



Elections, Licensing & Registration

Civic Hall
Leeds LS1 1UR

Our Ref A80/MW/LIC/PREM/01445/004

Your Ref

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Date 12th April 2018

The Licensing Authority

Entertainment Licensing
Leeds City Council
Civic Hall
Calverley Street
Leeds
LS1 1UR

Dear Sirs,

SUBJECT ZEN RENDEZVOUS 10 THE GREEN GUISELEY LS20 9BT LICENSING ACT 2003 – FORMAL REPRESENTATION FOR PREMISES LICENCE REVIEW

This is formal notice of representation made by Leeds City Council Licensing Authority (Entertainment Licensing) in its capacity as a Responsible Authority under the Licensing Act 2003 ('the Act')

Licence background information

The representation supplements the application made by the West Yorkshire Police for a review of the premises licence granted to Alan Yeung (Premises Licence Holder - PLH) for premises trading as Zen Rendezvous, 10, The Green, Guiseley LS20 9BT

Premises Licence Number PREM/01445/004 (Exhibit MW6)

Licensable activities currently authorised by the premises licence are –

- Sale by retail of alcohol
- Performance of Live Music (1st Floor only)
- Performance of Recorded Music (1st Floor only)
- Performance of Dance (1st Floor only)
- Entertainment similar to live music, recorded music or dance (1st Floor only)

Opening hours of the premises –

- Monday to Thursday 11 00 to 23 00
- Friday & Saturday 11 00 to 2 am
- Sundays 12 00 to 22 30
- Alcohol is sold for consumption on and off the premises

The Premises Licence Holder (PLH) is Alan Yeung. The current PLH has been in situ since before the Licensing Act 2003 came in to force in 2005



The Designated Premises Supervisor (DPS) named on the Premises Licence is Mun Shun Choo. A Designated Premises Supervisor is an individual named on the premises licence who holds a valid personal licence and authorises the sale by retail of alcohol at a licensed premises. The DPS has responsibility, given by the premises licence holder, for the day-to-day running of the premises. A personal licence holder must have successfully completed a nationally recognised training course with regard to understanding/compliance of the Licensing Act 2003.

The Act provides a clear focus on the promotion of four statutory objectives underpinning the Act which must be addressed when licensing functions are being undertaken. Each objective is of equal importance.

The licensing objectives are –

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

This representation is made on the grounds that the Premises Licence Holder and Designated Premises Supervisor have, and continue to undermine the licensing objectives in the concern of

- *The prevention of crime and disorder*

The prevention of crime and disorder includes the responsible retailing of alcohol and the exercise of control measures on customer behaviour.

- *The prevention of public nuisance*

The Premises Licence Holder has a responsibility for control measures regard customers behaviour.

The premises operate on two floors, the ground floor is a Restaurant with a small bar /waiting area. We have no evidence of any licensing issues relating to the Restaurant area which appears to be well run.

Leeds City Council Entertainment Licensing Enforcement was advised by the council's Environmental Protection Team in July 2017 of a complaint from a local resident regarding the activities of Zen customers in the area around Bell View Terrace. On the 26th July 2017 I met with Alan Yeung and made him aware of the complaint. I suggested that he instigate a patrol of the area in question by door supervisor staff to mitigate any further complaints. Mr Yeung agreed to this voluntary arrangement. However, the voluntary arrangement did not resolve the issues the residents were experiencing.

On 7th August 2017, I received the 1st of two complaints from members of the public residing in Bell View Terrace. As a result I prepared a warning letter addressed to Alan Yeung at the premises. A copy of the letter I produce as my Exhibit MW2.

On Saturday 12th August 2017, Entertainment Licensing Enforcement officers were working in the area and observed the operation of the entrance at Zen. See attached witness statements of Samantha Longfellow and Carmel Brennand, both Senior Liaison & Enforcement Officers, and the exhibits. Their report findings expressed concern about the level of control by staff at the entrance to the club.

Carmel Brennand's statement also includes an encounter with a male who had called to collect two young females from the Leisure Centre car park after they left the venue. When the male was asked the ages of the two females he refused to answer and quickly left.

The following week I received reports from Police that a serious incident had occurred on the 13th August 2017, the night after the observations of the two officers. As a consequence of the information received I visited the premises on the 15th August 2017 with PC Richard King of the West Yorkshire Police to view CCTV of the night in question and of the previous evening when my two Enforcement Officer colleagues were making observations of the entrance to the premises.

The CCTV from 12th August 2017 backed up the observations made by the Enforcement Officers as it showed a chaotic queue with poor management of the area by the venue's staff. Few searches of bags or identity checks were witnessed even though the age profile of the customers was young.

The venue has consistently failed to employ a female member of door-staff to undertake searches of female customers, which is in breach of Premises Licence condition 108.

The footage viewed of 13th August 2017 showed a small fight in the street immediately outside the venue which was quickly stopped by other persons in the group. Persons involved had just left the premises. This was followed shortly after by a large fight involving approximately 20 persons in the area around the bus stop immediately to the left of the premises but in front of Guiseley Theatre. The fight spread into the road and a female can be seen kicking another female as she laid on the floor. The footage of the incidents on 13th August 2017 was requested by Police and a copy of the footage was provided. However the footage viewed by officers from both nights showed that the premises had a poor control of the door and persons entering. Another concern was the ages of the customers and the levels of intoxication of the customers leaving the venue. Many leaving the venue were observed to walk straight out into the road, a main road.

As a result of the incidents at and immediately outside the premises the Premises Licence Holder (PLH), Alan Yeung was invited to attend an Action Plan meeting with officers from Entertainment Licensing Enforcement and the West Yorkshire Police, which was held on 12th September 2017 at Elland Road Police Headquarters in Leeds. The issues affecting the premises were put to Mr Yeung, the number of late night incidents, age of customers, levels of intoxication and continuing issues with customers effecting residents in a street close to the venue. A key part of our concerns was the lack of control on the front door. Both agencies suggested a number of measures to look to address the issues, they were:

- No persons under 18 will be admitted to the 1st Floor
- Premises to operate Check 25 Age Verification Scheme
- Minimum number of 4 Door Staff on each Friday, Saturday & the Sunday of each Bank Holiday Weekend
- Door Staff to remain 30 minutes after closing time to assist in the safe dispersal of customers
- Closing time to be added to the Licence times suggested were
Monday to Thursday 23 30
Friday & Saturday 02 30
Sunday 23 00

In addition to these conditions, officers suggested that Mr Yeung provide a member of door-staff located at the top of Bell View Terrace to prevent anti-social behaviour by customers in that area.

Mr Yeung agreed with most of the proposals with the exception of the additional door-staff on Saturdays, explaining he could not afford it and that Saturday was a much less busy night. It was pointed out to Mr Yeung that the most recent incidents had occurred at the end of Saturday night into Sunday morning. Notes of the meeting were produced by Entertainment Licensing Enforcement, which I produce as my exhibit MW3.

The incidents in August & the Action Plan meeting in September 2017 led to a joint licensing visit by Entertainment Licensing Enforcement and West Yorkshire Police after midnight on the 14th October 2017. There were multiple issues with the visit including an incident which occurred outside the premises just before the officers' arrival. The same poor control on the door was witnessed, large numbers coming in & out of the venue. Only random searches were taking place with no apparent capacity control. There were a large number of males sitting on the wall to the car park opposite the premises. Persons leaving the venue walked straight into the main road. A check of the car park area found a large number of assorted bottles of alcohol on the car park side of the wall. Inside the venue checks of the CCTV system found insufficient retention of footage contrary to a licence condition. As a consequence, a section 19 Closure Notice specifying the licence breach was issued by the West Yorkshire Police.

Officers were still outside the venue at 2am when the premises was closing and observed all the customers exiting on-masse and most of the 200 plus walked straight into the main road. The police van driver had to activate the blue lights and siren to clear the road & exit the car park safely.

Following this visit officers decided to invite Mr Yeung to attend another Action Plan meeting with agencies and to insist that the additional measures were incorporated formally into licence conditions by way of varying the Premises Licence.

The 2nd Action Plan meeting took place on 25th October 2017 with Alan Yeung (PLH) with Entertainment Licensing Enforcement and West Yorkshire Police Leeds Licensing Department. The ongoing issues including officers' findings from the latest visit to the premises and the issued section 19 Closure Notice were discussed.

Mr Yeung was advised that his Premises Licence was at risk and if he didn't take positive steps to address the issues there would be a Review of his Premises Licence. Officers requested that Mr Yeung submit a Minor Variation before the end of November 2017 to include the additional control measures from the previous meeting.

A copy of the notes from that meeting is produced as exhibit MW4.

A Minor Variation was received from Mr Yeung in November 2017, see exhibit MW5.

On the 7th December 2017 the minor variation application was approved and a new licence PREM/01445/004 was issued, see exhibit MW6.

The following day, 8th December 2017, a joint licensing compliance visit by Entertainment Licensing Enforcement and West Yorkshire Police officers was made to Zen. Officers arrived a short while before midnight. The visit on this occasion was much improved as there was tighter control on the entrance door age with age verification checks being carried out of customers. The CCTV system was checked and satisfactory enabling Police to withdraw the previously served section 19 Closure Notice.

Officers were of the opinion, following the latest positive visit to the venue that the premises would continue to improve and incidents would decline. This proved not to be the case with further incidents through December and January. Complaints continued to be received from residents.

In early February 2018, West Yorkshire Police contacted Entertainment Licensing Enforcement regarding an incident which occurred on the 4th February 2018. The incident involved 2 x 17 year old females who were inside Zen, one of whom had been served alcohol. This raised concern about age verification checks being carried out both at the entrance and at the bar. Police viewed CCTV footage and requested the premises download the footage for an officer to collect later. Officers were informed by the venue that the footage of the incident was lost and Zen were unable to locate the requested images. Police officers who visited advised that the CCTV system didn't have the required storage retention of footage which was a minimum of 31 days.

As a result, Entertainment Licensing Enforcement visited Zen on the 10th March 2018 and asked to view the CCTV footage and requested the Designated Premises Supervisor (DPS) Mun Shun Choo locate footage from the 7th February 2018 which would demonstrate 31 days footage. The DPS could only locate footage back to the 24th February, which was only 14 days storage.

The officer also asked to examine the door-staff signing-in register, this was to check that they were still providing 4 door-staff on Friday & Saturday evenings. On Saturday, 17th February, Friday, 23rd February, Saturday 24th February & Friday 9th March there were only 3 door-staff signed in the register. This was a clear multiple breach of condition 117 which was only added to the Premises Licence in December 2017.

As a result, Entertainment Licensing Enforcement served a Section 19 Closure Notice on the DPS regarding breaches of condition 116 - CCTV & condition 117 - minimum number of door-staff, see exhibit MW7.

Whilst checking the door-staff register it showed that a member of door-staff was submitting incorrect details relating to his badge number. Further checks with the Security Industry Authority (SIA), the national regulator for the private security industry showed that the person, although badged by the SIA, had been signing in using a nickname and not his first name. This was a breach of Premises Licence condition 103.

This again showed a very poor level of control by both PLH and DPS who should actively monitor the door and ensure staff are correctly signed in on duty.

For the reasons set out in the representation, the Licensing Authority has very little confidence in the Premises Licence Holder and the Designated Premises Supervisor, believing the management of the premises is inadequate. The premises should not be allowed to continue to operate in the same manner. There are serious concerns that the management of Zen have not, and cannot uphold the licensing objectives. The management have assumed no responsibility for the actions of their customers and there appears to be a complete disregard for licensing conditions and the harmony of local residents. As a result, the Licensing Authority share the concerns expressed by West Yorkshire Police.

Entertainment Licensing Enforcement are of the opinion that the current PLH, Alan Yeung & DPS, Mun Shun Choo have persistently failed to uphold the licensing objectives in the operation of the 1st floor club. We are very concerned that if the incidents continue involving young customers & alcohol there is a potential for serious injury or worse.

In view of the issues referred to, we would respectfully request that the Licensing Subcommittee in its determination consider at the very least adding/removing/modifying the following conditions and measures in promotion of the Licensing Objectives.

