they felt aggrieved.

On the 8th December 2013 the council's out of hours received 2 separate complaints from the existing complainants. The complaints were received at 2.01 hours and 2.23 hours. The out of hours officer managed to make the site visit at 3.23 hours and witnessed that the music was audible outside the night club. (I produce a copy of the out of hours noise complaint forms as my Exhibit 13 A and Exhibit 13 B)

On the 10th December 2013 I send a letter to all the residents who had complained including Mr. Shalo's telephone and email contact should they wish to raise the complaints directly to Mr. Shalo. (I produce a copy of this letter as my Exhibit GSM 14).

On the 11th December I sent an email to Mr. Shalo in relation to the complaints received on the 8th December 2013. (I produce a copy of this email as my Exhibit 15)

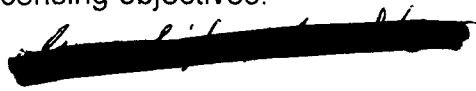
On Friday the December 2013 at 23:45 hours, I made an unannounced site visit with my colleague, Paul Barnwell to the La Boheme Night club and introduced myself to Mr. Shalo. The club was open at the time and only the ground floor was being used. The premises did not look very busy and the music was not audible outside the premises. Mr. Shalo showed us all the dance floors. I noticed that the sound system was not fitted with any sound limiting devices to control the music noise levels if necessary. I had some previous dealings with this premises some years ago when it was trading as Northern Lights and I recall that the sound system was installed with a tamper proof electronic sound limiting device.

Since my site visit to the premises, Environmental Health has received one further noise complaint at 1.13 hours on the 28th December 2013 via the council's out of hours Noise Service. The officer from out of hours made the site visit at 1.26 hours and stated that the music noise outside the club was within a reasonable volume and hence did not warrant any further action. 

In my opinion given the number of complaints received by the council over the past few months, it is too early to say whether the action taken by the Premises Licence Holder has been successful; for example improvements may still be achieved by providing a sound limiting device and looking at further improvements to sound proofing.

Having said that the premises are located less than 20 metres from the residential apartments and it is unlikely that the premises licence holder will have any control on the patrons shouting, swearing and fighting outside the premises. These concerns have been raised by the residents in their emails.

In view of the above concerns Environmental Health fully supports the West Yorkshire Police in jointly taking action to promote and uphold the licensing objectives.

A thick black horizontal bar redacting a signature.

Signature: 

SUPPORTING DOCUMENTS:-

E-MAIL DATED MONDAY OCTOBER 7TH – PC ARKLE TO MILLAN SHALO

2 X FACEBOOK CONVERSATIONS

E-MAIL DATED TUESDAY DECEMBER 24TH – MILLAN SHALO TO PS
SHAW

Shaw, David

From: Arkle, Catherine
Sent: 15 January 2014 10:30
To: Shaw, David
Subject: FW: Information [NOT PROTECTIVELY MARKED]

FYI re warning over U'18s event and condition on licence

Cath

From: Arkle, Catherine
Sent: Monday, October 07, 2013 3:17 PM
To: 'Millan Shalo'
Cc: Fullilove, Rob; Shaw, David
Subject: RE: Information [NOT PROTECTIVELY MARKED]

Millan

Thank you for the below.

The private party gentleman, Fidel, is well known to the police - I cannot give you any further details but I also would expect you to know of him? It does not surprise me that there were problems with the event he organised at your venue.

I have checked the Charity event and it appears to be genuine. Have they asked for any DJs etc that you are aware of?

'Dons of House' is an unknown event to me so it is vital that we have a risk assessment, mainly to assess if we would be suggesting police officers on the door.

'Candy Pants vs Habit' will require a risk assessment.

I need more details about the Project Leeds event please. Are you suggesting that 16 year olds and upwards will be on the premises together? What measures will you have in place to prevent the 16 & 17 year olds consuming alcohol? What times are the event held over? Who has approached you to run this event? What's it all about? There is a condition on your premises licence which states 'A person under the age of 18 will only visit the venue with a responsible adult, usually for the purpose of dining or attending a family/corporate event'. You must comply with this condition.

With regard to your door staff: Who is paying them please?

Please let me know the answers to the above as soon as possible.

Regards

Cath

From: Millan Shalo [<mailto:millan@labohemeleeds.co.uk>]
Sent: Thursday, October 03, 2013 4:38 PM
To: Arkle, Catherine
Subject: Re: Information [NOT PROTECTIVELY MARKED]

#ProjectWiLD presents...



can you take a picture of your
passport?

Like ·



Georgia Rey

Eh can I buy alcohol from the bar I'm
16

Like



Julian New Jr.

If you wanna purchase alcohol at the
bar get someone 18 to purchase it for
you, or if you can find me at the right
time ask me to purchase it for you & I
will, p.s I'm not saying you can't have
pre drinks before you turn up to the
party:-)x

Like · 2 ·



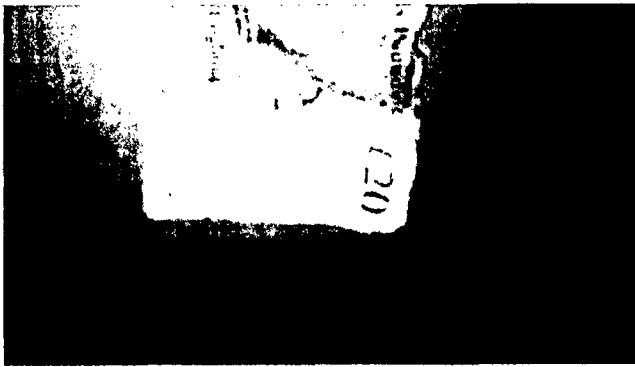
Dani Honey

your drink in my head is getting

Write a comment ...

Send





Oct 24 at 3:34pm



Collins Nash Leedz

Nigga how's everyone gunna fit in that room when there's like over 800 coming watch the party get shut down

Monday at 10:33am



Julian New Jr.

If Milan says his club is liscenced to fit 1000 people then it's liscenced to fit 1000 people, it's s club night it can't get shut down + people aren't allowed at the main entrance they have to go to the courtyard

Monday at 2:14pm · Sent from Messenger



Collins Nash Leedz

Shaw, David

Subject: FW: La Boheme [NOT PROTECTIVELY MARKED]

Morning Millan, thanks for your reply.

Boxing Day

I have no problem with your plans for this night. 8 door staff is reasonable for this number of patrons, as long as it doesn't rise much above 400. The search of every customer on entry is wise. I take it that none of the DJs on this night are from the original Dons of House event?

New Year's Eve

- Ibiza Trans Family - If around 100 are expected then 2 door staff is fine. I would expect the search of every customer to apply here as well.
- Afrobeats - Again, your door staff ratio is reasonable, and you have experience of this event every week and the nature of the clientele who attend, so I wouldn't anticipate any problems at this.
- La Boheme presents Damon C Scott - I foresee a few problems here.

** A mixed crowd sometimes causes friction

** The numbers attending are open to guesswork, as opposed to having the usual estimation from ticket sales, previous knowledge, etc. To say 200-600 says it's a total guess really

** Most importantly, there is a probability that a fair few from the original Dons of House will turn up, as you suspect. The worry is that it will involve the trouble-makers from the last Dons of House at the Warehouse.

There is no scope for employing police officers on NYE at this late stage. I would strongly suggest that you add 2 further door-staff to the 10 already requested (instead of 2 police officers - so cheaper than that option) and have the extra 2 as spotters inside looking specifically for any potential flashpoints or conflict that could escalate or spill over outside. Also, the search every customer policy would be essential for this (with metal detector wands), even with larger numbers attending, due to the higher risk presented by anyone who was going to attend Dons of House and possibly cause problems.

As always Millan, whether to hold events and who to host at your venue is a matter for yourself, and is your responsibility to organise, with the help of your door company and advice from the police. You have recognised the risks as regards the Damon C Scott event yourself, and so it would be wise to follow the police advice re the extra 2 door staff and the search every customer policy.

Good luck over the festive season.

*Sergeant Dave Shaw
Leeds District Licensing
0113 2413072*

From: Millan Shalo [<mailto:millan@labohemeleeds.co.uk>]

Sent: Tuesday, December 24, 2013 8:38 AM

To: Shaw, David

Subject: Re: FW: la Boheme [NOT PROTECTIVELY MARKED]

Morning David

In relation to BD.

We are running an in house night with impromptu DJs billed for the night.

We are expecting numbers of approximately 300 to 400 and have requested a team of 8 door staff.

We will be opening the top main room.

It is difficult to assess the risk to this event as on short notice we are unsure of the turn out.

We will however be searching all patrons on entry.

Allocation of door staff is as follows.

3 Front door

2 main room

3 Fire exits and smoking area.

Start time of the night is at 10 and finishing at 5/6. This however largely depends on turn out.

NYE

We have three separate in house events.

2pm to 10pm: Ibiza Trance Family. Pre Party to Beaverworks.

Expected numbers are between 80 and 100. mainly whites

2 Door staff have been requested for this event.

10pm to 5/6am: Downstairs. Afrobeats. This is an in-house night we run every last Friday and First Saturday of the month.

Expected numbers are between 200 to 300. Mainly black Africans

5 door staff have been deployed for this event.

2 on front side door

2 inside

1 courtyard

10pm to 5/6am: Upstairs: La Boheme presents Damon C Scott.

Top two rooms are being used.

10 Door staff deployed

4 main door

4 inside

2 backstairs and fire exits

Risk associated with this event is that Damon C Scott was initially billed for the cancelled Dons of House event. Whilst we have been assured by the promoters that their events have been cancelled, we anticipate that some of the crowd might still turn up on the night.

On my previous telephone conversation with Catherine she indicated that the Police could be able to assist with the above risk please can you advise me of where we stand with this.

Because of the cancellation, we are expecting a mixed crowd number in the region of 200 to 600.

Please get in touch if you require any more information.

Many thanks

Kind Regards
Millan Shalo

Director

EXHIBITS:-

EXHIBITS CB1 – CB13PRODUCED BY CARMEL BRENNAND

EXHIBITS 1 – 15PRODUCED BY GURDIP MUDHAR

C81



Leeds
CITY COUNCIL

Mr Millan Shalo
328 West Point
Wellington Street
Leeds
LS1 4JU

Licensing and Registration
Entertainment Licensing Section
Civic Hall
Leeds LS1 1UR

Contact: Mr Barry Glover
Tel: 0113 2474095
Fax: 0113 2243885
Email: entertainment.licensing@leeds.gov.uk
Our Ref: A80/PREM/02505/006

25th January 2013

Dear Mr Shalo

Premises Licence: PREM/02505/006
For: La Boheme (formerly The Cannons), Cross York Street, Leeds, LS2 7EE

Please find enclosed your new premises licence in two parts. The Part A full licence and the Part B summary licence.

Also attached is guidance produced by Leeds City Council Health and Safety team as an explanation of conditions that may be attached to this Licence.

Please check the details on the licence carefully. The licensing authority is prepared to correct clerical errors for up to 28 days upon receipt of this letter. Beyond that time, any change must be made as an application for a new licence or as a variation. This does not affect your statutory right of appeal.

Please now display the Part B summary licence (or a certified copy) on your premises. Please keep the Part A (or a certified copy) on the premises. In your absence the Part A must be under the control of a nominated person who has been authorised in writing by yourself for this purpose. This authority must also be displayed, preferably along side the Part B summary.

Can we remind you that it is an offence to operate other than in accordance with the provisions of your licence. The penalty on conviction for doing so is a fine of up to £20,000 and/or 6 months imprisonment. You will also need to ensure that you have the necessary planning and building control permissions for your property. Nothing in your new licence changes existing law in relation to these matters.



Please do not hesitate to contact us should you require any further assistance.

Yours sincerely

CB1

Mr Barry Glover
Licensing Officer
Entertainment Licensing Section

Premises Licence

Initial licence from:

28th January 2008

Part A

Schedule 12 Licensing Act 2003

Current Licence effective from:

21st December 2012

Part 1 – Premises details

CBI

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

La Boheme (formerly The Cannons), Cross York Street, Leeds, LS2 7EE

Telephone number: 0113 243 0518

Licensable activities authorised by this licence

Sale by retail of alcohol, Provision of late night refreshment, Performance of a play, Exhibition of a film, Indoor sporting events, Boxing or wrestling entertainment, Performance of live music, Performance of recorded music, Performance of dance, Entertainment similar to live music, recorded music or dance, Provision of facilities for making music, Provision of facilities for dancing, Provision of facilities for anything similar to making music or dancing,

Does the licence authorise the carrying out of licensable activities

| | | | |
|---|---------------|---|---------------|
| <i>Sale by retail of alcohol</i> Every Day | 11:00 - 06:00 | <i>Performance of dance</i> Every Day | 09:00 - 06:00 |
| <i>Provision of late night refreshment</i> Every Day | 09:00 - 06:00 | <i>Entertainment similar to live music, recorded music or dance</i> Every Day | 09:00 - 06:00 |
| <i>Performance of a play</i> Every Day | 09:00 - 06:00 | <i>Provision of facilities for making music</i> Every Day | 09:00 - 06:00 |
| <i>Exhibition of a film</i> Every Day | 09:00 - 06:00 | <i>Provision of facilities for dancing</i> Every Day | 09:00 - 06:00 |
| <i>Indoor sporting events</i> Every Day | 09:00 - 06:00 | <i>Provision of facilities for anything similar to making music or dancing</i> Every Day | 09:00 - 06:00 |
| <i>Boxing or wrestling entertainment</i> Every Day | 09:00 - 06:00 | | |
| <i>Performance of live music</i> Every Day | 09:00 - 06:00 | | |
| <i>Performance of recorded music</i> Every Day | 09:00 - 06:00 | | |

The opening hours of the premises

Everyday 09:00 - 06:15

Alcohol is sold for consumption on the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Wildcard Leisure Ltd
328 West Point
Wellington Street
Leeds
LS1 4JU

CBI

Mobile Telephone Number: 07812 765 984

Registered number of holder, for example company number, charity number (where applicable)

Registered business number: 08114544

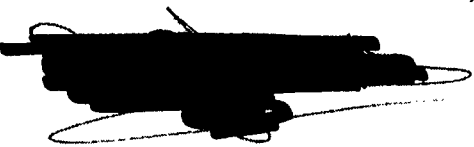
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Joel Ricki Baker
51 Richmond Mount
Headingley
Leeds
LS6 1DF

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: LEEDS/PERL/04757/09 Licensing authority: Leeds City Council

Licence issued under the authority of Leeds City Council



Mr Barry Glover
Licensing Officer
Entertainment Licensing
Licensing and Registration

Annex 1 – Mandatory Conditions

CBI

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 admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made
 - a. By the British Board of Film Classification (BBFC,) Where the film has been classified by the Board, or
 - b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or,
 - c. where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.
5. The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- a. games or 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- 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;

- d. provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
- CBI
- i. the outcome of a race, competition or other event or process, or
 - ii. the likelihood of anything occurring or not occurring;
- e. 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 glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

9. The responsible person shall 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. 1/2 pint;
- ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
- iii. still wine in a glass: 125 ml; and

b. customers are made aware of the availability of these measures

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

Further details: Provision of a wide range of refreshments

Performance of a play

Location of activity: Indoors

Further details: Various types of plays put on by professional appropriate companies.

Exhibition of a film

Location of activity:

Indoors

CBI

Further details:

The showing of licensed films whether in conjunction with an event or as an event on its own.

Indoor sporting events

Further details:

Various range of indoor sport events managed by an appropriate and professional.

Boxing or wrestling entertainment

Location of activity:

Indoors

Further details:

Various range of boxing and wrestling events, managed by an appropriate and professional company.

Performance of live music

Location of activity:

Indoors

Further details:

Mixture of live music styles from across the music industry, managed by an appropriate and professional company.

Performance of recorded music

Location of activity:

Indoors

Further details:

In house music system

Performance of dance

Location of activity:

Indoors

Further details:

Mixture of dance styles from across the music industry, managed by an appropriate and professional company.

Entertainment similar to live music, recorded music or dance

Location of activity:

Indoors

Further details:

A range of activities.

Provision of facilities for making music

Location of activity:

Indoors

Further details:

Mixture of music style production from across the music industry, managed by an appropriate and professional company.

Provision of facilities for dancing

Location of activity:

Indoors

Further details:

Dancing as performed by either artists or guests at any other event.

Provision of facilities for anything similar to making music or dancing

Location of activity:

Indoors

All activities

CBI

- Seasonal variations: An additional hour to the standard and non standard times on the day when British Summertime commences.
- Non standard timings: New Years Eve - From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- To follow ACPO Guidelines i.e. to trade for up to 3 hours beyond or before the standard times on no more than 12 occasions a year provided an operating plan covering any additional measures that will be taken to meet the Licensing Objectives shall be completed. Seven days notice of such events to be given to the Police and Licensing Authorities. The Police have a right to veto the event by giving notice to the Designated Premise Supervisor 72 hours before the event.
- Concerns in respect of children: None

Conditions consistent with the operating schedule relating to the licensing objectives

The prevention of crime and disorder

10. The venue will take immediate receipt of a fully working Nitenet radio and join the scheme, along with membership of BACIL.
11. Such radio shall be kept in good working order and shall be monitored by a responsible member of staff.
12. Relevant incidents of crime and disorder shall be reported to the police via text, pager or radio.
13. A risk assessment will be carried out to determine the number of door staff who shall be on duty for each public opening.
14. A register of door staff will be maintained indicating the number of door staff on duty, their identity and the times they will be on duty.
15. All door supervisors will be registered with the SIA and shall wear their name badges at all times.
16. Any female customer who needs to be searched, will be searched by a female door supervisor or a female member of staff.
17. No person who is drunk or disorderly will be allowed access to or be allowed to remain on the premises.
18. No person who is the subject of a court banning order or who is restricted access through the LCLA Pub Watch scheme will be allowed in the premises provided the details of such person have been provided to the premises by the Police.
19. Any customer who behaves inappropriately will be barred from the premises and their details passed to the LCLA Pub Watch Scheme.
20. The venue does not wish to be associated with illegal drugs or its associated culture. The licensee will co operate with the responsible authorities in relation to dealing with issues of drugs on the premises.