I would advise that all licensable activities be removed from the 1st Floor (Club) area, they are

- Sale of Alcohol
- Performance of Live Music (1st Floor only)
- Performance of Recorded Music (1st Floor only)
- Performance of Dance (1st Floor only)
- Entertainment similar to live music, recorded music or dance (1st Floor only)

The times for sales of alcohol for the ground floor should be reduced to

- Monday to Thursday 11 00 to 23 00
- Friday & Saturday 11 00 to Midnight
- Sunday 12 00 to 22 30

Activities to Ground Floor only,

- Sale of Alcohol
- Performance of Recorded Music

Subject to the following conditions

- All sales of alcohol to be with a table meal
- Minimum number of 80 covers

The following conditions to be removed from the current Premises Licence

- 27 The maximum number of persons allowed in the stated areas whilst the Licence is in force is 1st Floor - 220
- 103 The Licensee shall ensure that any persons employed on the premises to work in the capacity as a door supervisor, hold current registration with the SIA and comply with all relevant rules and regulations laid down by that body
- 104 Door Staff Daily Record Register
The Licensee shall maintain a Daily Record Register which is to be completed on a daily basis by the door staff when they commence and finish duty
- 105 The Daily Record Register must be retained on the premises for a period of one year, taken from the date of the last entry, and include the following
 - a) consecutively number pages,
 - b) the registration number and full name of each registered person on duty,
 - c) the date and time that he/she commenced that period of duty with a signed acknowledgement by that person,
 - d) the time at which he/she finished duty with a signed acknowledgement by that person
- 106 Daily Record Registers shall be produced for immediate inspection on request by any official of the SIA, Police or Licensing Authority
- 107 Licence holders must have a written search policy for those entering the premises
All members of staff must be acquainted with this policy
- 108 Sufficient number of staff of both sexes shall be on duty to undertake any searches of the public
- 109 Clear and visible notices should be displayed to those entering the premises detailing the establishments search policy These signs should state that the police will be informed if anyone is found in possession of controlled substances or weapons
- 110 Secure receptacles, to the standard as required by the West Yorkshire Police, must be provided in a restricted part of the building for staff to deposit drugs and weapons
- 115 Door staff will operate from opening time until 30 minutes after closing time
- 117 To provide a minimum of 4 doorstaff on a Friday & Saturday evening & the Sunday on each bank holiday weekend
- 118 No under 18's permitted on 1st Floor level wine bar
- 119 Introduce check 25 age verification

We the Licensing Authority support West Yorkshire Police in its review application and request that the Licensing Sub-Committee consider our submission to uphold the licensing objectives

Yours faithfully



Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing

Documents in support of this Representation

- Chronology of Events
- List of Exhibits x 10
- Statements of Michael Waters (x3), Samantha Jane Longfellow (x1) & Carmel Brennand (x1)

Chronology of events

Key			
PLH	Premises Licence Holder	MW	Michael Waters
DPS	Designated Premises Supervisor	CB	Carmel Brennand
WYP	West Yorkshire Police	SL	Samantha Longfellow
PL	Premises Licence		
CCTV	Close Circuit Television		
LCC	Leeds City Council		
Date	Reason	Result	
2017			
26 07 2017	MW of ELS met with A Yeung PLH advised him of recent issues contact from properties concerning late night activities of customers	PLH asked to introduce patrol of area to the rear / Bell View Terrace with Door Staff PLH agreed & also confirmed there was no external camera to rear of Zen	
07 08 2017	Complaint (GE/002759) from 2 local residents multiple issues referred to Agencies	Also contact from MP who had similar issues referred by his constituents	
10 08 2017	Warning letter to PLH & DPS		
12 08 2017	Observation & photographs by CB & SL		
13 08 2017	2 x incidents after 2 am outside premises caught on CCTV system		
15 08 2017	Meeting at Premises MW & NR of ELS & PC King with PLH CCTV viewed of incidents and of 12 th & 13 th August 2017	PLH warned about lack of control of door and of serious incidents occurring outside Also discussed issues re Bell View Terrace PLH agreed to position 1 x Door Staff at end of Bell View Terrace to reduce resident's concerns CCTV footage requested WYP to collect	
17 08 2017	Visit to premises with MW of ELS & C Sanderson WYP Licensing met DPS	DPS gave Data Stick with CCTV footage from 13 th August 2017 to CS of WYP	
06 09 2017	Aireborough Pubwatch at Yeadon Cricket Club Zen failed to attend		
12 09 2017	Action Plan Meeting held at WYP HQ Elland Rd Leeds Sgt Shaw of WYP MW of ELS & PLH Alan Yeung	Meeting discussed complaints from residents observations by ELS and 3 recent incidents after 2am outside premises WYP & ELS requested PLH to add 5 additional conditions to PL	
13 09 2017	Minutes of minute circulated PLH contested minutes and was seeking Legal Advice	Contact with PLH terminated by ELS & WYP	
01 10 2017	Further observations of Zen entrance by CB & SL	Similar issues poor control of customers Door Staff not wearing badges females crossing road and consuming alcohol hidden in car park also no search on re-entry	
14 10 2017	Joint Licensing Visit by WYP SSO Stuart Crane & MW of ELS DPS of Zen in charge	Multiple Issues lack of control of door & capacity CCTV defective Incident occurred outside just before arrival Multiple bottles of Alcohol found next to wall in car park Sect 19 Notice issued re CCTV	

Chronology of events

20 10 2017	Specific Visit by MW to hand deliver letter for PLH re Action Plan Meeting on 25 th October	On arrival 2 Door Staff not displaying badges advised both males badges have the clearly visible,
25 10 2017	2 nd Action Plan Meeting held at WYP HQ with Sgt Shaw, MW of ELS and A Yeung PLH of Zen	Meeting to discuss incidents are still occurring licensing visit 14 10 17 numerous issues PLH advised to submit Minor Variation with additional 5 conditions or WYP to Review Licence
13 11 2017	Minor Variation received from Zen to include the additional conditions outlined at Action Plan Meetings on 12 09 17 & 25 10 17	
27 11 2017	Further complaint from resident with Safe Guarding issues	Referred to Agencies
29 11 2017	Meeting at Zen with MW & PLH during visit MW asked to see Door Staff Register this showed PLH had not complied with Door Staff numbers required	PLH advised to contact his Security Company to advise them of numbers required for Friday and Saturdays nights if they cannot supply numbers required contract will be cancelled and another Security Company will be engaged
02 12 2017	Further nuisance complaint from resident alleging Zen customers urinating on cars in Bell View Terrace	
07 12 2017	Premise Licence PREM/01445/004 issued with the additional conditions requested at Action Plan Meetings	
08 12 2017	Further Joint Licensing Visit SSO S Crane of WYP in charge & MW of ELS	Much improved visit PLH & DPS present greater control on the door and CCTV now compliant Part of the visit involved a check outside on Bell View Terrace and Safe Guarding complaint checked and resolved
17 12 2017	Incident at Premises at 01 50 involving "glass" injury to female Ambulance called minor injury Incident also reported by S Lee from premises	Assailant had left premises before staff made aware of incident
24 12 2017	Incident at premises at 01 59 injury to female with cuts to head following glass being thrown	Staff unable to identify person responsible
25 12 2017	Victim reports Theft of property occurred 24 12 2017	
2018		
06 01 2018	Domestic Assault on ex-partner outside Club following altercation inside Zen	
13 01 2018	Suspect assaults male and injured person has bruising to face	Suspect leaves premises before being identified
19 01 2018	Visit to Zen by MW of ELS & Sarah Blenkhorn WYP Licensing Officer met Simon Lee viewed CCTV of incident Males ejected from Club attacked door and windows of club	CCTV showed staff had acted correctly unreasonable response by ejected customers Suspects leave before arrival of Police Incidents recorded in register
27 01 2018	Intoxicated female from Zen requires Ambulance 02 23	

Chronology of events

28 01 2018	Allegation of assault on female at 02 26 female calls father from Club screaming in background father calls Police	Alleged assaulted female would not co-operate with Police
04 02 2018	Assault at Zen involving 2 x 17 year old females involving alcohol	Statements confirm both were inside Zen
20 02 2018	Complainant alleged damage to his vehicle on Saturday 17 th February 2018	He also advised he had contacted MP he wants club closing I asked if he had reported damaged vehicle to WYP he would not confirm
01 03 2018	Email from WYP advising PLH has been unable to produce CCTV of incident from 4 2 18 involving 2 x 17 year old females PLH trying to blame CCTV engineer	Breach of condition 116 Also indicates new hard drive fitted 2 weeks ago on 12 2 18
10 03 2018	MW & PR attended at Zen DPS present check of CCTV system footage only available from 24 th Feb which is only 14 days storage Door Staff register checked 3 dates found with only 3 Door Staff 4 required	Section 19 Notice issued to DPS Mun Shun Choo for breach of condition 116 CCTV and 117 Minimum number of Door Staff
12 03 2018	Email from PLH questioning Section 19 notice	Further detail given re CCTV and dates that Door Staff had only 3 signed in register Also questioned why Door Staff Bruno who had entered badge in transition instead of his SIA badge number Requested to see his letter from SIA
16 03 2018	Photographs produced by PLH of diary with names of Door Staff	Further discussions with WYP
22 03 2018	Enquiries reveal Door Staff "Bruno" is actually named Andrew Foster his badge was in transition But new badge and number issued on 14 th March 2018	Follow up visit to be carried out by WYP to ensure names on badges are entered in register not nicknames Details of Mr Foster's new badge provided to WYP ahead of visit

Zen The Green Guiseley LS20

EXHIBIT REFERENCE NUMBER	SHORT DESCRIPTION OF EXHIBIT	Location of Exhibit
MW1	Premises Licence August 2005	On file
MW2	Warning Letter August 2017	On file
MW3	Action Plan minutes September 2017	On file
MW4	Action Plan minutes October 2017	On file
MW5	Minor Variation Application	On file
MW6	New Premises Licence dated December 2017	On file
MW7	Section 19 Closure Notice 10 th March 2018	On file
SJL1	Photograph 1 from Leisure Centre Car Park	On file
SJL2	Photograph 2 from Leisure Centre Car Park	On file
SJL3	Land Registry copy of Property Register WYK315617	On file

WITNESS STATEMENT

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

Statement of Michael Waters

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

This statement (consisting of five 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 **20th February 2018**

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 investigating unauthorised activities contrary to the Licensing Act 2003 and I have delegated authority under the said Act I have been in my post since September 2007 prior to this I was a Fire Officer for 30 years my last 12 years was as Leeds District Licensing Officer

I am part of a team of Enforcement Officers and we each have allocated areas of the city One of my allocated postcodes is LS20, Zen Fusion on the Green in Guiseley is one of the licensed I am responsible for The premises has two floors open to the public the ground floor is a restaurant operating from 5pm till midnight The first floor is a nightclub which operates on the 1st floor it is accessed by a single staircase in the front left hand corner of the building It also has an external staircase from the rear of the 1st floor The premises has held a licence for over 20 years during the period the first Premises Licence issued by Leeds City Council was PREM/01445 my Exhibit MW1 it was issued in August 2005, The Premise Licence Holder (PLH) & the Designated Premises Supervisor (DPS) on that licence was Alan Yeung

One of the issues with the premises is the location and proximity to the Aireborough Leisure Centre which has a car park with a low boundary wall onto the Green which is ideal height for persons to sit on

I received a complaint GE/001730 in June 2012 the alleged issues were under-age drinking on the premises and inadequate I D checks by Door Staff we responded with a warning letter then local Police visited and carried out ID checks the complaint was closed in March 2013

In April 2014 I received a further complaint GE/002165 the issues reported were high levels of customer drunkenness with assorted anti-social behaviour outside There were reported

Signed  

sales of illegal alcohol and illegal immigrants working and living at the premises We responded with a warning letter and I arranged a late night Joint Visit with Police and Immigration officers I took part in that visit and ID checks were carried out on customers and on staff by Immigration officers which were satisfactory The complaint was closed in August 2014 following the Joint Visit

On the 26th July 2017 after contact from other agencies I met with PLH Alan Yeung to advise him of concerns from local residents about customers from Zen involved in a number of activities ranging from urinating vomiting and sexual activities Mr Yeung was aware of some concerns, I recommended that Mr Yeung instigate a patrol by Door Staff to discourage any customers from frequenting the area around Bell View Terrace This is a small row of terrace houses just above Guiseley Theatre which is next door to Zen Mr Yeung agreed to start using Door Staff in that area

On the 7th August 2017 I received the first of two complaints from local residents GE/002759 who expressed concern about the same issues I had discussed with Mr Yeung in July I was also contacted by the local MP who had been contacted by his constituents I sent a warning letter to the premises on the 10th August 2017 which I produce as my Exhibit MW2

The following weekend two of the other Enforcement Officers Samantha Longfellow and Carmel Brennand were working They were carrying out compliance checks at Take away shops, I requested that if they were in the Guiseley area if they could observe the operation of the Zen entrance I received a report from the officers along with photographs

I was advised by Police of an incident on the 13th August 2017 so on the 15th August 2017, I arranged to meet up at Zen with PC King who is Police Ward Manager for Guiseley Also present was Nicola Raper my Section Head We viewed CCTV footage from 12th August 2017 around the time of the observations by Samantha Longfellow and Carmel Brennand, The footage was shown to us by PLH Alan Yeung the front door was chaotic large numbers leaving walking straight across the road and sitting on the wall opposite

When these customers returned none were searched as they had a pass out stamp There appeared to be only the occasional search of a bag on the door We could not see any capacity control taking place

We then viewed the footage from 13th August 2017 which was supposed to be of a large brawl we viewed footage from 0230 there was a call to the Police at 0253 reporting a mass brawl outside Zen There was a small incident involving 2 males in the road near the bus shelter this was separated by friends Shortly after a much bigger fight broke out on the pavement behind the bus shelter involving approx 20 people mainly females and a female

Signed 

was being kicked whilst laying on the floor The incident broke up and the participants had moved away when Police vehicles arrived

Because of the 2 x brawls and an injured person CCTV footage was requested by West Yorkshire Police of the footage between 0230 and 0300 on 13 8 2017 PC King will arrange to collect

The PLH was advised to use his Door Staff to control queues outside premises and also consider options to reduce issues with customers crossing the road and to reduce the noise coming from his customers outside premises at either side of the Green

The PLH was advised that this information will be passed onto other Agencies and further visits will take place at the venue