21. Random searching will take place of those people suspected of carrying drugs or offensive weapons.
22. Agreement will be reached with the Police about the storage of such drugs or weapons recovered from customers and their delivery to the Police, this will be in the form of a locked drug safe with keys held by West Yorkshire Police.
23. No customer will be allowed to bring open or sealed bottles on to the premises. CBI
24. No person will be allowed to leave the premises with any bottle or glass.
25. Tables will be cleared of all empty bottles and glasses on a regular basis.
26. CCTV shall be provided on the premises and shall be kept in good working order and any recordings from the CCTV shall be retained for a period of 30 days for internal cameras and 7 days for external cameras.
27. A notice shall be displayed at the entrance to the premises that CCTV is in operation in the premises.
28. Photographic driving licences, passports or in agreement with the police, a form of identification with the PASS hologram will be used as evidence to confirm the age of anyone who appears to be under the age of 18.
29. An incident book will be kept at the premises in which will be recorded all incidents of crime and disorder. The book will be reviewed by Senior Management in association with the Designated Premises Supervisor.
30. All staff who work behind the bar will be fully trained to ensure that no person who is drunk or disorderly or who appears to be under the age of 18 is served with intoxicating liquor, such training to be repeated every 6 months.
31. Any glasses into which drink is dispensed will be made from toughened shatterproof glass.
32. We will abide by the Rules of the Check 21 scheme for entry to the premises.
33. The venue will be a full member of the Leeds City Licensing Association.

Public safety

34. The capacity for the premises shall be agreed with the Fire Officer.
35. There shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, keep exit routes clear and to ensure the safe evacuation of people from the premises. In the event of an emergency such staff will have been issued with specific duties in the event of an emergency.
36. A fire evacuation plan will be agreed with the Fire Authority.
37. All staff shall have received training on the safe evacuation of the premises in the event of an emergency and such training shall be repeated at least annually. A record of the training provided shall be kept at the premises for at least 12 months and will be made available to the Fire Service or Council.
38. Adequate arrangements will be made in the Fire Evacuation Plan to ensure the safe evacuation of any disabled persons in the event of an emergency.
39. All fire escapes routes and access to emergency vehicles shall be kept unobstructed and will be clearly identifiable.

40. All escape doors and escape routes will be checked before the premises open for the trading to the public and record of the check shall be maintained.
41. All fire exits doors shall be available and shall be capable of opening without the use of any key, card, code or similar means.
42. Fire doors shall be self closing and shall not be held open other than by devices approved by the fire service.
43. Edges to steps and stairways shall be maintained so as to be conspicuous. CBI
44. All fabric and furnishings will comply with the relevant British standard with regard to fire resistance including hangings, curtains and any temporary decorations.
45. Any upholstered seating shall comply with current fire safety regulations.
46. Notices detailing the action to be taken in the event of a fire or other emergency will be prominently displayed in the premises.
47. Fire alarm/fire evacuation/emergency lighting tests, will be carried out at least monthly and a record maintained of those tests. Such records to be kept at the premises for at least 12 month and made available to the fire service and council.
48. All fire fighting equipment will be maintained in good working order and shall be available for immediate use. Such equipment will be inspected annually by a competent person and records of those inspections must be kept at the premises for at least 12 months and made available for inspection by the fire service and council.
49. At least one first-aider trained to deal with problems associated with alcohol and drugs will be on duty and if there is more than one on duty, their roles will be clearly defined.
50. All emergency lighting and fire safety signage will be maintained, in good working order and will not be altered without the approval of the Fire Authority. The emergency lighting will be capable of lasting a full capacity for not less than 3 hours.
51. All electrical installations will be inspected by a competent person before the expiry of the current electrical certificate and the certificate issued will be the current standard form issued by that competent person's professional body.
52. If any work is undertaken to the electrical installation it will be inspected, tested and certified by a competent person as soon as possible.
53. All electrical socket outlets provided for entertainers portable equipment, must be protected by a residual current device which is part of the fixed wiring, such RCD's to have a rated residual operating current not exceeding 30 milliamps and a maximum operating times of 30 milliseconds. The RCD's must be tested before the sockets are used for entertainers.
54. No lasers or pyrotechnics will be used without the prior approval of the Licensing Authority.
55. There shall be no demonstration of hypnotism without the prior approval of the Licensing Authority.
56. An appropriately qualified medical practioner will be present throughout any sporting entertainment.

The prevention of public nuisance

57. The holder of the premises licence shall maintain suitable and sufficient sound attenuation throughout the whole building.

58. The holder of the premises licence shall ensure that the noise limiter (where fitted), is used and maintained as set up by the qualified sound engineer.
59. The applicant will adopt a bespoke dispersal policy for the premises and shall provide any of the responsible authorities with a copy of it if requested. CBI
60. Noise or vibration from within the premises or from any plant machinery or equipment shall not emanate from the premises so as to cause a nuisance to any residential dwelling.
61. Noise from the premises shall be inaudible at the nearest noise sensitive premises (i) after 23:00 hours and (ii) at any time when entertainment, as defined by paragraph 2 of schedule 1 of the Licensing Act 2003, takes place on more than 30 occasions per year.
62. No bottles shall be placed in any external receptacle after 23:00 hours to minimise noise disturbance to adjoining properties.
63. There shall be no loudspeakers.
64. The activity of persons using the courtyard shall be monitored and they shall be kept closed during the operation of amplified music. All doors shall be close fitting in order to prevent noise breakout.
65. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises 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. The activity of persons leaving the premises shall be monitored and they shall be reminded to leave quietly where necessary.
66. Queues shall be restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property. Staff shall be trained to intercept and manage queues to prevent noise and aggression.
67. We will maintain quarterly meetings with our local residents committee.
68. We maintain 30 minute noise checks from 10pm through to the end of any event at key points around the venue.
69. We maintain an updated contact register for managers with our local residents committee and ensure this is also located on local notice boards within residential complexes.

The protection of children from harm

70. A person under the age of 18 will only visit the venue with a responsible adult, usually for the purpose of dining or attending a family/corporate event.
71. At all times the licensee will maintain a comprehensive policy for the protection of children.
72. All staff shall be trained to ensure that no person under the age of 18 will be sold intoxicating liquor, including the need for any person who looks under 18 to provide evidence of their age.
73. Signs shall be displayed at the bar stating that any person who appears under the age of 18 will not be served with intoxicating liquor.

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

None

Annex 4 – Plans

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council licensing authority.

CBI

Premises Address La Boheme (formerly The Cannons), Cross York Street, Leeds, LS2 7EE

Licensable activities authorised by this licence

Sale by retail of alcohol, Provision of late night refreshment, Performance of a play, Exhibition of a film, Indoor sporting events, Boxing or wrestling entertainment, Performance of live music, Performance of recorded music, Performance of dance, Entertainment similar to live music, recorded music or dance, Provision of facilities for making music, Provision of facilities for dancing, Provision of facilities for anything similar to making music or dancing,

Times the licence authorises the carrying out of licensable activities

| | | | |
|--|---------------|--|---------------|
| <i>Sale by retail of alcohol</i> | | <i>Performance of dance</i> | |
| Every Day | 11:00 - 06:00 | Every Day | 09:00 - 06:00 |
| <i>Provision of late night refreshment</i> | | <i>Entertainment similar to live music, recorded music or dance</i> | |
| Every Day | 09:00 - 06:00 | Every Day | 09:00 - 06:00 |
| <i>Performance of a play</i> | | <i>Provision of facilities for making music</i> | |
| Every Day | 09:00 - 06:00 | Every Day | 09:00 - 06:00 |
| <i>Exhibition of a film</i> | | <i>Provision of facilities for dancing</i> | |
| Every Day | 09:00 - 06:00 | Every Day | 09:00 - 06:00 |
| <i>Indoor sporting events</i> | | <i>Provision of facilities for anything similar to making music or dancing</i> | |
| Every Day | 09:00 - 06:00 | Every Day | 09:00 - 06:00 |
| <i>Boxing or wrestling entertainment</i> | | | |
| Every Day | 09:00 - 06:00 | | |
| <i>Performance of live music</i> | | The opening hours of the premises | |
| Every Day | 09:00 - 06:00 | Everyday | 09:00 - 06:15 |
| <i>Performance of recorded music</i> | | | |
| Every Day | 09:00 - 06:00 | | |

Alcohol is sold for consumption on the premises

Premises licence holder(s): Wildcard Leisure Ltd, 328 West Point, Wellington Street, Leeds, LS1 4JU,

Registered number of holder(s): 08114544

Designated premises supervisor: Mr Joel Ricki Baker

Access to the premises by children is restricted.