On the 15th August 2017 I visited the premises with Catherine Sanderson who was West Yorkshire Police Licensing Officer we met the DPS Dum Shun Choo and she gave a data stick to Catherine Sanderson containing the footage requested

On the 6th September 2017 Zen failed to attend the Aireborough Pub Watch meeting and did not send any apology

On the 12th September 2017 I attended an Action Plan Meeting at Elland Road Police Headquarters in Leeds also present was Sergeant David Shaw Police District Licensing Officer and Alan Yeung PLH of Zen The minutes of that meeting I produce as My Exhibit MW3 the meeting discussed the complaints received from residents & elected officials and continuing incidents and the level of control of the premises Both myself and Sgt Shaw were of the opinion that the premises needed to take further action We suggested five additional conditions be attached to the licence this would have to be done by Mr Yeung applying for a Minor Variation under the Licensing Act 2003 Mr Yeung agreed that further measures were needed but was resistant to the additional member of Door Staff on a Saturday Both myself and Sgt Shaw were of the opinion that the extra Door staff were needed and most of the recent incidents had occurred on Saturday night around or just after closing time Mr Yeung was made aware that if he refused to take the required action then a Review of the Premises Licence would follow Following the meeting I circulated the minutes of the meeting after checking with Sgt Shaw these were contested by Alan Yeung so we ceased contact with him

On the 1st October 2017 I again asked Samantha Longfellow and Carmel Brennan to observe the premises if they were in the area at the time They advised me there was still issues regarding control of the door and searching They also observed customers coming over to car park area and drinking from bottles hidden behind the wall Again these customers were not searched on re-entry *MW*

Signed 

On the 14th October 2017 Joint Licensing Visit by WYP SSO Stuart Crane & MW of ELS DPS of Zen in charge Multiple Issues lack of control of door & capacity CCTV defective Incident involving Zen customers occurred outside just before arrival Multiple bottles of Alcohol found next to the wall in car park Sect 19 Notice was issued re CCTV by SSO Crane

On 20th October 2017 I visited the premises to hand deliver a letter inviting Alan Yeung to a 2nd Action Plan meeting On arrival at the premises the 2 Door Staff were not wearing their SIA badges I told them to put them on display I gave the letter to the PLH Alan Yeung and also advised him that I had spoken to the Door Staff about not wearing their badges this is something that they should have checked

On 25th October 2017 I attended the 2nd Action Plan meeting with Sgt Shaw and Alan Yeung PLH of Zen the meeting was again held at Elland Road District Police Headquarters We discussed the previous meeting recent incidents and the very poor Licensing Joint visit on the 14th October 2017 Mr Yeung was advised that the additional conditions need to implemented and a Minor Variation was required to prevent a Review of the Licence by West Yorkshire Police The application was to be submitted prior to the end of November The minutes of that meeting I produce as my Exhibit MW4


On 13 11 2017 a Minor Variation application was received from Mr Yeung I produce the application as my Exhibit MW5

On the 27th November 2017 a local resident made a further complaint making allegations against a staff member at Zen this had safeguarding issues it was referred to the relevant agencies

On the 29th November 2017 I again visited the premises and met PLH Alan Yeung whilst there I asked to look at the Door Staff Register and found that Zen had not been complying with the agreed number of Door Staff they had supplied 4 for Friday but only 3 on Saturday Mr Yeung said he had requested additional Door Staff but they had not arrived I advised PLH to contact a Director of the Door Staff Company and advise that if they were unable to supply the required amount then he would have to cancel their contract and employ another door company who were able to supply the required Door Staff

On the 2nd December 2017 a further complaint was received from a local resident alleging that a Zen customer had urinated on his vehicle

On 7th December 2017 the Minor Variation Application was approved and a new Premises Licence PREM/01445/004 was issued a copy of the new licence is my Exhibit MW6 The additional conditions are Conditions 115 to 119 on page 13

On the 8th December 2017 I took part in a further Joint Licensing visit to Zen with Police MW
Signed 

officers this visit was much improved to the visit in October there was a better control of the door and the queue During that visit a check was done which resolved the safe guarding complaint We were still there when the club closed and most of the customers came out onto the road There were only 2 taxis waiting outside at closing time it was a matter of concern that so many people were stood in the road We had to put blue lights and siren on to get through the customers in the road when we left the area

I was advised by Police of further incidents at Zen during December and January

On the 19th January 2018 I visited the premises to view footage of an incident on 13th

January 2018 I was accompanied by Sarah Blenkhorn Police Licensing Officer we viewed CCTV of the incident where a group reacted badly to being ejected they then attacked the door and front windows at the club It appeared that staff had acted correctly We also checked the incident and Door staff Registers the club had been employing the correct number of Door Staff and most of the incidents had been recorded

I was contacted by Police and advised of further incidents on 27th & 28th January 2018 & 4th February 2018 the latest involved 2 x 17 year old females a clear breach of the new no Under 18 condition

On the 20th February 2018 a further complaint was made by a local resident who alleged damage to his vehicle was caused by Zen customers on 17th February 2018 MW

Signature



WITNESS STATEMENT

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

Statement of Michael Waters

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


This statement (consisting of **one** 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 **15th March 2018**

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 investigating unauthorised activities contrary to the Licensing Act 2003 and I have delegated authority under the said Act

Further to my statement dated 20th February 2018, on the 24th February 2018 a local resident complained about damage to his vehicle which he alleged was caused by Zen customers As the incident was an alleged crime I referred the complainant to Police he also alleged that the Door Staff member was not present Further checks revealed the alleged incident had occurred at 4am which is 90 minutes after the premises was closed Whilst checking details of this incident with Police I was made aware of issues relating to the CCTV footage that Police requested of the incident on 4th February 2018 involving 2 x 17 year old females The footage had not been provided & after further requests the footage was not produced by the premises due to issues with the CCTV system

On the 10th March 2018 I visited Zen with a colleague and after introducing ourselves to the DPS Mun Shun Choo I requested to view the CCTV system and requested she went back 31 days This is a condition of licence no 116 on checking the system the oldest footage she could retrieve was from the 24th February 2018 which was only 14 days storage I also asked to examine the Door Staff signing in register On Saturday 17th February, Friday 23rd February 2018, Saturday 24th February 2018 & Friday 9th March 2018 there were only 3 members of Door Staff This was a breach of condition 117 one of the five new conditions added in December 2017 the minimum number of Door Staff on Friday & Saturday is 4 As a result of the two breaches of Licence I issued a Section 19 Closure Notice to the DPS Mun Shun Choo a copy of that notice is my Exhibit MW7 

Signature 

LEEDS CITY COUNCIL

DOCUMENT REFERRED TO IN
MY STATEMENT AS

EXHIBIT NO. MW4 

SIGNED 

Premises Licence
Leeds City Council

Licence Issued By:	On: 26th August 2005
<i>N 25 Jackson.</i>	
Nicole Jackson	
Director of Legal and Democratic Services	

Premises Licence Number

PREM/01445

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Zen Rendezvous
10 The Green
Guiseley
Leeds
LS20 9BT

Telephone number 01943 872 288

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Performance of Dance
Performance of Live Music
Performance of Recorded Music
Anything of a similar Description
Facilities for Entertainment of Similar Description
Facilities for dancing
Provision of Facilities for Making Music
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of Dance
Friday & Saturday 12 00 - 02 00

Performance of Live Music
Friday & Saturday 12 00 - 02 00

Performance of Recorded Music
Friday & Saturday 12 00 - 02 00

Anything of a similar Description
Friday & Saturday 12 00 - 02 00

Facilities for Entertainment of Similar Description
Friday & Saturday 12 00 - 02 00

Facilities for dancing
Friday & Saturday 12 00 - 02 00

Provision of Facilities for Making Music
Friday & Saturday 12 00 - 02 00

Sale by Retail of Alcohol
Monday to Thursday 11 00 - 23 00
Friday & Saturday 11 00 - 02 00
Sunday 12 00 - 22 30

The opening hours of the premises

Monday	11 00 - 23 30
Tuesday	11 00 - 23 30
Wednesday	11 00 - 23 30
Thursday	11 00 - 23 30
Friday	11 00 - 02 30
Saturday	11 00 - 02 30
Sunday	11 00 - 23 00

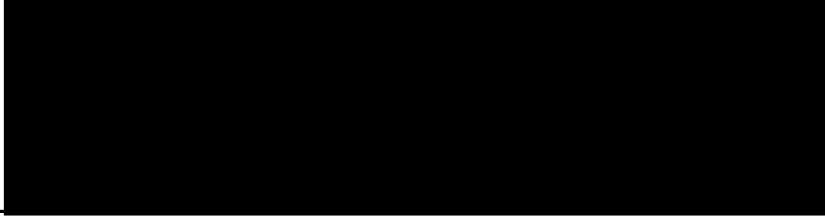
Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Part 2

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

Mr Alan Yeung

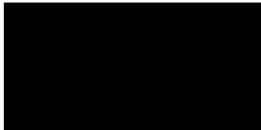


Registered number of holder, for example company number, charity number (where applicable)

N/A

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

Mr Alan Yeung



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/01473/05 Licensing Authority Leeds City Council

Annex 1 – Mandatory conditions

Mandatory Conditions imposed under the Licensing Act 2003

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

"No supply of alcohol may be made under this licence

- a At a time when there is no designated premises supervisor does not hold a personal licence or his personal licence is suspended"
- b At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

CCTV to be installed to a standard acceptable to West Yorkshire Police

The licence is granted in respect of those parts of the premises shown on the attached plan which are edged in red

Food is to be available at all times the premises are open

Embedded Restrictions

- 1 The permitted hours shall commence -

- On days, other than Sundays, Christmas Day, and Good Friday, at 10 am
- On Sundays, Christmas Day and Good Friday at noon

- 2 Subject to the following paragraphs, the permitted hours on weekdays shall extend until two o'clock the following morning except that -

- a the permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight, and
- b on any day that music and dancing end between midnight and two o'clock in the morning the permitted hours shall end when the music and dancing end

- 3 In relation to the morning on which summer time begins, paragraph (2) of this condition shall have effect with the substitution of references to three o'clock in the morning for references to two o'clock in the morning [or on hour following the hour actually specified in the certificate where the certificate currently requires closure between 1 am and 2 am

- 4 Except as provided in (5) below the permitted hours on Sunday shall extend until thirty minutes past midnight on the following morning except that -

- a the permitted hours shall end at midnight on any Sunday on which music and dancing is not provided after midnight,

- b where music and dancing end between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end
- 5 On Sundays immediately before bank holidays other than Easter Sunday, the permitted hours shall extend until 2 am the following morning except that -
 - a the permitted hours shall end at midnight on any Sunday on which the music or dancing is not provided after midnight,
 - b where music and dancing end between midnight on any Sunday and 2 am, the permitted hours on that Sunday shall end when the music and dancing end
- 6 On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, to midnight on 31st December)
- 7 The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment

The above restrictions do not prohibit

the consumption of alcohol on the premises during the first twenty minutes after the above hours,

the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first twenty minutes after above hours,

the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals

consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises,

the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered,

the sale of alcohol to a trader or club for the purposes of the trade or club,

the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or air forces,

the taking of alcohol from the premises by a person residing there, or

the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied,

the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies

- 1 He is the child of the holder of the premises licence
- 2 He resides in the premises, but is not employed there
- 3 He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress
- 4 The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals

Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

TERMS AND CONDITIONS IN RESPECT OF ENTERTAINMENT LICENCES

GENERAL

- 1 Throughout all parts of these conditions the phrase 'Licensing Authority' means the Leeds City Council
- 2 a) Unless the hours for which the Licence is valid are expressly stated on the Licence there shall be no performance of any nature before 8 00 am or after 11 00pm on any day of the week including Saturdays, or after 10 30pm Sundays, without the prior consent of the Licensing Authority
- b) There shall be no dancing or performance including dancing on any day appointed by Public Authority as a day of public mourning
- 3 The Chief Constable of the West Yorkshire Police, any Police Officer, the Chief Fire Officer, any authorised officer in uniform of the West Yorkshire Fire Authority, any authorised Environmental Health Officer and their equipment and any other person authorised by the Licensing Authority shall have free access to all parts of the licensed premises at all reasonable times for the purpose of supervising the observance and enforcement of these conditions
- 4 There shall be affixed and kept in a conspicuous place on the door or entrance of the premises an inscription in large capital letters the words as follows

"LICENSED PURSUANT TO ACT OF PARLIAMENT FOR MUSIC AND DANCING"

(NB Omit 'Dancing' if Licence issued for public music only)

MANAGEMENT OF PREMISES

- 5 The Licensee shall be responsible for carrying out the provisions of these Conditions of the Licence The Licensee shall take due precautions for the safety of the public, employees and performers, shall retain control over all areas of the licensed premises and shall ensure that nothing shall take place on the premises which
 - a is likely to cause disorder or breach of the peace,
 - b is likely to be grossly offensive to any person on the premises,
 - c involves drugs misuse, or
 - d involves any other unlawful activity
- 6 The Licensee, or some other responsible person not less than eighteen years of age *and nominated in writing for the purpose, shall be in charge of, and remain upon the licensed premises whenever they are used for licensed purposes They shall not be engaged in any duties which prevent them from exercising general supervision and control
- 7 Any written nomination of management shall be served on the Licensing Authority and a copy of the same shall also be retained on the premises and kept available for immediate inspection by any Official of the Licensing, Police or Fire Authority
- 8 'The Licensee shall provide notice of his or her intention to provide any form of entertainment which includes lap dancing, pole dancing, table dancing, striptease or any form of nudity or semi nudity on the part of the performers or the staff employed on the premises Any entertainment of this nature will be subject to additional standard special conditions of the licence'
- 9 The person in charge shall be conversant with all licence conditions

REGISTER OF EXTERNAL PROMOTERS

- 10 Any venue which accommodates external promoters shall maintain a register or a diary system to record all such events. Each entry should contain the specific date of the event, nature/title of the event and the name, address and contact telephone number of the promoter specific to that event.
The register must be available for immediate inspection on request by any Official of the Licensing Authority or its authorised agents

Public Safety

OCCUPANCY

- 11 The Licensee shall not permit persons in excess of the number specified on the licence to enter or occupy any portion of the licensed premises
- 12 The Licensee shall ensure that staff are familiar with the maximum capacity of the premises
- 13 The Licensee shall display notice containing details as to the maximum capacity figure in a prominent position upon entry to the premises.
Where the capacity is divided into separate floors/areas within the premises notice of the appropriate capacity for each floor/area shall also be prominently displayed upon entry to the relevant floor/area
- 14 The licensee shall at any time whilst the premises are in use be aware of the precise number of patrons on the premises. Where the licence covers different floors/areas, the licensee shall be aware of the number of patrons in each area at any given time and ensure that the numbers do not exceed those as stipulated on the licence. This information shall immediately be supplied on request to any Official of the Licensing, Police or Fire Authority
- 15 Appropriately trained staff shall be provided to oversee general safety within the premises, and these shall be provided to a minimum number of one member of staff per 250 occupancy or part thereof, in accordance with the occupancy figure as stated on the Public Entertainment Licence.

Furthermore, in addition to the above the licensee shall ensure that an appropriately trained member of staff is designated to each emergency exit door to assist in the event of an emergency evacuation
- 16 All members of staff shall be instructed in the safety precautions to be observed in the premises as far as those precautions relate to their duties and to the action to be taken by them in the event of fire or emergency

EXITS

- 17 All exits, passages, landings and stairways shall be kept free from obstruction at all times when the premises are used for licensed purposes
- 18 A clear unobstructed route leading from each fire exit to a place of safety outside the premises shall be provided and maintained available for use at all times
- 19 Every door in the building for use by members of the public going from the auditorium to the outside of the building shall open outwards, unless the Licensing Authority shall have been satisfied that this is impracticable to the circumstances of the particular case, and shall be capable of being opened easily and immediately from the inside, without the use of a key, when required
- 20 Where, with the prior consent of the Licensing Authority, doors or gates across exits open inwards, they shall be fastened fully opened so as not to form an obstruction

- 21 If security is required for outward opening fire exit doors, then they should be secured with panic bolt or panic latch type fastenings only to the satisfaction of the Licensing and Fire Authority. A conspicuous 'PUSH BAR TO OPEN' sign should be provided immediately above the push bars.
- 22 Any removable fastenings permitted by the Licensing or Fire Authority for securing exit doors when the public are not on the premises shall be removed before the public are admitted to the premises and shall not be replaced until the public have vacated the building.
- 23 Illuminated fire exit sign boxes lit by both primary and emergency lighting should be provided above all exits. Illuminated boxes incorporating graphic fire exit symbols, e.g. man moving through open door, should have white symbols on a green background. The size of the exit boxes should be appropriate for the maximum viewing distances involved.
- 24 Doors and openings other than exits to or from parts of the licensed premises to which the public are admitted shall be provided with notices indicating their uses or shall be marked "Private", and wherever practicable shall be kept secured. Where exit doors are fitted with automatic bolts they shall be clearly indicated with the words "PUSH BAR TO OPEN".
- 25 Where curtains are provided across an exit doorway they shall be divided at the centre and shall not trail the floor.
- 26 Except with the consent of the Licensing Authority, bars, wire guards or the like shall not be fitted to windows, nor shall the windows be otherwise obstructed in a manner likely to render them unavailable for the purposes of rescue in case of emergency.
- 27 The closing of collapsible gates or shutters across exit openings shall be prohibited whilst the public are in the premises.

FIRE PRECAUTIONS

- 28 The licensed premises shall be provided with fire appliances suitable to the fire risk in the premises and to the satisfaction of the Fire Authority.
- 29 Fire appliances shall be affixed to wall brackets to the satisfaction of the Fire Authority, and available for instant use at all times.
- 30 Fire extinguishers should be regularly examined, tested and maintained in accordance with the current British Standard to the satisfaction of the Fire Authority.
- 31 The licensee and employees should be made fully conversant with the location of fire appliances, method of operation and safe use, and with the action to be taken in case of fire.
- 32 A manually operated electrical fire alarm system shall be provided to the satisfaction of the Fire Authority. The alarm should be clearly audible in all parts of the building.
- 33 The Fire alarm system should be tested on a weekly basis in accordance with the current British Standard and to the satisfaction of the Fire Authority. The result of all tests with the exception of the daily inspection, should be recorded in a suitable log book provided for the purpose. The log book should be available for immediate inspection upon request of any official of the Licensing or Fire Authority.
- 34 The licensee and all employees should be made familiar with the method of giving warning of fire and with the escape route available from each part of the premises to which they resort or in which they may work.
- 35 All fire doors shall be maintained self-closing and shall not be secured in an open position.

- 36 A system for automatically cutting off the sound system which is linked to the sounding of the fire alarm shall be provided
- 37 All scenery, drapes, curtains and decorations within the licensed premises shall be made of such material or shall be treated and maintained so as to be flame retardant in accordance with the current British Standard and to the satisfaction of the Fire Authority
- 38 Plastic decorations are not acceptable
- 39 Filling materials used in furnishings should be restricted to combustion modified foam or other materials having at least the same standard of fire performance Upholstered furniture and floor coverings should comply with the current British Standard to the satisfaction of the Fire Authority
- 40 Flues from kitchens and serveries and over grills and all ventilating shafts shall be maintained in a clean condition
- 41 Smoking shall be strictly prohibited within the stage risk area and in dressing rooms Notices bearing the words "NO SMOKING" in red letters on a white background shall be conspicuously displayed in these areas
- 42 Where any open fireplaces, high temperature heating appliances or naked flames are used they shall be adequately protected by a suitable guard
- 43 In the event of the heating being by a central heating system the heating apparatus shall be placed in a separate room from the auditorium The door between this room and the auditorium should be self-closing and fire-resistant to a one hour standard
- 44 Explosives, inflammable liquids or high inflammable articles shall not be brought into or used within any portion of the licensed premises

SPECIAL EFFECTS

Pyrotechnics

- 45 No exhibition, demonstration or display of pyrotechnics or displays involving the use of fire shall be given in the licensed premises without the prior consent of the Licensing and Fire Authority At least fourteen days written notice of application must be supplied in such circumstances

Laser Equipment

- 46 No exhibition, demonstration or display of laser equipment shall be given by any person in the licensed premises and no laser equipment shall be used by such person in the said premises unless the Director of the Leeds Environment Department has been given not less than 14 days previous written notice

Strobe Lighting

- 47 At entrances to venues where strobe lighting is in use warnings should be posted that stroboscopic lighting is in use and the possibility that susceptible people may be affected
- 48 Flicker rates from stroboscopic lighting should be set at 4 or less flickers per second This frequency shall apply to the combined flicker rates on any group of lights which can be directly gazed at

LIGHTING

- 49 In all parts of the building to which the public are admitted and in all passages, corridors, ramps and stairways to which the public have access and which lead from the auditorium to the outside of the building, there shall provided adequate illumination by general lighting to the satisfaction of the Licensing Authority
- 50 In addition to the general lighting, adequate illumination to enable the public to see their way out of the building, without the assistance of the general lighting, shall be provided in the auditorium and all other parts of the building to which the public are admitted and in all passages, corridors, ramps and stairways, which lead from the auditorium to the outside of the building This lighting shall be referred to as the safety lighting
- 51 The safety lighting shall be provided from a source other than that of the general lighting
- 52 All notices and exit indications shall be illuminated by both general and safety lighting
- 53 The safety lighting shall be kept on at all times when the public are on the premises except in those parts of the building which are lit equally well by daylight
- 54 Any battery supplying safety lighting shall be fully charged before the public are admitted to the premises and shall be of such capacity and so maintained as to be capable of supplying at normal voltage, the full load of the safety lighting during the whole time that the public are on the premises
- 55 If there is a failure of the general lighting and the lighting is not restored within one hour, the public in the licensed premises shall be instructed to leave the building
- 56 If there is a failure of the safety lighting, all parts of the building required to be illuminated by the safety lighting shall be immediately illuminated by the general lighting and the public in the licensed premises shall be instructed to leave the building forthwith
- 57 Electrical apparatus and equipment within the building shall not be used for such purpose, or in such a manner, or when it is such a condition, as to cause danger of electric shock, fire or explosion
- 58 Where gas is used for the lighting all gas burners within reach of the public shall be protected by glass or wire gloves and all gas taps shall be guarded in such a manner as to prevent unauthorised interference

ELECTRICAL INSTALLATION

- 59 Electrical installation (including the fire alarm and emergency lighting systems) shall be in the charge of a competent electrician whose name is published on the Roll of National Inspection Council for Electrical Installation Contracting, or a member of Electrical Contractors' Association
- 60 One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models
- a) Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA
- Or
- b) Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA

The current operation of all residual current devices shall be checked regularly by pressing the test button If the device does not switch off the supply, an electrical contractor should be consulted At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device

ELECTRICAL SAFETY CERTIFICATE

- 61 The Licensee shall ensure that the electrical installation to the whole of the premises carries a recent safety certificate issued by a competent electrician whose name is published on the Roll of National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors' Association

The inspection shall include ALL electrical appliances and fire alarm and emergency lighting systems
The licensee shall ensure that the electrical installation is checked on an annual basis and on renewal of the Public Entertainment Licence shall furnish the Licensing Authority with a copy of an Electrical Safety Certificate valid for the period of the licence

SANITATION/CLEANSING

- 62 Suitable and sufficient sanitary accommodation must be provided and maintained to the satisfaction of the Chief Environmental Health Officer
- 63 The premises shall at all times be maintained in a clean, sanitary and safe condition and shall be open during the continuance of this licence to an inspection by the Licensing Authority or their authorised agents

SEATING

- 64 Any seating in the licensed premises shall be so arranged as to allow free access to all exits therefrom
- 65 For a closely seated audience chairs shall be either securely fixed to the floor or alternatively shall be battened securely together in units of not less than four seats Adequate gangways, not less than 42" (1100mm) wide, unless otherwise approved by the Licensing Authority, shall be provided The gangways shall lead directly to each exit door and shall be kept free from obstruction No seat shall be more than twelve feet (4 0m) from any gangway
- 66 Seating in invalid chairs other than engine driven chairs will be permitted subject to any condition imposed by the Licensing and Fire Authority

ACCESS, EGRESS AND FACILITIES FOR THE DISABLED

- 67 Means of access, egress and emergency egress shall be provided and maintained in accordance with any recommendations of the Licensing and Fire Authority

ALTERATIONS

- 68 Alterations or additions, whether permanent or temporary, to the structure, the lighting, electrical heating, ventilating, mechanical, or installations, or to the seating, gangways or other arrangements in building in which the licensed premises are situated shall not be made except with the consent of the Licensing Authority and in accordance with any conditions of such consent

FIRST AID FACILITIES

- 69 The Licensee shall maintain a first aid box on the premises in accordance with the Health and Safety (First Aid) Regulations 1981 and make sure that
- it is accessible at all times
items are replaced as they are used

Any person who appears unwell, including those affected by drugs or alcohol, must be seen by a trained first aider, who shall

give first aid
if necessary, seek medical assistance

INCIDENT REPORT REGISTER

70 The licensee shall maintain an Incident Report Register within which staff must record any incident which has occurred on the premises

The Incident Report Register must be retained on the premises for a period of one year, taken from the date of the last entry, and include the following

- a consecutively numbered pages,
- b the date and time of incident,
- c the nature of incident,
- d the full name/s of staff involved including the registration number of any door staff, and to whom the incident was reported, including the names and numbers of any police officers who attended the scene of the incident and details of any witness/es,
- e Any notes relative to the incident

Incident Report Registers shall be produced for immediate inspection on request by any Official of the Licensing or Police Authority

VENTILATION

71 The premises must be effectively ventilated when the public are present Any mechanical ventilation system must be properly maintained

DRINKING WATER

72 Drinking water provision must be clearly available, free of charge, at all times whilst the Entertainment Licence is operative

This facility must be kept in a clean condition

HYPNOTISM

73 No exhibition, demonstration or performance of hypnotism shall be given on any person in the premises except with the express consent of the Licensing Authority and subject to such conditions as the Licensing Authority may attach to such consent

74

Any notification of intention to stage a hypnotist should be made in writing providing at least fourteen days notice