Licence Issued under the authority of Leeds City Council

Mr Barry Glover
Licensing Officer
Entertainment Licensing
Licensing and Registration

Licence produced on 25/01/2013 at 10:08
by Mr Barry Glover

C B2

Brennand, Carmel

From: Brennand, Carmel
Sent: 01 May 2013 09:32
To: 'millan@labohemeleeds.co.uk'
Subject: Information on CCTV and Drugs Safe
Attachments: Amnesty drug safe Brochure.doc; DC Leaflet v1.pdf; WYP new cctv guidelines jan 09.pdf

Hi Millan

Thank you for your time yesterday. I have attached the relevant information for you. I would strongly recommend that the CCTV is operational for this coming weekend as it is a condition on the Premises Licence and as I advised when you are not compliant with conditions on your licence, you are committing offences so it is imperative that this is working. I don't expect you to order and have the drugs safe in place this weekend but as long as you can confirm that it has been ordered and on its way. As I said I cannot recommend these suppliers, you are more than welcome to source your own as long as they suitable in that there are 2 locks, one for one and another for the police.

Can I remind you to read the Part A of your licence to ensure compliance with all the conditions.

If you require any further information, please do not hesitate in contacting me.

Regards

Carmel

Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: carmel.brennand@leeds.gov.uk
www.leeds.gov.uk

**Licensing Act 2003
Record of Inspection**

CBS



Leeds
CITY COUNCIL

MEUF/00793

| | |
|--|--|
| Premises Details Licence Number: Prem/02505/006 Name: LA BOHEME Address: CROSS PARK ST. LS2 7EE | Inspection Details Date: 6.10.13. Time: 0700 Authorised Officer: CBS Other officers: PR In company with WYP/BTP/TS Other Agency: |
|--|--|

Premises Licence Holder/DPS: **WINDCARD LEISURE LTD / JOEL BAKER** Present? Yes No

| Matters arising (Advice given marked with "X" in left-hand column) | Timescale |
|---|-----------|
| DRUGS SAFE NEEDS LOCKING + KEY TO POLICE ALL NEW BARS/STAFF TO BE AUTHORIZED IN WRITING BY DPS PART B NOT DISPLAYED / LOCATED ATTEND NEXT PUBWATCH. | 1 MONTH. |

No action required
 Action required: contravention(s)/breach of condition(s) as above

Signatures

Authorised Officer's signature: Date: 6.10.13
 Time: 0150

Appropriate person at premises

I certify that the issue(s) identified have been brought to my attention and I undertake to rectify them at the earliest opportunity. I have been advised that a revisit will be made to ensure that the issues have been rectified to the satisfaction of the Licensing Authority and/or other agency. I will ensure that the premises licence holder and/or designated premises supervisor is informed of this inspection and the findings as soon as practicable.

Print Name: William Date: _____
 Signed: Time: _____
 Position: PROPRIETOR

CB4

CB4

Brennand, Carmel

From: Brennand, Carmel
Sent: 09 October 2013 16:30
To: millan@labohemeleeds.co.uk
Subject: Issues at La Boheme

Hi Millan

As requested, the information in respect of the city centre pubwatch. 2 pm on Weds 20 November at Oceana, Woodhouse Lane.

If you could please advise when the other issues have been rectified to that a revisit can be made.

Regards

Carmel

Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: carmel.brennand@leeds.gov.uk
www.leeds.gov.uk

EHO complaint 28/10

CBS

Brennand, Carmel

From: Mudhar, Gurdip
Sent: 28 October 2013 12:45
To: Brennand, Carmel
Cc: Ward, Mike (Environmental Prote; Kennedy, Seamus
Subject: Incidents of Revellers Fighting outside the La Boheme Night club Cross York Street LS2 7EE

Hi Carmel

I am currently dealing with the noise complaint (loud music and shouting and screaming) made by the following resident who lives nearby.

[REDACTED]

She has sent me a completed nuisance diary and in this diary she has made 2 entries (in addition to music noise) i.e on Saturday 12th Oct and on Friday 18th Oct which refers to people fighting outside the club. Could you please forward this e-mail to the relevant staff at the West Yorkshire Police about this disorder issues outside the club. We will also raise this at the monthly LEG meeting if not already done so.

Please contact me is you have any questions about this email.

Regards.

Gurdip Mudhar (Environmental Health Officer)
Environmental Protection Team
Leeds City Council
Millshaw Park Way
Churwell
Leeds
LS11 0LS
Telephone: 0113 3951250
Fax: 0113 2476282

CB6

Brennand, Carmel

From: Entertainment Licensing
Sent: 30 October 2013 08:24
To: Brennand, Carmel
Subject: La Boheme - Complaint

Importance: High

Carmel

As discussed please see email of complaint re La Boheme.

I have not responded to this email

Barry Glover
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: barry.glover@leeds.gov.uk
www.leeds.gov.uk

From: [REDACTED]
Sent: 29 October 2013 22:33
To: Entertainment Licensing
Subject: You have a new Enquiry from Web
Importance: High

Please find below the details of the new enquiry submitted by the public user on the Leeds WebSite : Name : Oliver Wilson Source : <http://www.leeds.gov.uk/Pages/contactbyemail.aspx> Message : A club called La Boheme has been open on Cross York street and is creating havoc. As I type this the police are outside struggling to control crowds of people. This is a Tuesday night, the weekends are much worse. The noise from people fighting, screaming and cars honking horns is terrible. Also, from our 3rd floor flat we are able to hear the beat of the music. I believe this club has a late licence. Please tell me why this was granted and no one in any of the flats surrounding the club were consulted about its opening. This is unacceptable and we will continue to fight this. Thanks LCC Web Master

CB7

Brennand, Carmel

From: Brennand, Carmel
Sent: 31 October 2013 08:51
To: 'joeldunford@yahoo.co.uk'
Cc: robert.fullilove@westyorkshire.pnn.police.uk; David Shaw
Subject: La Boheme, Cross York Street, LS2

Dear Mr Baker

I am writing to you in your capacity as the Designated Premises Supervisor for the above premises. West Yorkshire Police and this section have serious concerns regarding the operation of these premises. Therefore an urgent meeting has been called for 12 noon today at Millgarth Police Station with Mr Shalo and yourself to discuss the issues. It is in your own interest to attend this meeting as you are specified on the Premises Licence and as a result you could be included in any formal action taken by any of the responsible authorities.

If you require any further information, please do not hesitate in contacting me.

Regards

Carmel

Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: carmel.brennand@leeds.gov.uk
www.leeds.gov.uk

CBS

Brennand, Carmel

From: Joel Baker <joeldunford@yahoo.co.uk>
Sent: 01 November 2013 08:08
To: Brennand, Carmel

Hi carmel
I received your e-mail regarding the licence at the la boheme venue. i didn't manage to read it until I finished work yesterday evening so was unaware of the meeting. my apologies for this. i was actually going to start the process of removing my license from the premises. for obvious reasons it wouldn't be good for me to keep it on there. i understand the trouble that took place there on Tuesday night but must stress that I found out by the means of social media. mr Shalo didn't inform me of such a night as a result I wasn't even on site. this is not the first time he had done this as it happened on the night of hanky panky which I also wasn't on site for. and the recent habit nights. he was doing these nights behind my back and I was left to find out about them through 3rd party sources. the concerns you have over the venue I totally understand but I want to remove my license anyway if I haven't already lost it through this mess.

Kind regards

Joel baker

Sent from Joel baker

From: Brennand, Carmel
Sent: 04 November 2013 08:25
To: 'Joel Baker'
Cc: robert.fullilove@westyorkshire.pnn.police.uk; David Shaw;
catherine.arkle@westyorkshire.pnn.police.uk
Subject: RE: La Boheme

Hi Joel

Thank you for your reply. Am I to understand that you wish your name to be removed as the Designated Premises Supervisor ? If yes, could you please confirm this in writing and advise that you no longer authorise any sales of alcohol under your name at La Boheme. As soon as I receive your email, our records will be amended and you will no longer be viable for any offences that occur at the premises after the date of receipt. It is your responsibility to inform Millan that you are doing this as he will then have to replace you as the DPS to carry on trading.

If you require any further information, please do not hesitate in contacting me.

Regards

Carmel

Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: carmel.brennand@leeds.gov.uk
www.leeds.gov.uk

-----Original Message-----

From: Joel Baker [<mailto:joeldunford@yahoo.co.uk>]
Sent: 01 November 2013 08:08
To: Brennand, Carmel
Subject:

Hi carmel
I received your e-mail regarding the licence at the la boheme venue.i didn't manage to read it until I finished work yesterday evening so was unaware of the meeting.my apologies for this.i was actually going to start the process of removing my license from the premises.for obvious reasons it wouldn't be good for me to keep it on there.i understand the trouble that took place there on Tuesday night but must stress that I found out by the means of social media.mr Shalo didn't inform me of such a night as a result I wasn't even on site.this is not the first time he had done this as it happened on the night of hanky panky which I also wasn't on site for.and the recent habit nights.he was doing these nights behind my back and I was left to find out about them through 3rd party sources.the concerns you have over the venue I totally understand but I want to remove my license anyway if I haven't already lost it through this mess.