Prevention of Public Nuisance

NOISE NUISANCE

74 The Licensee shall ensure that no nuisance is caused by noise or vibration emanating from the licensed premises resulting from the use of this Licence The Licensee shall provide urgent attention to any reports of noise nuisance, and act upon direction of the Licensing Authority

FLYPOSTING

- 75 Licensees are reminded that unauthorised flyposting is an offence under the Town & Country Planning Act 1990, as amended, Section 224

Protection of Children from harm

- 76 In the case of an audience consisting of persons under 16 years of age, the minimum number of staff shall increase to a ratio of one per 100 occupancy
- 77 At any licensed function no child shall be permitted to occupy any seat in the front row of the balcony, gallery or tier unless accompanied by, or in the charge of a person who appears to have attained the age of 16 years

Prevention of Crime and Disorder

REGISTERED DOOR STAFF

- 78 The Licensee shall ensure that any persons employed on the premises to work in the capacity as a door supervisor, hold current registration with the SIA and comply with all relevant rules and regulations laid down by that body
- 79 Door Staff Daily Record Register

The Licensee shall maintain a Daily Record Register which is to be completed on a daily basis by the door staff when they commence and finish duty

The Daily Record Register must be retained on the premises for a period of one year, taken from the date of the last entry, and include the following

- a consecutively number pages,
- b the registration number and full name of each registered person on duty,
- c the date and time that he/she commenced that period of duty with a signed acknowledgement by that person,
- d the time at which he/she finished duty with a signed acknowledgement by that person

Daily Record Registers shall be produced for immediate inspection on request by any official of the SIA, Police or Licensing Authority

SEARCH POLICIES

- 80 Licence holders must have a written search policy for those entering the premises

All members of staff must be acquainted with this policy

- 81 Sufficient number of staff of both sexes shall be on duty to undertake any searches of the public
- 82 Clear and visible notices should be displayed to those entering the premises detailing the establishments search policy These signs should state that the police will be informed if anyone is found in possession of controlled substances or weapons
- 83 Secure receptacles, to the standard as required by the West Yorkshire Police, must be provided in a restricted part of the building for staff to deposit drugs and weapons

- 84 Any seizure of controlled substances and weapons must be recorded in the Incident Report Register and reported to the police at the earliest possible time

GLASS RECEPTACLES

- 85 The licensee shall ensure that drinks glasses and any other glass receptacles are prevented from being taken off the premises accepting off-sales and their legitimate sale

CLOSE CIRCUIT TELEVISION (CCTV)

- 86 A suitable CCTV system operated in accordance with guidelines from the West Yorkshire Police shall be provided
- 87 Any exemption to this condition must be agreed by the West Yorkshire Police and Licensing Authority

LEEDS NIGHTWATCH SAFER CITY INITIATIVE

- 1 All venues located within the Millgarth Division of the West Yorkshire Police which have the benefit of a Special Hours Certificate shall be a member of the Leeds Nightwatch Safer City Initiative. Each venue will operate with the benefit of a radio supplied through the L N S C I and will adhere to the operating rules and guidelines laid down within the scheme

The maximum number of persons allowed in the stated areas whilst the Licence is in force is
First Floor Bar/Lounge

Annex 2 – Conditions consistent with the Operating Schedule

Not Applicable

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

Not Applicable

LEEDS CITY COUNCIL

DOCUMENT REFERRED TO IN
MY STATEMENT AS -

EXHIBIT NO MW2

SIGNED



Private & Confidential
Alan Yeung
Zen Rendezvous
10 The Green
Guiseley
LS20 9BT

Licensing and Registration
Civic Hall
Leeds LS1 1UR

Contact Michael Waters
Tel (0113) 24 75314
Fax (0113) 22 43885
Email michael.waters@leeds.gov.uk
Our Ref A80/LIC/PREM/01445
Your Ref

10th August 2017

Dear Mr Yeung,

LICENSING ACT 2003 INVESTIGATION INTO POSSIBLE OFFENCES
PREMISES ZEN RENDEZVOUS 10 THE GREEN GUISELEY LS20 9BT

I am writing to you in connection with your capacity as the Premises Licence Holder for the above named premises

Following our recent meeting to discuss issues affecting near-by properties, I have received further complaints concerning the last two weekends

I would like to take this opportunity to remind you of the following conditions on your current licence

99 The Licensee shall ensure that no nuisance is caused by noise or vibration emanating from the licensed premises resulting from the use of this Licence. The Licensee shall provide urgent attention to any reports of noise nuisance, and act upon direction of the Licensing Authority

112 The licensee shall ensure that drinks glasses and any other glass receptacles are prevented from being taken off the premises accepting off-sales and their legitimate sale

I would like to remind you that Under the Licensing Act 2003 Section 136 -

- (1) *A person commits an offence if -*
- (a) *he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*

(b) *he knowingly allows a licensable activity to be so carried on*

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine or to both

May I remind you that it is an offence to operate other than in accordance with the provisions of your Premises Licence. Failure to adhere to the provisions could lead to formal legal proceedings being instigated against you by this department.

I must advise you that your premises will be monitored for compliance by Leeds City Council's Entertainment Licensing Enforcement Section.

I would like to arrange a meeting with you and West Yorkshire Police and Leeds City Council Locality Team would also like to attend. Please ensure that the additional checks by Door Staff take place and are logged. The issues being reported may be addressed by visible security equipped with torches being deployed in the area. Please contact me with your availability for a meeting next week.

Should you require any further information, please do not hesitate to contact the Licensing Office on the above number.

Yours Sincerely

Michael Waters
Senior Liaison & Enforcement Officer
Entertainment Licensing Section

Email michael.waters@leeds.gov.uk
www.leeds.gov.uk



LEEDS CITY COUNCIL

**DOCUMENT REFERRED TO IN
MY STATEMENT AS -**

EXHIBIT NO. MW2

SIGNED



Zen Fusion LS20 Action Plan Meeting 12th September 2017

Persons Present

P Yeung PLH at Zen (PY)

Sgt D Shaw District Police Licensing Officer (DS)

M Waters Ent Licensing Enforcement Officer for LS20 (MW)

DS opened the meeting and explained the background proceeding the request for PY to attend a meeting These were historic problems with complaints in 2012,2014 along similar issues These latest complaints are arising from issues caused by customers causing serious issues with the residents of Bell Vue Terrace there have also been an increasing number of calls to WYP As well as complaints to Licensing & WYP we have had contact from local councillors and the MP demanding action There have been 3 incidents of violence after 2am since August

PY we always do our best to deal with any complaints but claimed that some ASB will always be present and wasn't always down to Zen what is a normal level of ASB

DS This has come to our attention because of a high level of calls from public and Councillors MP etc when this happens WYP and Agencies have to react

MW Asked PY to confirm that Zen had been keeping to agreement regarding position of Door Staff at end of Bell View Terrace further complaint received recently stating no Door Staff at that location

PY confirmed they had and all staff signed into book he had a conversation with complainant when staff member had been to WC

DS Gave a brief outline regarding comments of CB & SL on visit Friday 12th August 2017 regarding lack of control of the door and potential age of persons entering Parent collecting daughter and her friend refuse to confirm her age Red Flag

PY We try to do our best are doing all we can

DS Me and MW have met to discuss measures to improve the situation and help you to reduce incidents and calls to service

But this will involve you amending your Licence if you agree

The proposals are

No persons Under 18 permitted on 1st Floor

PY does this mean I can't have families in Restaurant

MW No proposals are for 1st Floor only

Premises will operate a Check 25 Identification scheme

Closing Times to be added to Licence

Proposed Closing Times are 30 minutes after last permitted sale of Alcohol

Monday to Thursday Closing Time 23 30

Friday & Saturday Closing Time 02 30

Sunday Closing Time 23 00

Provide a Minimum of 4 Door Staff on each Friday & Saturday

And the Sunday of any Bank Holiday Weekend

Door Staff to remain until 30 minutes after closing time, to assist in quiet dispersal of customers

PY happy with most of proposals but not with 4 Door Staff on Saturday

MW This is a result of recent incidents x 3 on Saturdays and 2 after 3am If you take a look at the operation of the premises you need 2 Door Staff to safely operate the door 1 is needed on 1st floor level to control top of stairs area and to deal with any incidents arising in 1st floor room That gives you three plus 1 for Bell View Terrace so 4 is the minimum requirement There is also a need for your Door staff to assist the dispersal of customers

PY The customers like to cross road and sit on wall we do our best to keep them quiet

DS Councillors send in complaints from residents alleging noise drunkenness etc We have to demonstrate that we have acted fairly to deal with complaints when they are upheld

PY We agree there have been issues and agreed to measures suggested by MW & CS re Door Staff on end of Bell View Terrace we are trying also had a meeting with Danny Roberts of WY Security to improve situation

DS raised issue of customers being stamped on entry and not re-checked It appears this is achieving nothing once persons come outside and go over the road they are not researched on entry

PY Stated that there are no searches done on the door

MW & DS Both expressed shock because existing policy states these are carried out and without searching Drugs will be rife inside the venue

DS Advised PY that searches of males and bags of females need to be introduced

MW Also advised PY he employs Door Company and must instruct them how he wants his door to operate

PY I will try to do this

DS Reminded PY of conditions relating to searches and read relevant conditions to PY (Conditions 107-111)

DS Asked if he had any female Door Staff(Condition 108)

PY We don't have any very few in this area did not realise had the condition

MW Reminded PY these were the LA03 conditions he had agreed to and none of these had been recently added

PY I will try to get female Door Staff

DS If current company can't provide then change Door Company Instigate Search Policy straight away Door Staff are SIA trained and no limitations are allowed to pat down males not genital area and no female pat downs until Female Door staff starts checks of bags can still be done

PY will try to introduce

DS summed up meeting PY to submit Minor Variation to LCC

Additional Licence Conditions

- 1 No Under 18's permitted on 1st Floor Level
- 2 Introduce Check 25 Age Verification
- 3 Door Staff Minimum Numbers provide 4 on each Friday & Saturday evening and the Sunday on each Bank Holiday Weekend
- 4 Door Staff will operate from opening time till 30 minutes after closing time
- 5 Closing Time to be added to licence
Monday to Thursday Closing Time 23 30
Friday & Saturday Closing Time 02 30
Sunday Closing Time 23 00

PY Not happy with proposal for Saturday Door Staff

DS Explained reasons for 4 and not willing to compromise for safety reasons
He was advised he needed to see Minor Variation in 1 month or sooner and
can seek legal advice

MW We will be checking premises for compliance either jointly with WYP or
ELS by checking CCTV

MW To email minutes to PY and DS and give advice to PY re procedure for
Minor Variation application

Follow up meeting to be arranged by DS end of October

Meeting Closed

LEEDS CITY COUNCIL

DOCUMENT REFERRED TO IN
MY STATEMENT AS

EXHIBIT NO MW4

SIGNED



Action Plan Meeting for Zen Rendezvous The Green Guiseley

Location Elland Road Police HQ Leeds

Wednesday 25th October 2017

Persons Present

Sgt D Shaw Police District Licensing Officer (DS)

M Waters LCC Enforcement Officer (MW)

Alan Yeung Premise Licence Holder (AY)

DW introductions and time 10 05

DS Thanks for coming Mr Young we are here to discuss what has happened since our last meeting on 12th September 2017, Mick do you want to start?

MW We last met on the 12th September there have been some issues, 3 incidents involving violence after 2am since August We discussed those incidents but the other issue which was causing us problems was the issues of surrounding properties on Bell View Terrace which runs up the side of Guiseley Theatre and customers going around there and causing problems with the neighbours This then caused further issues when elected officials Councillors and Members of Parliament became involved

We did discuss measures which we thought would assist you in running the premises better and also having less effect on the properties surrounding you

So now the reason why we are here is that we gave you a period of time to reflect on what we had said to you and we had suggested a number of measures

These were sent to you 1st one was

1 No under 18's on the 1st Floor

2 Introduce Check 25 verification

3 Provide a minimum of 4 Door Staff on each Friday & Saturday evening & the Sunday of each Bank Holiday Weekend

4 Door Staff to operate from Opening Time till 30 minutes after Closing Time
Then we went on to specify the closing times

5 Introduce Closing Times which would be

Monday to Thursday 23 30

Friday & Saturday 02 30

Sunday 23 00

Currently your final Alcohol sale is 2am and a bit later I will talk more about that Now to be fair to your self you questioned the minutes & Sgt Shaw has earlier said what the purpose of the minutes are "Bullet Points" I will hold my hands up they did not contain every word of what was said in that meeting but I believe it was an accurate account of

DS The gist of the meeting

MW And it was an accurate account it was not designed to be a Pace Interview Part of our duties is to engage with premises and come up with a proposed solution This course of action is designed to prevent unnecessary Reviews of Licences

The idea is we bring the matters to your attention and suggest measures for dealing with the problems and then give you time to do it

During that time period visits are made to check your progress then after an agreed time period you come back in here and we see if you have made any progress

Is it getting worse or is it the same And decide if there is anything further that we need to do

Now is there anything you want to say about that procedure up to now?

AY Well since the last meeting so what you will have seen since that last meeting will be the problems we have with regards Bell View Terrace since then we have employed security staff around that area So as far as that up to the last weekend to my knowledge there is no issues since we had employed the security staff around Bell View Terrace

Since the last meeting the proposal of Check 25 and the proposal of increasing Door Staff have 4 on each Friday & Saturday currently we have Friday 4 permanent Door Staff on Saturday its 3 because of the capacity that we are having in about 100 compared Friday it is 4 Door Staff but Saturday is much less crowded

DS Yes Mr Yeung we appreciate what you are saying but last time we said there were a couple a violent incidents Saturday into Sunday

MW Yes there was

DS Which I see where you are coming from and often you associate the number of Door Staff

AY Yes I can see that the more people even when you have 6 Door Staff things can happen

DS Yes I appreciate that

AY But I don't think that the Door Staff is relevant but the main objective is we need to make progress on is the initial Door Entry is and we currently work on and now I have spoken to the Door Staff since our last meeting and we have to keep really concentrate on really who is coming in to and to start with and also we have propose to concentrate and we have since last meeting peoples entry we have been photographing if they want to coming in they will be subject to CCTV imaging and photographing the entry and will act as a deterrent any trouble makers or Drug dealers who come in to the premises and obviously by photographing the individual coming in then it is a good deterrent

DS Yes

AY For any one coming in and for any other purpose

DS Ok that's good what you said because improved working practices are always a good thing and I think it is a positive step what you are doing there One thing I would disagree on is the numbers of Door Staff can have a difference if there is a member of Door Staff stood in a certain position then it is unlikely that there will be a punch

thrown I appreciate that if you had 50 Door men you wouldn't have any problems at all But I realize you have got a business to run and bringing it down to four for 150 can result even for only 150 people can stop incidents so I think maybe we have to agree to disagree on that one

But I have a lot of experience with dealing with a lot of Clubs in Leeds over a four year period and when they have more Door Staff they tend to have less incidents not always but usually

Now then we set out those points

No Under 18's,

Check 25 &

Those numbers of Door Staff on Fridays & Saturdays and the other issues what we said was in order to prevent us because there are so many complaints from Residents from Councillors Members of Parliament etc we can't let this continue

AY I think

DS Let me just make this point what we said last time was look into putting these items into a Variation of Licence within a month

AY Yes Variations but

MW Those 5 points are what we asked for in a Variation

DS And we asked for those 5 points to be put on the Variation in addition is there anything else other than those points already which were good ideas so we asked for you to do that within a period of a month and we haven't heard from you?

I think the sticking point was the four on a Saturday night wasn't it Saturday night where you thought Oh I don't want to do that, can I just suggest something a kind of compromise

Why don't you put all them points on the licence so you have to do them then as we said before including 4 on a Saturday night then after a 3/4 month period What do you think Mick?

MW Yes

DS After a four month period we could review the incidents you are having on a Saturday and if we can see that you don't really need them then we can withdraw and have a trial period of only 3 Door Staff

AY So what you are saying is the other way around So it's now coming November and Xmas time it's 2 months and festival season as well ok so what you I think to compromise is 2 months ok and there is more incidents you can say now Alan this is not right then I will put Variations in

DS The only problem with that is we already have 3 incidents which are 2 Saturday into Sunday and we have to be seen to act

AY Those incidents that have happened

DS Have you got those details of incidents Mick

MW No I haven't got the actual print outs of those incidents

AY I don't know what you class as a serious incident? Is a just a phone call or?

DS I haven't got the print outs in front of me but

AY Bell View Terrace I will have to bring this up there was a last Saturday one of the occupiers of Bell View Terrace is the mums son I had a call from Geraldine who is mum of one of occupiers and his son was arguing with security / Door Staff and some how I don't know whos right or wrong and we were called around to sort out argument to you know the car park

I don't know and we are investigating but this ladies is Geraldene on Friday somebody is chasing her that was not what Door Staff the purpose there is to stop people going into gardens etc not but anything else they are not entitled and have limited powers into what they can do The reason is because Geraldene's son the occupier is a pain he is not a normal person and makes complaints for no reasons

MW right I would like to say

AY That's when if they call Police is it classed as 1 of those incidents

DS Oh no no

MW We are not talking about those incidents we are talking about are not calls about people carrying on They are about assaults so in relation to what's occurred since you were last here We arranged with all the team that Police who work in the city centre so they would come out here at the end of evening We asked them instead of visiting premises that they are tasked to do they came out to inspect here This team normally visits clubs and bars in the city

DS Clubs like yours

MW So they come out here with me to visit your premises it did not go well Shortly before we arrived there had been a violent incident on The Green within 20 yards of the premises and is under Police investigation We asked for CCTV footage I don,t know if it has been collected I contacted the local officer 2 days ago I confirmed that I needed him to pick up the footage
Now I just wanted to read part of the officers report

Zen Fusion – LCC Request – Attended locus at 00 50 and spoke to the
DPS Mun Shun CHOO

LLC requested attendance due reports of underage drinking on arrival officers reviewed the clientele in the venue and many appeared to be of a young age

The door staff did not appear happy that we attended and were on edge

The door staff were not using clickers to monitor capacity

People were continually walking in and out of the building and appeared to be unchecked

Customers also had use of the downstairs bar

The signing in register was not well kept and did not have all door staff numbers recorded

The incident book was also badly maintained with blank pages

Outside the venue customers were not restricted to a designated area and were sitting on a wall opposite. On checking behind the wall a number of empty cans were found. Which may have been "stashed" by customers who were under 18

S 19 issued for the CCTV system not saving 30 days' worth of footage
To be rectified in 30 days

Whilst in attendance at the venue an assault was reported to police by witnesses log WYP-20171014-0132 refers

With the victim possibly having attended Zen Fusion earlier in the evening. On speaking to one of the doorman regarding the incident he stated "you can't listen to drunk girls they always lie"

The general feel of the venue was chaotic and badly run

A Section 19 was issued due to CCTV not recording for 31 days has that been sorted out?

AY I don't know I am not a technician that is why we have asked company to look at system

MW The problem is we are still having incidents and it is very important that we are able to retrieve footage

AY I fully understand we initially had 31 days but we have now asked him to come back

DS It's important and you are now in breach of your licence

AY I understand regardless

MW We briefly told you about the incident that occurred approx 20 minutes before we arrived the officers were talking to customers inside and outside the venue and these customers were all telling us that it was people who had been in the venue that got involved in the incident

Now the Door staff flatly refuted this and when asked by Police said "You can't listen to drunk girls they always lie"

Now when a staff member who works for you makes a comment like that to a Police officer that's ridiculous

Part of what we have been on about is treating your customers fairly but this check that's supposed to be happening. We mentioned about stamping on wrists because what we are also concerned about apart from these people are not getting checked when they are coming back in. This was clearly evident on that visit thinking they are

not being checked at the bar because of this stamp No its difficult to see and I am going to read his last comment

“The general feel of the venue was that it was chaotic and badly run”

Now these people are inspecting city centre venues all the time and they see good, bad and indifferent And the officers who came out here were quite shocked and to be dealing with the stuff in the car park that they were dealing with right at the end and we were there over an hour

Now I give my jobs to Sgt Shaw and to go to this and that premises and to get them all done and its all across the city centre and there is only 1 team We need to be there a maximum of 20 mins and we are at your premises over an hour its not good If we have another visit like this you are going to have serious problems

DS We are trying to get you to sort this out as soon as possible

AY We are trying to see what happened you know

MW The only thing I can say on a positive front was Simon

AY interrupts

MW I will speak to you very quickly about that briefly in a minute Simon was there I like Simon I think he is a good guy and he assisted us a lot with at the time However one of the things he assisted us with I asked your DPS the lady who is on the licence where he Drug Safe was She said she didn't know what a Drug Safe was and I was quite taken aback and it took Simon to come around the bar and show her, that shows a lack in training

Now its not just about one person its about the overall premises is run now afterwards we were out in the car park talking to your customers about the incident that had occurred and giving us descriptions of that lad that had got away with blood all over his face

Now when there is a series of incidents around a premises and bear in mind you are the late premises in the area And there are persons coming from all nearby towns to your premises Now you need to treat this extremely serious

Right I wanted to ensure you came today so I came to your premises briefly I wasn't allowed to do a full visit for Health & safety reasons so what I did was I came & parked up in the very top car park space at the Guiseley Theatre side and watched whilst I was there I couldn't see any security in the top of Bell View Terrace, I couldn't see anyone & I was there for approx 10 minutes before coming in

When I got to the door and I did speak to you about it at the time None of your Door Staff on the front door had their badges on this is after we have had this previous bad visit When I turned up you have been open for 2 hours and they don't think it is important to wear their badges, don't get me wrong they put them on

AY They did it all but is it for the licence holder to ensure

DS The choice of Door Staff company is entirely yours but looking at this company at your premises I think they are sub-standard they are not as good as door staff at other premises we look at The Door staff don't seem to be good they don't where their badges and come out with comments like drunk girls always lie this is not helpful

then probably extend into how they operate Then when you say can we manage with 3 I don't think even 4 of this company's Door Staff will work
Quite frankly personally I would advise you and it is advice, you don't have to do this but I would change the company and have 4 brand new Door Staff to come in and operate and we want to tell them to be more strict on the door
But this is your choice but these choices have consequences we want results if you pay less money you will just get that level of service slightly more money you get a better service

AY We need to make these decisions and look at there attitude we need to talk to them about being more professional

DS I think you should consider the Door Staff because the amount you pay effects the quality of the Door Staff You are in the spotlight at the moment what I think should happen is those suggested measures that we spoke about before we really would like them to become additional conditions on your licence by doing a minor variation
Now as I said we would be quite happy in 3 to 4 months time to look at the Saturday, are you in agreement with that Mick?

MW Yes

DS And in say 3 or 4 months time after xmas & new year and if you have managed to survive that period with 4 Door Staff and I don't expect no incidents But nothing major Then lets have a 3 month trial period with 3 on a Saturday then we can do another minor variation which is £70? Fee we don't what to make things more expensive than we have to but you are the spotlight to such a degree that if you don't co-operate

AY I not saying I won't co-operate

DS I know I know

Ay Everything is expensive but I will try and co-operate but it is difficult

DS I know

AY I am not saying no I will try

DS I know we want your place to be better

AY I don't want to have any problems I mean the residents in Bell View Terrace we always try to help but you know So since those days there has been improvement so any other incidents we will try and those other improvements we will do

DS No it is a good thing

AY It is all about prevention and we will be more strict it is now all about just coming in and no further checks

DS Well it is when they are coming back in they need to be doing random checks and they can be passing wrist bands to their friends outside

MW While I was writing my notebook in the car it was a terrible evening on Friday and we all got wet through as I was sat in the car there were two vans in the car park in amongst the cars and two lads went over and they weren't visible from your front door and did a deal and moved over back towards the two groups and it was early hours of Saturday morning

There were 2 groups one which sits on the wall mainly males, the only thing they didn't do that night cause it was so wet was sit on the wall they stood under the tree The other group mostly females were huddled around the bus shelter smoking talking on the phones etc,

Because of what the officers had witnessed the previous week behind the wall and what the two ladies from our department had seen They had been twice and made the comments about no searching etc

That is why we want people searching because they are going out and getting drugs alcohol, whatever and when there are incidents where bottles are being thrown It's unclear whether they are bringing them out or where they are getting them from bringing from home bringing from off licences etc

That's the reason why we really want a much tighter door

The last thing I want to say about the visits is we were there at 2 o'clock and as we have said with Sgt Shaw we would push closing time to 0230 to give you that extra half hour to get them to come gradually

At 2 o'clock they all poured out en masse maybe 40 or 50 on the pavement but the rest were in the road at that time 2 am it's an accident waiting to happen If it's a nice evening you only need a Private Hire coming around the corner fast

I know it can be difficult but a lot of the clubs look at getting crowd control barriers and they either keep them in the club or around the back of the club bring out on Friday & Saturday evening They then set them up the idea is when you come out of the door you can't get straight into the road And you also define the queue because Chaotic is a word that's been used You have to discipline the kids they might want to do that but we are not going to let you do that It's not all about the drink and that it's about controlling the people who are entering and leaving your premises it's about checking to see if they have any drugs the other thing is they are not under age and I think we need to set a date when that has to be done by

DS I agree with this being the 2nd meeting we need to be seen moving things forward

AY Obviously

DS So those measures we mentioned last time Mr Yeung we will give you a set period of time to deal with those things I don't know if you need a solicitor, a solicitor or consultant will be able to put the wording in for you But we really would like to see some commitment from you by putting in this minor variation

AY So basically this minor variation is that the minor variation is done as you proposed but you know for a period of three to four months

DS No because apart from the Door Staff for Saturday which is what we said we look at but we think the other things should stay such as the closing time you

AY Obviously we have done that already as for the Door Staff

DS On a Saturday

AY Providing that's all in you know for the Saturday I can try to do say if those measures are implemented and Saturday is the sticking point I mean we have increased Door Staff for the festive season anyway for sure we will complete it in so for me to put the variation in so how we should say put the November and December in

DS And get Xmas & New Year out

AY And then January if during those times if there are incidents in between those times hopefully not but that we have 4 Door Staff but hopefully not sometimes with incident it is not about how many but we really have to be security on a Saturday have to be really improved on and I think we can improved on and if you give me 2 months for November & December if there any incidents I will definitely change to 4 Door Staff I mean the others are there already

MW No I think we are already at appoint now where these points have to put on the licence, we have gone through the engagement with the premises these meetings are 1st one is this is what's wrong and a time period

AY Yes the overall picture is what you see and that particular incident and when you see I really what I can't see what happened and inside there is no incidents and ok the outside is sometimes difficult for us to manage and it's a balance the main thing is to control the inside but the outside is another thing

DS But it's still your responsibility

AY I know

DS Well what we want is these conditions putting on

AY Well even if I had 4 Door Staff outside away from the premises even if I had 10

DS Well it helps you if you have the additional 1 it helps to prevent people urinating in peoples gardens throwing things you know near to your premises the extra one helps with those things doesn't it?