CB9

Kind regards
Joel baker

Sent from Joel baker

Brennand, Carmel (GCSx)

CB10

From: Kennedy, Seamus (GCSx)
Sent: 06 November 2013 11:51
To: Brennand, Carmel (GCSx)
Subject: FW: La Boheme
Attachments: image.jpg; image.jpg

FYI

Seamus Kennedy
Principal Liaison & Enforcement Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: seamus.kennedy@leeds.gov.uk
www.leeds.gov.uk

From: Helen Charles GCSX [<mailto:Helen.Charles@wyjs.gcsx.gov.uk>]
Sent: 06 November 2013 11:48
To: Kennedy, Seamus (GCSx); 'catherine.arkle@westyorkshire.pnn.police.uk'
Subject: FW: La Boheme

Dear Seamus / Cath

As promised.

Helen

From: Helen Charles
Sent: 06 November 2013 11:26
To: Helen Charles GCSX
Subject: La Boheme

Helen Charles
Trading Standards Officer

If you are a West Yorkshire business please sign up to our [Newsflash service](#). This is our free email advice and inform service.

West Yorkshire Trading Standards Service
Fair Trading
Nepshaw Lane South
Morley
Leeds
LS27 0QP | LS27 7JQ (Sat Nav)
Tel: 0113 3939 903 | Fax: 0113 2530 311
E-mail: hcharles@wyjs.org.uk | Web: www.ts.wyjs.org.uk



West Yorkshire
Trading
Standards Service

West Yorkshire Joint Services



FOLLOW US ON TWITTER

CB10

CB10



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From: [redacted] [mailto:[redacted]]

Sent: 06 November 2013 11:20

To: Helen Charles

Subject: Fw:

Helen,

Further to our telephone conversation here is what I was sent.

Thankyou for taking the time to respond to my complaint by the way.

Kind Regards

Bernie

Sent from Yahoo Mail on Android

From: Nisha Pankhania <nisha-pankhania@hotmail.co.uk>;

To: Bernie <bernievixenhill@yahoo.co.uk>;

Sent: Thu, Oct 31, 2013 4:26:58 PM

*** eSafe scanned this email for malicious content ***
*** IMPORTANT: Do not open attachments from unrecognized senders ***



Can you take a picture of your

CB11

passport?

Like ·



Georgia Rey

Eh can I buy alcohol from the bar I'm 16

Like ·



Julian New Jr.

If you wanna purchase alcohol at the bar get someone 18 to purchase it for you, or if you can find me at the right time ask me to purchase it for you & I will, p.s I'm not saying you can't have pre drinks before you turn up to the party:-)x

Like · 🍷 2 ·



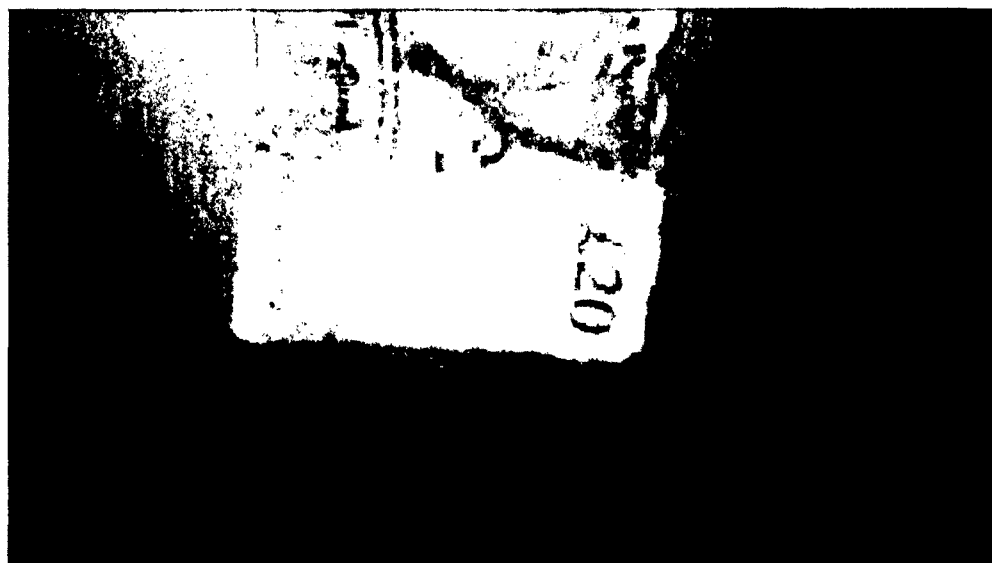
Dani Honey

pre drink in my head is getting

Write a comment ...

Send

CB12



Oct 24 at 3:34pm



Collins Nash Leedz

Nigga how's everyone gunna fit in that room when there's like over 800 coming watch the party get shut down

Monday at 10:33am



Julian New Jr.

If Milan says his club is liscenced to fit 1000 people then it's liscenced to fit 1000 people, it's s club night it can't get shut down + people aren't allowed at the main entrance they have to go to the courtyard

Monday at 2:14pm - Sent from Messenger

Brennand, Carmel

From: Joel Baker <joeldunford@yahoo.co.uk>
Sent: 18 November 2013 12:27
To: Brennand, Carmel
Subject: Re: La Boheme

Thank you very much Carmel.

This is great news as it is a venue which is run very badly and the nights that was been staged there was only asking for trouble I would advise that the venue is monitored very closely as me Shalo is very inexperienced.

Thank you for your time and help with the matter.

Regards
Joel baker

Sent from my iPhone

> On 18 Nov 2013, at 09:18 am, "Brennand, Carmel" <Carmel.Brennand@leeds.gov.uk> wrote:

>
> Hi Joel
>
> Thank you for your email. However we are already in receipt of an application to replace you with another gentleman. The application received on 12 November therefore removed you as the DPS and as such you are not liable for events at La Boheme after that date.

>
> Regards
>
> Carmel
>
>
>
> Carmel Brennand
> Senior Liaison & Enforcement Officer
> Entertainment Licensing
> Leeds City Council
> Tel: 0113 2474095
> Fax: 0113 2243885
> email: carmel.brennand@leeds.gov.uk
> www.leeds.gov.uk

> -----Original Message-----
> From: Joel Baker [<mailto:joeldunford@yahoo.co.uk>]
> Sent: 16 November 2013 21:11
> To: Brennand, Carmel
> Subject: Re: La Boheme

>
> Hi Carmel
> Sorry about the late reply.
> I Joel baker confirm that I would like to be removed as dps and no longer authorise the sale of alcohol in my name at la boheme leeds.

> If you need my signature I could come down to the licensing office if needed.

> Regards

> Joel Baker

>

>

>> On 4 Nov 2013, at 08:24 am, "Brennand, Carmel" <Carmel.Brennand@leeds.gov.uk> wrote:

>>

>> Hi Joel

>>

>> Thank you for your reply. Am I to understand that you wish your name to be removed as the Designated Premises Supervisor ? If yes, could you please confirm this in writing and advise that you no longer authorise any sales of alcohol under your name at La Boheme. As soon as I receive your email, our records will be amended and you will no longer be viable for any offences that occur at the premises after the date of receipt.

>> It is your responsibility to inform Millan that you are doing this as he will then have to replace you as the DPS to carry on trading.

>>

>> If you require any further information, please do not hesitate in contacting me.

>>

>> Regards

>>

>> Carmel

>>

>>

>> Carmel Brennand

>> Senior Liaison & Enforcement Officer

>> Entertainment Licensing

>> Leeds City Council

>> Tel: 0113 2474095

>> Fax: 0113 2243885

>> email: carmel.brennand@leeds.gov.uk

>> www.leeds.gov.uk

>>

>>

>> -----Original Message-----

>> From: Joel Baker [<mailto:joeldunford@yahoo.co.uk>]

>> Sent: 01 November 2013 08:08

>> To: Brennand, Carmel

>> Subject:

>>

>> Hi carmel

>> I received your e-mail regarding the licence at the la boheme venue.i didn't manage to read it until I finished work yesterday evening so was unaware of the meeting.my apologies for this.i was actually going to start the process of removing my license from the premises.for obvious reasons it wouldn't be good for me to keep it on there.i understand the trouble that took place there on Tuesday night but must stress that I found out by the means of social media.mr Shalo didn't inform me of such a night as a result I wasn't even on site.this is not the first time he had done this as it happened on the night of hanky panky which I also wasn't on site for.and the recent habit nights.he was doing these nights behind my back and I was left to find out about them through 3rd party sources.the concerns you have over the venue I totally understand but I want to remove my license anyway if I haven't already lost it through this mess.

>> Kind regards

>> Joel baker

>>

>> Sent from Joel baker

EX 772

Original Message-----

[Redacted]

Date: 07 September 2013 23:58

From: [Redacted] Cllr Mohammed; Davey, Cllr Patrick; Nash, Cllr Elizabeth
Subject: Complaint re: Boheme nightclub Cross York Street Leeds City Centre

To whom it may concern

[Redacted]

I am resident at the Ice works apartments on cross York street.
My complaint is in relation to the Boheme restaurant & Nightclub.

On various occasions the noise levels are ridiculous even with my apartment doors closed I can hear all music & bass coming from the Boheme nightclub. This has started to become a regular thing. They seem to be hosting more under 18 events till 4am, as well as other adult nights till 6am. These can be through the week & weekends.

Being a resident opposite the night-club daily I see anti social behaviour, drug deals, under age drinking on streets, vehicles being vandalised, litter in streets.

Although I understand that the club claims not to be selling alcohol on the under 18 nights. However I have seen New York food & wine located on New York street serving Alcohol to under 18's they never check ID. I have seen this in person which leads to youths drinking on streets, littering streets with glass bottles & general anti social behaviour around my residency.

I have lived in the New York apartments for 3 years now, with the problems I am facing with the Boheme nightclub noise & anti social behaviour I feel I can't leave my apartment after a certain time as the area does not feel safe to be in.

I hope this matter is taken seriously.. As its affecting my work life and social life.

Please provide me with relevant department & contact details so my complaint can be heard.

Yours sincerely

[Redacted signature]

Resident @ Ice-works Apartments Leeds City Centre

EXHIBIT 2

> -----Original Message-----

> From: [REDACTED]
> Sent: 29 September 2013 09:55
> To: ENV Health
> Subject: Form Submission for Noise Nuisance

> The following message has been submitted.

> Customer details if provided:

> Name: [REDACTED]
> Email: [REDACTED]
> Mobile Phone: [REDACTED]
> Preferred Contact Method: Email

> Address if provided:

> Form Details:

> Name Of Offender: La Boheme Nightclub, Leeds.

Other Details To Assist:

> Description Of Noise: Every Friday and Saturday night the noise from people leaving the club is horrendous and unacceptable. This can go on from 3am to 7am as I believe the club has a late licence. People linger outside the club, shouting, sometimes fighting, cars with loud music playing drive by and honk their horns. This is causing us sleepless nights and a lot of anger and misery. My girlfriend works Monday to Friday and only has the weekends off whereas I will be starting a new job next week which may involve me working weekends and I won't be able to keep on like this. I would like this investigated and would like to know why this place was granted a late licence in a very residential area as this problem was so easily foreseeable.

> Complained Before: false

> 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 in any way and please delete this email (and any attachment) from your system.

> The Council does not accept service of legal documents by e-mail.

EXHIBIT 3



Leeds
CITY COUNCIL

Copy

Mr Joel Baker
Designated Premises Supervisor
La Boheme
Cross York Street
Leeds
LS2 7EE

Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds LS11 0LS

Contact: Mrs L Pounder
Tel: 0113 3951156
Fax: 0113 247 6282
Lisa.pounder@leeds.gov.uk
Our reference:13/41562/NOILIC
1st October 2013

Dear Mr Baker

Licensing Act 2003

Environmental Protection Act 1990

Noise Disturbance from people lingering outside the pub shouting, fighting. Cars and loud music playing drive by and honk their horns

AT: La Boheme, Cross York Street, Leeds, LS2 7EE

I am writing to advise you in your capacity as Designated Premises Supervisor that this Department has recently received a complaint from a local resident regarding the above matter.

I am informed that on Friday and Saturday nights people linger outside the club shouting sometimes fighting, cars playing loud music drive by and honk their horns, when leaving your premises. This has allegedly been causing a noise nuisance to an occupant of a nearby noise sensitive premises.

Your premises licence may contain conditions relating to the control of noise (eg noise from licensed activities should be inaudible at the nearest noise sensitive premises). In addition, there is a general expectation under the Licensing Act that a licence holder will take all reasonable measures to promote the prevention of public nuisance from their premises.

The alleged noise has not been confirmed by us, but the person affected has been asked to contact our out of hours service should the problem recur. Over the next few months we may be required to monitor the noise from the complainant's property. We may do this in person or using monitoring/recording equipment. After completing our investigations we will be able to decide if the level of disturbance warrants further action.

However, I must advise you that failing to comply with the conditions of your Premises Licence is a criminal offence punishable by a £20,000 fine or a prison sentence or both. Persistent or serious incidents of public nuisance can also lead to a review. On review a licence can be suspended, amended or revoked.



Additionally, under the provisions of the Environmental Protection Act 1990, if noise arising from your premises is found to be at such a level that it constitutes a statutory noise nuisance, then an Abatement Notice will be served upon you requiring that you abate that nuisance. Failure to comply with the notice may result in legal proceedings being instituted against you for which you may be liable to a fine not exceeding £20,000 upon summary conviction.

I hope I can rely on your co-operation in preventing any disturbance in the future. Should you wish to discuss this matter further please contact me on the above telephone number.

Yours sincerely

A blacked-out signature, likely of L Pounder, used to redact the sender's name.

L Pounder
Business Support Officer





(cop)

Environmental protection team
Leeds City Council
Millshaw Park Way
Leeds LS11 0LS

Wildcard Leisure Ltd
328 West Point
Wellington Street
Leeds
LS1 4JU

Contact: Mrs L Pounder
Tel: 0113 3951156
Fax: 0113 247 6282
Lisa.Pounder@leeds.gov.uk
Our reference:13/41562/NOILIC
1st October 2013

Dear Sir/Madam

Licensing Act 2003

Environmental Protection Act 1990

Noise Disturbance from people lingering outside the pub shouting, fighting. Cars and loud music playing drive by and honk their horns

AT: La Boheme, Cross York Street, Leeds, LS2 7EE

I am writing to advise you in your capacity as Premises Licence Holder that this Department has recently received a complaint from a local resident regarding the above matter.

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Yours faithfully

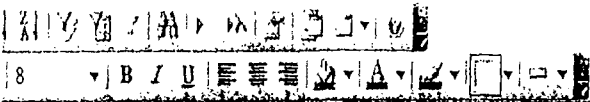
A black rectangular redaction mark covering the signature of L M Pounder.

L M Pounder
Business Support Officer



EXHIBIT 4

Window Help



Noise Complaint Form

Noise Complaints

Reference Number: 13302 Time Called: 20:34 Date: 29/10/2013 Complainants Name: [REDACTED] Clients Contact Number: [REDACTED]

Complainants Address: [REDACTED]

Search

Complainants Email Address: N/A

Noise Pack Sent: [] Date Sent: []

Post Code: [REDACTED]

New Complaint: YES []

Ongoing Investigation Reference Number: []

Type of Premises: Licensed Premises []

Offenders Name: LA BOHME CLUB

Target Address: []

Select Target Address

CROSS YORK STREET

Nature of Complaint: Music []

Details of Hazards: None []

Mobile Officer: Not Required to Attend []

Time Despatched: 20:52 Time on Site: 21:00 Time Off Site: 21:02

Post Code: []

Noise Confirmed By SLO: NO []

Contact Made With Target Address: NO []

Private or Council Dwelling: Private Dwelling []

Incident Report From SLO: JUST ROUDY CUSTOMERS OUTSIDE.

Response Outcome: Ongoing []

Control Room Operator: Ingrid Charles []

Flagged As A Problem Address: []

Case Officer: []

Enquiry/Case Number: []

Cancel And Exit

Exit

EXHIBIT 5

From: [REDACTED]
Sent: 29 September 2013 04:39
To: E&N Noise
Subject: You have a new Enquiry from Web
Importance: High

Please find below the details of the new enquiry submitted by the public user on the Leeds WebSite : Name : [REDACTED]
[nuisance.aspx](#) Message : Hi i live on cross york street in the city centre and a new night club la boheme had opened up opposite our house we literally live a few yards away and its a nightmare its 4.27am and there is hundreds of people outside in our street the music is pumping out so loud we cannot sleep. My partner has phone the club on many occasions and they have not been helpful. Tonight we have been told that the club has been shut down early

due to violence inside and we were warned not to go outside as the people out there "wernt very nice" This is a weekly occurance and i am not putting up with this anymore. The club is advertising nights on a wednesday for students until 4 in the morning and friday and saturday. There is no way of sleeping when these nights are on. I am really upset that they have a licence to open a nightclub here near our front door. I will be phoning on monday morning to speak with someone . Thanks LCC Web Master

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 in any way and please delete this email (and any attachment) from your system.
The Council does not accept service of legal documents by e-mail.