This helps you assist with those outside as well as ones inside we are really wanting those putting on we can't put something on alike we will look at again in 3 months we can't do that but we will give you our verbal undertaking that we will look again in 3 to 4 months time

If after xmas and the new year if things are really looking up on a Saturday and me and mick will be prepared to look again at Saturday

MW So Sgt Shaw can run a check on the incident log for Zen and The Green because what we have also got to check is the people who have incidents and get taken to Hospital and they say in a statement that they say I was in Zen and this guy banged into me I was in the car park after and this guy whacked me it will be put against your

premises because it is behaviour in drink from people who have been in your premises But there is if it's not me it was over the road it just does not tally because you are the only late venue in the area and when they get drunk and it is your customers our your very recent customers 4 hours later it's a different matter but immediately after you have closed it is down to you

DS Yes that is how it works

MW That is how it works and we are trying to be fair to you we are saying these are the things you need

AY No-No

MW Four out of the five are no cost to you the outstanding issue is the extra Door staff on a Saturday

AY That is a problem to me

MW We think it is an assessed approach of what's occurred, what has been seen when we have come to visit and these are what we need to and we have given an undertaking that just after the new year we will look at it again and if the incidents have fallen we will definitely consider moving it back on a Saturday to what you have done before but what I have to say in relation to the Door Staff you said that you would have a meeting in relation to the Door Staff did you have that meeting?

AY Yes I did

MW Who did you have the meeting with?

AY We met with the Door Staff we have on a Friday & Saturday

MW So they don't have a manager that's in charge of the company?

AY The boss

DS Who is that as a matter of interest

AY Its Danny Roberts there are other partners but it his him I spoke to

MW Because what you pay for is what you get the might be West Yorkshire they might be Phoenix, Professional what ever when they come to your premises they are your staff you have got to get a grip of then and say when you are here you will be wearing your badge and you do X,Y & Z They might want to do this but you get them sorted out outside searched and sometimes you have to be tough and I don't mean rough and say you are pushing in get to the back and control them properly

DS It has to run properly

MW Chaotic it doesn't mean to say they are fighting or aggressive it means they are coming in and out as they please they are going across the road and there is no control on the door

The Door Staff controlling how people come in and out all I have got to say to you is Alan is this is the last chance we both have pressures from people above us to sort this out

AY I know the last two months have not been good for us

MW Alan it did not help that my boss and she is two ranks above me saw that cctv and that was purely by accident because I was taking her to another meeting after that and she was amazed and that is what you are up against and for us to take no action is not an option so I hope you do take it on board put the minor variation in but that needs to be in quick

AY And you just remind me of

MW I will remind you of those points but I will write to you but that is the same

DS Those are the 5 points just have a quick look through

*Note MW gives AY a copy of notes from the last meeting with the proposed 5 conditions highlighted

MW Just in relation to Door Staff while we are on a reflection

AY So those are the additional licence conditions
No under 18's on the 1st Floor which is obvious
Introduce Check 25 Age verification

DS And can you get posters up

AY I have got posters up So this Door Staff can be reviewed?

MW Yes

AY So this door staff variation is

MW There are two types of variation minor which we are talking about a Full Variation which you don't want because that is an advert in the newspaper etc

AY So this variation goes to Leeds City Council and we ask for a variation form

MW And you can download it and what I will do is I will send you an email and it won't be today might be tomorrow and it will have those points and I will attach the forms to it and you can print off, You can't put it on the variation form but on the email, so you have got it from me and I will cc Sgt Shaw and I will put that we will review number three in relation to staffing on a Saturday ok so then you have got it from us and if you choose to use a solicitor you can show that you have got that from us So is that ok?

DS So then let's get a final date by which that has got to be done please so by the 13th of next month which is 3 weeks ok? I am not saying wait while 3 weeks

AY No-No

DS Ok and then hopefully if you can get things moving in the right direction

AY You know running a business is difficult and last 2 months has been chaotic and

DS And if these things are put in a minor variation and there is nothing to say you can't implement those items straight away

AY Yes those things I do realise I think the Door staff you tell them and then if they don't do it right you have to tell them again

DS And it is maybe time for you and the DPS to have a meeting and say if you are not

AY I know you say about the DPS that whatever I know and I am here every week

DS But she needs to know

AY Yes I understand

DS Right that's great put those things in place and hopefully incidents reduce

AY Yes I want to sort and don't want any more trouble

DS Right we are finishing the meeting at just after 11 o'clock
Recording Ends

LEEDS CITY COUNCIL

**DOCUMENT REFERRED TO IN
MY STATEMENT AS -**

EXHIBIT NO. MW5

SIGNED



Prem/01445/004



PREM11

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

**Application for a minor variation to 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 this form especially Note 1

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes in written black ink. Use additional sheets if necessary.

Once completed please give your application to Leeds City Council, Entertainment Licensing, Civic Hall, Leeds, LS1 1UR. You may wish to keep a copy of the completed form for your records.

Alan Yeung

(insert name(s) of applicant)

being the premises licence holder(s)/club holding a club premises certificate, apply to vary a premises licence under section 41A/club premises certificate under section 86A of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises details

Postal address of premises (or, if none, Ordnance Survey map reference, or description)

Zen Rendezvous/Bar Fusion
10 The Green,
Guiselhey,

Post town LEEDS

Post code LS20 9BT

Telephone number at premises (if any)

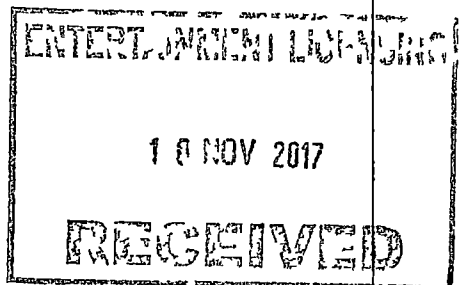
01943 872288

Premises licence number/club premises certificate number

PREM/01445/003

Brief description of premises (please see guidance note 2)

Grand Floor Restaurant
with First Floor ~~Wine~~ WINE BAR



Part 2 – Applicant details

I am/~~we are~~ the premises licence holder/~~club premises~~ certificate holder (Please delete as appropriate)

Contact phone number in working hours (if any)

0776 8800777

Applicant postal address IF DIFFERENT FROM PREMISES ADDRESS

Post town

Post code

Please provide email address if you would prefer us to contact you by email (optional)

Part 3 – Proposed variation(s)

Please tick

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

Yes No

Day Month Year

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

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 3)?

Yes No

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See guidance note 1) This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent)

Details of proposed variation(s) (see guidance note 4)

- 1 No under 18's permitted on 1st Floor Level wine bar
- 2 Introduce check 25 age verification
- 3 Door Staff minimum numbers provide 4 on each Friday & Saturday evening and the Sunday on each bank holiday weekend

Details of proposed variation(s) (continued)

4, Door staff will operate from opening time till 30 minutes after closing time

5, Closing time to be added to licence:
Monday to Thursday closing time 23:30

Friday & Saturday closing time 02:30

Sunday closing time 23:00.

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful

Please tick ✓ yes

Provision of regulated entertainment (please read guidance note 5)

- a plays
- b films
- c indoor sporting events
- d boxing or wrestling entertainment
- e live music
- f recorded music
- g performance of dance
- h anything of a similar description to that falling within (e) (f) or (g)

Provision of late night refreshment

Sale by retail of alcohol

(Note that this can only relate to reducing licensed hours or moving them without any overall increase between 7am and 11pm)

Please tick to indicate you have enclosed the following

I have enclosed the premises licence/~~club premises certificate~~

I have enclosed the relevant part of the premises licence/~~club premises certificate~~

I have included a copy of the plan
(necessary if the proposed variation will affect the layout)

If you have not ticked one of these boxes please explain why in the box below

Reasons why you have not enclosed the premises licence/club premises certificate or relevant parts

No need for layout plan as this is no change to layout

Any further information to support your application (see guidance note 6)

CHECKLIST

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have enclosed the plan, if appropriate, or the premises in scale (1mm to 100mm), unless otherwise agreed with the licensing authority
- I have enclosed the premises licence/club premises certificate or relevant part of it, or provided an explanation
- I understand that if I do not comply with the above requirements my application will be rejected

I understand that I am required to advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day

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

Part 5 – Signatures and contact details (see guidance note 7)

Premises Licence Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see guidance note 8) If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign

Signature

Date

Capacity

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (see guidance note 9) If signing on behalf of the applicant please state in what capacity

Signature

Date

Capacity

Where the premises is a club

I (insert full name)
application on behalf of the club and have authority to bind the club

make this

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (see guidance note 10)	
Post Town	Post Code
Telephone number (if any)	If you would prefer us to correspond with you by email your email address (optional)

Notes for guidance

1 General Note The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives (These are the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm)

It cannot be used to

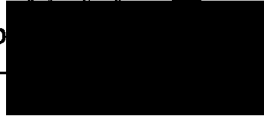
- extend the period for which the licence or certificate has effect
- vary substantially the premises to which it relates,
- specify, in a premises licence, an individual as the designated premises supervisor,
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate

LEEDS CITY COUNCIL

DOCUMENT REFERRED TO IN
MY STATEMENT AS -

EXHIBIT NO. MW6

SIGNED



Premises Licence

Part A Schedule 12 Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, Ordnance Survey map reference or description

Zen Rendezvous, 10 The Green, Guiseley, Leeds, LS20 9BT

Telephone number 01943 872 288

Licensable activities authorised by this licence

Sale by retail of alcohol, Performance of live music (1st Floor Bar/Lounge), Performance of recorded music (1st Floor Bar/Lounge), Performance of dance (1st Floor Bar/Lounge), Entertainment similar to live music, recorded music or dance (1st Floor Bar/Lounge)

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Monday to Thursday	11 00 - 23 00
Friday & Saturday	11 00 - 02 00
Sunday	12 00 - 22 30

Performance of live music (1st Floor Bar/Lounge)

Friday & Saturday	12 00 - 02 00
-------------------	---------------

Location of activity	Indoors
----------------------	---------

Performance of recorded music (1st Floor Bar/Lounge)

Friday & Saturday	12 00 - 02 00
-------------------	---------------

Location of activity	Indoors
----------------------	---------

Performance of dance (1st Floor Bar/Lounge)

Friday & Saturday	12 00 - 02 00
-------------------	---------------

Location of activity	Indoors
----------------------	---------

Entertainment similar to live music, recorded music or dance (1st Floor Bar/Lounge)

Friday & Saturday	12 00 - 02 00
-------------------	---------------

Location of activity	Indoors
----------------------	---------

Opening hours of the premises

The hours of licensable activities for the premises are as above

There are no regulated opening hours for non-licensable activities

Alcohol is sold for consumption on and off the premises

Part 2

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

Mr Alan Yeung

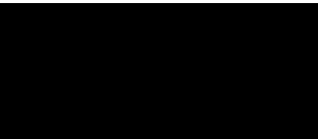


Mobile Telephone Number

01943 870 773

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

Ms Mun Shun Choo

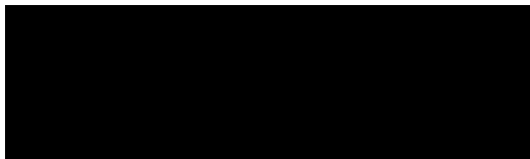


Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number CYC 023154

Licensing authority City Of York Council

Licence issued under the authority of Leeds City Council



Licensing Officer
Entertainment Licensing
Elections, Licensing and Registration

Annex 1 – Mandatory Conditions

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

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

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

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

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

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

7 The responsible person must ensure that -

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

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

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

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

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

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

Embedded restrictions

- 9 Alcohol shall not be sold or supplied except during the hours stated on this licence and
 - a On Christmas Day, 12 noon to 3 p m and 7 p m to 10 30 p m
 - b On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December)
- 10 The above restrictions do not prohibit
 - a the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first thirty minutes after above hours,
 - b the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals
 - c consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises,
 - d the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered,
 - e the sale of alcohol to a trader or club for the purposes of the trade or club,
 - f the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces,
 - g the taking of alcohol from the premises by a person residing there, or
 - h the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied,
 - i the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises
- 11 Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with
- 12 The permitted hours shall commence -
 - On days, other than Sundays and Christmas Day, at 11 am