Notes On Completing The Nuisance Diary

- 1. Be clear and precise**
Remember, you could be asked to give evidence in court based on your notes.
- 2. Be sure of the source of the nuisance**
Don't guess at the addresses. If in doubt, draw a sketch.
- 3. Give period of nuisance**
Fill in both columns - time nuisance started and time nuisance ended. This could be essential in assessing the degree of the problem.
- 4. Type of nuisance**
Give as much information as possible to describe the nuisance.
 - NOISE - type of noise e.g. screech, whistle, fan noise, thumping, banging, shouting. Also give an assessment of the loudness on each occasion.
- 5. Scale of annoyance**
Try to give an assessment of each recording by giving a number from the following scale:
 1. - Not annoying
 2. - Slightly annoying
 3. - Annoying
 4. - Extremely annoying
- 6. Effect of nuisance**
Try to indicate how the nuisance affects you or its effect on your way of life.
Remember to be as accurate as you can. Exaggerating will not help the case in the long term.
- 7. If you are away for a period and can't make notes, indicate the reason for the gap on the form.**
- 8. Please return the nuisance diaries within three weeks or when one diary sheet is full, whichever is sooner.**



Environmental Protection
Leeds City Council
Millshaw Parkway
Beeston
Leeds
LS11 0LS

Tel No: (0113) 3951414
Fax No: (0113) 2476282

25 OCT 2010

Exhibit

Nuisance Diary

INSTRUCTION
Name: [REDACTED]

Address: [REDACTED]

Type of nuisance: [REDACTED]

Name & address of source: [REDACTED]

The information contained in this document is true to the best of my knowledge & belief and I know that, if it is tendered in evidence, I shall be liable to prosecution have wilfully stated in it anything which I know to be false or do not believe to be true. I have read the notes contained on the rear of this form

Signed [REDACTED]

Date [REDACTED]

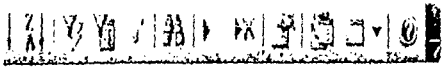
07/11/10

| Day & date | Time nuisance started | Time nuisance ended | Annoyance | | | | Weather conditions | Description & effect of nuisance |
|-----------------|-----------------------|---------------------|-----------|---|---|------------------|---|----------------------------------|
| | | | 1 | 2 | 3 | High | | |
| <p>APR 18TH</p> | <p>12:00 PM</p> | <p>5:30 PM</p> | | | | <p>DRY NIGHT</p> | <p>LOUD MUSIC LISTENED OUTSIDE FLATROOF. ABOUT 20 PEOPLE COMING THROUGH AREA SHOWING, FIGHTING, DRUNK BEHAVIOR. THERE ARE VIBRATIONS IN THE FLOOR THAT CAUSED THE AIR CONDITIONING TO STOP WORKING. THERE ARE PEOPLE DRIVING BY THE STREET AND PEOPLE ARE DRIVING THROUGH THE AREA. THERE ARE PEOPLE DRIVING BY THE STREET AND PEOPLE ARE DRIVING THROUGH THE AREA.</p> | |
| <p>FRI 18TH</p> | <p>12:00 PM</p> | <p>5:30 PM</p> | | | | <p>DRY NIGHT</p> | <p>LOUD MUSIC LISTENED OUTSIDE FLATROOF. ABOUT 20 PEOPLE COMING THROUGH AREA SHOWING, FIGHTING, DRUNK BEHAVIOR. THERE ARE VIBRATIONS IN THE FLOOR THAT CAUSED THE AIR CONDITIONING TO STOP WORKING. THERE ARE PEOPLE DRIVING BY THE STREET AND PEOPLE ARE DRIVING THROUGH THE AREA.</p> | |
| <p>FRI 18TH</p> | <p>12:00 PM</p> | <p>5:30 PM</p> | | | | <p>DRY NIGHT</p> | <p>LOUD MUSIC LISTENED OUTSIDE FLATROOF. ABOUT 20 PEOPLE COMING THROUGH AREA SHOWING, FIGHTING, DRUNK BEHAVIOR. THERE ARE VIBRATIONS IN THE FLOOR THAT CAUSED THE AIR CONDITIONING TO STOP WORKING. THERE ARE PEOPLE DRIVING BY THE STREET AND PEOPLE ARE DRIVING THROUGH THE AREA.</p> | |

COVERTED TO 1111
THE ORIGINAL RECORDING

EXHIBIT 7

Window Help



Noise Complaint Form

Noise Complaints

Reference Number: 13238 Time Called: 00:21 Date: 27/10/2013 Complainants Name: [REDACTED] Clients Contact Number: [REDACTED]

Complainants Address: [REDACTED]

Search

Complainants Email Address: _____

Noise Pack Sent Date Sent _____

Post Code: LS2 7DF

New Complaint: YES

Ongoing Investigation Reference Number: _____

Type of Premises: Licensed Premises

Offenders Name: UNKNOWN

Target Address: 367061

Select Target Address

LA BOHEME
CROSS YORK STREET
LEEDS

Nature of Complaint: Music

Details of Hazards: None

Mobile Officer: Mark Farnham

Time Despatched: 00:45

Time on Site: 01:04

Time Off Site: 01:05

Post Code: LS2 7EE

Noise Confirmed By SLO: YES

Contact Made With Target Address: NO

Private or Council Dwelling: Not Known

Incident Report From SLO: VERY, VERY LOUD MUSIC

Response Outcome: _____

Control Room Operator: Colette Ohara

Flagged As A Problem Address: _____

Case Officer: _____

Enquiry/Case Number: _____

Cancel And Exit

Exit

EXHIBIT 8

From: [REDACTED]
Sent: 29 October 2013 21:28
To: E&N Noise
Subject: You have a new Enquiry from Web
Importance: High

Please find below the details of the new enquiry submitted by the public user on the Leeds
WebSite : Name : [REDACTED]

<http://www.leeds.gov.uk/Pages/contactbyemail.aspx> Message : I am writing this Email to
complain about the noise disturbance coming from the La Boheme Club, Cross York Street,
Leeds tonight. The music started at about half past 8, and people began queuing up at that
time. The noise disturbance is from both the music and the huge amount of people on the
street. The people are obviously street drinking, due to the large amount of bottles now on
the street and the music can be heard when my windows and doors are closed. Both myself
and my partner are at work early tomorrow morning and this club is well known for releasing
its customers in the early hours of the morning (last time it was 5am). This is my second

1

complaint to the council, I heard no reply from my first complaint. The last time the club
disturbed the peace, the police were called to deal with the situation. This noise should not be
occurring on a Tuesday evening, and I am quite sure that we are not the only residential
property on this street to complain about this. Thanks LCC Web Master

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 in any way and please delete this
email (and any attachment) from your system.
The Council does not accept service of legal documents by e-mail.

EXHIBIT 9

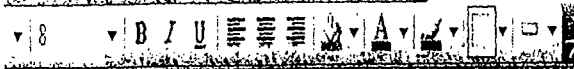
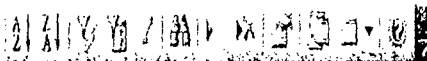
From: [REDACTED]
Sent: 29 October 2013 21:48
To: E&N Noise
Subject: You have a new Enquiry from Web
Importance: High

Please find below the details of the new enquiry submitted by the public user on the Leeds WebSite : Name : [REDACTED]
<http://www.leeds.gov.uk/Pages/contactbyemail.aspx> Message : Hi, I'd like to raise a commercial noise complaint for a club directly opposite my home I live opposite the La

Boheme club on cross York street and having moved into my flat 2 months ago they have continuously disturbed the area They only operate certain nights of the week (although being a club these typically but are not limited to fri, sat) and will have drunk people yelling swear words from 9pm to 6am, frequently setting off car alarms between the same hours, customers fighting loudly and bass that literally makes water on my table ripple These are all common occurrences and are happening weekly as I try to sleep I fear this will only get worse and having watched these events occur after being woken up I know the club is doing nothing to even attempt to stop these things happen I've asked to speak to the licensee twice but have been turned away both times by the bouncers My address is: [REDACTED]
[REDACTED] LCC Web Master

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 in any way and please delete this email (and any attachment) from your system.

The Council does not accept service of legal documents by e-mail.



Noise Complaint Form



Noise Complaints

Reference Number: 13447 Time Called: 02:15 Date: 03/11/2013 Complainants Name: [REDACTED] Clients Contact Number: [REDACTED]

Complainants Address: [REDACTED] Search Complainants Email Address: [REDACTED]

Noise Peck Sent: Date Sent: [REDACTED]

Post Code: LS2 7EE New Complaint: Ongoing Investigation Reference Number: [REDACTED]

Type of Premises: Commercial Premises Offenders Name: [REDACTED] Target Address: 364322

Select Target Address

CLUB LABOHEME
CROSS YORK STREET
LEEDS

Nature of Complaint: Music Details of Hazards: None

Mobile Officer: ** Mobile Unavailable ** Time Despatched: [REDACTED] Time on Site: [REDACTED] Time Off Site: [REDACTED] Post Code: LS2 7EE

Noise Confirmed By SLO: Contact Made With Target Address: Private or Council Dwelling: Not Known

Incident Report From SLO: FLAT VIBRATING WITH LOUD BEAT MUSIC. TIMED OUT 0415HR

Response Outcome: Control Room Operator: Ed Cassidy Flegged As A Problem Address:

Case Officer: [REDACTED] Enquiry/Case Number: [REDACTED]

Cancel And Exit Exit



EXHIBIT 11

20 NOV 2013

Exhibit
Nuisance Diary

Name:

[Redacted Name]

Address:

[Redacted Address]

Type of nuisance: *Noise*

Name & address of source: *La Bohème (Bar & Nightclub)*

Cross York Street

Leeds

LS2 7EE

The information contained in this document is true to the best of my knowledge and belief and I know that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true. I have read the notes contained on the rear of this form

CLR

Signed

Date

19/11/13

Be clear and precise

Remember, you could be asked to give evidence in court based on your notes.

Be sure of the source of the nuisance

Don't guess at the addresses. If in doubt, draw a sketch.

Give period of nuisance

Fill in both columns - time nuisance started and time nuisance ended. This could be essential in assessing the degree of the problem.

INSTRUCTION

Type of nuisance

Give as much information as possible to describe the nuisance.

- NOISE - type of noise e.g. screech, whistle, fan noise, thumping, banging, shouting. Also give an assessment of the loudness on each occasion.

Scale of annoyance

Try to give an assessment of each recording by giving a number from the following scale:

1. - Not annoying
2. - Slightly annoying
3. - Annoying
4. - Extremely annoying

Effect of nuisance

Try to indicate how the nuisance affects you or its effect on your way of life.

Remember to be as accurate as you can. Exaggerating will not help the case in the long term.

If you are away for a period and can't make notes, indicate the reason for the gap on the form.

Please return the nuisance diaries within three weeks or when one diary sheet is full, whichever is sooner.

| Day & date | Time nuisance started | Time nuisance ended | Annoyance | | | | Weather conditions | Description & effect of nuisance |
|--------------------------------|--|---|-----------|---|---|---|--------------------|--|
| | | | 1 | 2 | 3 | 4 | | |
| SUNDAY 3 NOVEMBER 2013 | RETURNED HOME AT APPROX' 2 AM. NUISANCE WAS OCCURRING. (RANG NUISANCE PATROL APPROX' 2.30 AM). | APPROX' 4 AM | | | | ✓ | RAINY | LOUD MUSIC. EXTREMELY LOUD THUMPING BASS. ALSO SHOUTING ETC IN CROSS YORK ST FROM CLUB GOERS CLEARLY HEARD IN FLAT. VIBRATION FROM THUMPING BASS FELT IN FLAT. LOUD MUSIC ALSO, MAKING IT IMPOSSIBLE TO SLEEP. |
| THURSDAY 7 NOVEMBER 2013 | NOTICED NOISE AS A NUISANCE APPROX' 1.30 AM. | MANAGED TO GO TO SLEEP APPROX' 3.30 AM BUT NUISANCE STILL GOING ON. | | | | ✓ | FINE | LOUD MUSIC / THUMPING BASS AND SHOUTING IN STREET FROM CLUB GOERS, AS DESCRIBED ABOVE. HEARD IN FLAT (& VIBRATION FROM BASS), MAKING SLEEP IMPOSSIBLE. |
| SUNDAY 17 NOVEMBER 2013 | NOTICED NUISANCE APPROX' 11.30 PM | MANAGED TO SLEEP APPROX' 3 AM, BUT NUISANCE STILL CONTINUING. | | | | ✓ | FINE (?) | LOUD THUMPING MUSIC (BASS) SHOUTING / CAR DOORS SLAMMING ETC FROM CLUB GOERS. HEARD CLEARLY IN FLAT AND BASS VIBRATIONS FROM LOUD MUSIC, FELT AT FRONT OF FLAT (IN KITCHEN AND FRONT BEDROOM). MUSIC FROM THE CLUB COULD BE HEARD THROUGHOUT FLAT (INCLUDING BACK BEDROOM), MAKING SLEEP IMPOSSIBLE. |

XIII

Noise Complaint Form

Noise Complaints

Reference Number: Time Coded: Code: Complaints Name: Clerk's Contact Number:

Complainant's Address: Search: Complainant's Email Address:

Noise Pack Sent: Date Sent:

Post Code: New Complaint: Dropping Investigation Reference Number:

Type of Premises: Offenders Name: Target Address:

Nature of Complaint: Details of Harassment: Select Target Address:

Mobile Officer: Time Despatched: Time on Site: Time Off Site: Post Code:

Noise Confirmed By S/O: Contact Made With Target Address: Private or Council Dwelling:

Notes/Payoff From S/O:

Response Outcome: Control Room Operator: Paged As A Problem Address:

Case Officer: Escalation Number:

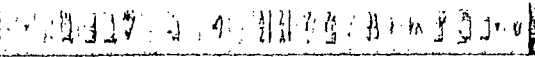
Cancel And Exit Exit

Record: of of

EXHIBIT 13B

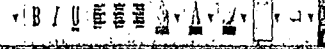
Voluntary Grants

File Edit View Insert Format Records Tools Window Help



MS Sans Serif

18



Noise Complaint Form

Noise Complaints

Reference Number: 14720 Time Called: 02:23 Date: 08/12/2013 Complainant's Name: [REDACTED] Clerk's Contact Number: [REDACTED]

Complainant's Address: [REDACTED] Search: [REDACTED] Complainant's Email Address: N/A
Noise Pack Sent: Date Sent: [REDACTED]

Post Code: LS2 7EE New Complaint: YES Ongoing Investigation Reference Number: [REDACTED]

Type of Premises: Licensed Premises Order's Name: LA BOHEME Target Address: [REDACTED]
Select Target Address: CROSS YORK STREET LEEDS

Nature of Complaint: Music Details of Hazards: None

Mobile Officer: **Mobile Unavailable** Time Dispatched: 02:43 Time on Site: 03:23 Time Off Site: 03:24 Post Code: LS2 7EE

Noise Confirmed By SLO: YES Contact Made With Target Address: NO Private or Council Dwelling: Not Known

Incident Report From SLO: NOISE HEARD WHILE ON SITE

Response Outcome: Witnessed Control Room Operator: Matthew Dudley Flagged As A Problem Address:

Case Officer: [REDACTED] Emergency Case Number: [REDACTED]

Cancel And Exit

Exit

Record: 11 of 12941

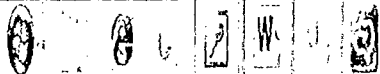


EXHIBIT 14



Leeds
CITY COUNCIL

Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS

Contact: Mr. Gurdip Mudhar
Tel: 0113 3951250
Our reference:
Date: 10 December 2013

F

COPY

Dear Madam

Noise Nuisance from Amplified Music
Premises: La Boheme Cross York Street, Leeds, LS2 7EE

I refer to your recent complaint regarding the above matter.

I have had the opportunity to speak with the representative, Mr. Millan Shalo of the above premises about the noise issues. They took over the premises last year and it appears that they may have inadvertently changed the sound system to suit their style. The premises when it first opened as a night club a few years ago, it was properly sound proofed and they also had a sound system which was linked to the sound limiting devices so that the sound levels do not exceed the sound levels agreed by the council. The system was also protected by a password so that only a nominated person had an authorisation to change any settings.

Over the years the character of the area has also changed and many new apartments have been built in the vicinity of the premises. I have spoken with premises Mr Shalo and he has agreed to look into the sound system and if necessary they will recruit a Sound Engineer to reassess the sound system. I am also going to have a site meeting to see their sound system and to reset the levels by means of a sound limiting device which cannot tamper with any unauthorised person.


Mr. Shalo has in the meantime provided me with his personal mobile number (**07812 768 984**) and his email (**millan@labohemeleeds.co.uk**). He is willing to share this with any residents who are bothered by the noise. May I, therefore request you to telephone Mr. Shalo when you are being affected by the noise. He will try to readjust the sound levels to alleviate the problem. If you feel comfortable for him to visit your dwelling, please do so as this will also give him the opportunity to verify the noise himself. He is of the opinion that sometimes the noise is not audible on the ground floor immediately outside the club and, therefore unable to tell if the residents are being disturbed by the noise.

EXH 14

EXH 14

I would like to thank you for bringing this matter to my attention. I am giving this matter the highest priority and in the meantime if you have any questions please do not hesitate to contact me.

Yours faithfully


Gurdip Mudhar
Environmental Health Officer.

1102

From: Mudhar, Gurdip
Sent: 11 December 2013 10:53
To: 'Millan Shalo'
Subject: RE: Noise from loud music.

Mr. Shalo

Thanks for getting back to me. I have send the letters out to all the complainants with your mobile telephone together with your email. Please make sure your phone is charged and available. People will get more irritated if the phone is not answered as they will be already in a bad mood for keeping them awake. Also please ask the complainants if they are willing to allow you access into their apartments for you to verify the noise.

I don't know if the confusion is caused on my part by referring to 24 hour clock. Were you open on Saturday night 7th Dec ? The complaints came in after midnight and the date changes to 8th Dec.

Can you please confirm if you were open on Saturday night beyond mid-night ?

I will be grateful if you could also let me know how many dance floors do you have and on what days of the week are these used for entertainment purposes ? This will help us to assess if any particular dance floor is giving rise to nuisance complaints.

You have also mentioned other venues in the vicinity (whether licensed or not) who may be causing the nuisance. I will be grateful if you can provide me with their business names and their location as this will help with the investigation.

I will also appreciate if you could confirm your position in the company as I want to make sure that all the relevant staff within your company are aware and of the noise issues.

Currently there are over 10 complaints, however, I have been advised that other people within the apartment block are being affected but knowing that the matter has already been raised with the council, they refrain from approaching the council directly. The noise has also been witnessed by the Council's out of hours staff. I would hence advice you to deal these complaints as a matter of urgency. If we keep on getting the complaints the council will consider further enforcement action by way of serving a Noise Abatement Notice under the Environmental Protection Act 1990 and to reduce your hours of licensable activities until 11:00 pm under the provisions of the Licensing Act 2003. The Licensing committee also have the power to revoke the licence if the licencing objective to prevent public nuisance is undermined.

Regards.

Gurdip Mudhar (Environmental Health Officer)
Environmental Protection Team