- On Sundays and Christmas Day at noon

- 13 Subject to the following paragraphs, the permitted hours on weekdays shall extend until two o'clock the following morning except that -
- a the permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight, and
 - b on any day that music and dancing end between midnight and two o'clock in the morning the permitted hours shall end when the music and dancing end
- 14 In relation to the morning on which summer time begins, paragraph (2) of this condition shall have effect with the substitution of references to three o'clock in the morning for references to two o'clock in the morning [or on hour following the hour actually specified in the certificate where the certificate currently requires closure between 1 am and 2 am
- 15 On Sundays immediately before bank holidays other than Easter Sunday, the permitted hours shall extend until 2 am the following morning except that -
- a the permitted hours shall end at midnight on any Sunday on which the music or dancing is not provided after midnight,
 - b where music and dancing end between midnight on any Sunday and 2 am, the permitted hours on that Sunday shall end when the music and dancing end
- 16 On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, to midnight on 31st December)
- 17 The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment
- 18 Throughout all parts of these conditions the phrase 'Licensing Authority' means the Leeds City Council
- 19
- a) Unless the hours for which the Licence is valid are expressly stated on the Licence there shall be no performance of any nature before 8 00 am or after 11 00pm on any day of the week including Saturdays, or after 10 30pm Sundays, without the prior consent of the Licensing Authority
 - b) There shall be no dancing or performance including dancing on any day appointed by Public Authority as a day of public mourning
- 20 The Chief Constable of the West Yorkshire Police, any Police Officer, the Chief Fire Officer, any authorised officer in uniform of the West Yorkshire Fire Authority, any authorised Environmental Health Officer and their equipment and any other person authorised by the Licensing Authority shall have free access to all parts of the licensed premises at all reasonable times for the purpose of supervising the observance and enforcement of these conditions
- 21 The Licensee shall be responsible for carrying out the provisions of these Conditions of the Licence. The Licensee shall take due precautions for the safety of the public, employees and performers, shall retain control over all areas of the licensed premises and shall ensure that nothing shall take place on the premises which
- a) is likely to cause disorder or breach of the peace,
 - b) is likely to be grossly offensive to any person on the premises,
 - c) involves drugs misuse, or
 - d) involves any other unlawful activity

- 22 The Licensee, or some other responsible person not less than eighteen years of age *and nominated in writing for the purpose, shall be in charge of, and remain upon the licensed premises whenever they are used for licensed purposes They shall not be engaged in any duties which prevent them from exercising general supervision and control
- 23 Any written nomination of management shall be served on the Licensing Authority and a copy of the same shall also be retained on the premises and kept available for immediate inspection by any Official of the Licensing, Police or Fire Authority
- 24 The Licensee shall provide notice of his or her intention to provide any form of entertainment which includes lap dancing, pole dancing, table dancing, striptease or any form of nudity or semi nudity on the part of the performers or the staff employed on the premises Any entertainment of this nature will be subject to additional standard special conditions of the licence
- 25 The person in charge shall be conversant with all licence conditions
- 26 Any venue which accommodates external promoters shall maintain a register or a diary system to record all such events Each entry should contain the specific date of the event, nature/title of the event and the name, address and contact telephone number of the promoter specific to that event The register must be available for immediate inspection on request by any Official of the Licensing Authority or it's authorised agents
- 27 The maximum number of persons allowed in the stated areas whilst the Licence is in force is
1st Floor - 220
- 28 The Licensee shall not permit persons in excess of the number specified on the licence to enter or occupy any portion of the licensed premises
- 29 The Licensee shall ensure that staff are familiar with the maximum capacity of the premises
- 30 The Licensee shall display notice containing details as to the maximum capacity figure in a prominent position upon entry to the premises Where the capacity is divided into separate floors/areas within the premises notice of the appropriate capacity for each floor/area shall also be prominently displayed upon entry to the relevant floor/area
- 31 The licensee shall at any time whilst the premises are in use be aware of the precise number of patrons on the premises Where the licence covers different floors/areas, the licensee shall be aware of the number of patrons in each area at any given time and ensure that the numbers do not exceed those as stipulated on the licence This information shall immediately be supplied on request to any Official of the Licensing, Police or Fire Authority
- 32 Appropriately trained staff shall be provided to oversee general safety within the premises, and these shall be provided to a minimum number of one member of staff per 250 occupancy or part thereof, in accordance with the occupancy figure as stated on the Public Entertainment Licence
- 33 Furthermore, in addition to the above the licensee shall ensure that an appropriately trained member of staff is designated to each emergency exit door to assist in the event of an emergency evacuation
- 34 All members of staff shall be instructed in the safety precautions to be observed in the premises as far as those precautions relate to their duties and to the action to be taken by them in the event of fire or emergency
- 35 All exits, passages, landings and stairways shall be kept free from obstruction at all times when the premises are used for licensed purposes

- 36 A clear unobstructed route leading from each fire exit to a place of safety outside the premises shall be provided and maintained available for use at all times
- 37 Every door in the building for use by members of the public going from the auditorium to the outside of the building shall open outwards, unless the Licensing Authority shall have been satisfied that this is impracticable to the circumstances of the particular case, and shall be capable of being opened easily and immediately from the inside, without the use of a key, when required
- 38 Where, with the prior consent of the Licensing Authority, doors or gates across exits open inwards, they shall be fastened fully opened so as not to form an obstruction
- 39 If security is required for outward opening fire exit doors, then they should be secured with panic bolt or panic latch type fastenings only to the satisfaction of the Licensing and Fire Authority. A conspicuous 'PUSH BAR TO OPEN' sign should be provided immediately above the push bars
- 40 Any removable fastenings permitted by the Licensing or Fire Authority for securing exit doors when the public are not on the premises shall be removed before the public are admitted to the premises and shall not be replaced until the public have vacated the building
- 41 Illuminated fire exit sign boxes lit by both primary and emergency lighting should be provided above all exits. Illuminated boxes incorporating graphic fire exit symbols, e.g. man moving through open door, should have white symbols on a green background. The size of the exit boxes should be appropriate for the maximum viewing distances involved
- 42 Doors and openings other than exits to or from parts of the licensed premises to which the public are admitted shall be provided with notices indicating their uses or shall be marked "Private", and wherever practicable shall be kept secured. Where exit doors are fitted with automatic bolts they shall be clearly indicated with the words "PUSH BAR TO OPEN"
- 43 Where curtains are provided across an exit doorway they shall be divided at the centre and shall not trail the floor
- 44 Except with the consent of the Licensing Authority, bars, wire guards or the like shall not be fitted to windows, nor shall the windows be otherwise obstructed in a manner likely to render them unavailable for the purposes of rescue in case of emergency
- 45 The closing of collapsible gates or shutters across exit openings shall be prohibited whilst the public are in the premises
- 46 The licensed premises shall be provided with fire appliances suitable to the fire risk in the premises and to the satisfaction of the Fire Authority
- 47 Fire appliances shall be affixed to wall brackets to the satisfaction of the Fire Authority, and available for instant use at all times
- 48 Fire extinguishers should be regularly examined, tested and maintained in accordance with the current British Standard to the satisfaction of the Fire Authority
- 49 The licensee and employees should be made fully conversant with the location of fire appliances, method of operation and safe use, and with the action to be taken in case of fire
- 50 A manually operated electrical fire alarm system shall be provided to the satisfaction of the Fire Authority. The alarm should be clearly audible in all parts of the building
- 51 The Fire alarm system should be tested on a weekly basis in accordance with the current British Standard and to the satisfaction of the Fire Authority. The result of all tests with the exception of the daily inspection should be recorded in a suitable log book provided for the purpose. The

log book should be available for immediate inspection upon request of any official of the Licensing or Fire Authority

- 52 The licensee and all employees should be made familiar with the method of giving warning of fire and with the escape route available from each part of the premises to which they resort or in which they may work
- 53 All fire doors shall be maintained self-closing and shall not be secured in an open position
- 54 A system for automatically cutting off the sound system which is linked to the sounding of the fire alarm shall be provided
- 55 All scenery, drapes, curtains and decorations within the licensed premises shall be made of such material or shall be treated and maintained so as to be flame retardant in accordance with the current British Standard and to the satisfaction of the Fire Authority
- 56 Plastic decorations are not acceptable
- 57 Filling materials used in furnishings should be restricted to combustion modified foam or other materials having at least the same standard of fire performance Upholstered furniture and floor coverings should comply with the current British Standard to the satisfaction of the Fire Authority
- 58 Flues from kitchens and serveries and over grills and all ventilating shafts shall be maintained in a clean condition
- 59 Smoking shall be strictly prohibited within the stage risk area and in dressing rooms Notices bearing the words "NO SMOKING" in red letters on a white background shall be conspicuously displayed in these areas
- 60 Where any open fireplaces, high temperature heating appliances or naked flames are used they shall be adequately protected by a suitable guard
- 61 In the event of the heating being by a central heating system the heating apparatus shall be placed in a separate room from the auditorium The door between this room and the auditorium should be self-closing and fire-resistant to a one hour standard
- 62 Explosives, inflammable liquids or high inflammable articles shall not be brought into or used within any portion of the licensed premises
- 63 No exhibition, demonstration or display of pyrotechnics or displays involving the use of fire shall be given in the licensed premises without the prior consent of the Licensing and Fire Authority At least fourteen days written notice of application must be supplied in such circumstances
- 64 No exhibition, demonstration or display of laser equipment shall be given by any person in the licensed premises and no laser equipment shall be used by such person in the said premises unless the Director of the Leeds Environment Department has been given not less than 14 days previous written notice
- 65 At entrances to venues where strobe lighting is in use warnings should be posted that stroboscopic lighting is in use and the possibility that susceptible people may be affected
- 66 Flicker rates from stroboscopic lighting should be set at 4 or less flickers per second This frequency shall apply to the combined flicker rates on any group of lights which can be directly gazed at
- 67 In all parts of the building to which the public are admitted and in all passages, corridors, ramps and stairways to which the public have access and which lead from the auditorium to the outside of the building, there shall provided adequate illumination by general lighting to the satisfaction of the Licensing Authority

- 68 In addition to the general lighting, adequate illumination to enable the public to see their way out of the building, without the assistance of the general lighting, shall be provided in the auditorium and all other parts of the building to which the public are admitted and in all passages, corridors, ramps and stairways, which lead from the auditorium to the outside of the building. This lighting shall be referred to as the safety lighting.
- 69 The safety lighting shall be provided from a source other than that of the general lighting.
- 70 All notices and exit indications shall be illuminated by both general and safety lighting.
- 71 The safety lighting shall be kept on at all times when the public are on the premises except in those parts of the building which are lit equally well by daylight.
- 72 Any battery supplying safety lighting shall be fully charged before the public are admitted to the premises and shall be of such capacity and so maintained as to be capable of supplying at normal voltage, the full load of the safety lighting during the whole time that the public are on the premises.
- 73 If there is a failure of the general lighting and the lighting is not restored within one hour, the public in the licensed premises shall be instructed to leave the building.
- 74 If there is a failure of the safety lighting, all parts of the building required to be illuminated by the safety lighting shall be immediately illuminated by the general lighting and the public in the licensed premises shall be instructed to leave the building forthwith.
- 75 Electrical apparatus and equipment within the building shall not be used for such purpose, or in such a manner, or when it is such a condition, as to cause danger of electric shock, fire or explosion.
- 76 Where gas is used for the lighting all gas burners within reach of the public shall be protected by glass or wire gloves and all gas taps shall be guarded in such a manner as to prevent unauthorised interference.
- 77 Electrical installation (including the fire alarm and emergency lighting systems) shall be in the charge of a competent electrician whose name is published on the Roll of National Inspection Council for Electrical Installation Contracting, or a member of Electrical Contractors' Association.
- 78 One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:
- a) Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA.
 - b) Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.
- 79 The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.
- 80 The Licensee shall ensure that the electrical installation to the whole of the premises carries a recent safety certificate issued by a competent electrician whose name is published on the Roll of National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors' Association.
- 81 The inspection shall include ALL electrical appliances and fire alarm and emergency lighting systems.

- 82 The licensee shall ensure that the electrical installation is checked on an annual basis and on renewal of the Public Entertainment Licence shall furnish the Licensing Authority with a copy of an Electrical Safety Certificate valid for the period of the licence
- 83 Suitable and sufficient sanitary accommodation must be provided and maintained to the satisfaction of the Chief Environmental Health Officer
- 84 The premises shall at all times be maintained in a clean, sanitary and safe condition and shall be open during the continuance of this licence to an inspection by the Licensing Authority or their authorised agents
- 85 Any seating in the licensed premises shall be so arranged as to allow free access to all exits there from
- 86 For a closely seated audience chairs shall be either securely fixed to the floor or alternatively shall be battened securely together in units of not less than four seats Adequate gangways, not less than 42" (1100mm) wide, unless otherwise approved by the Licensing Authority, shall be provided The gangways shall lead directly to each exit door and shall be kept free from obstruction No seat shall be more than twelve feet (4 0m) from any gangway
- 87 Seating in invalid chairs other than engine driven chairs will be permitted subject to any condition imposed by the Licensing and Fire Authority
- 88 Means of access, egress and emergency egress shall be provided and maintained in accordance with any recommendations of the Licensing and Fire Authority
- 89 Alterations or additions, whether permanent or temporary, to the structure, the lighting, electrical heating, ventilating, mechanical, or installations, or to the seating, gangways or other arrangements in building in which the licensed premises are situated shall not be made except with the consent of the Licensing Authority and in accordance with any conditions of such consent
- 90 The Licensee shall maintain a first aid box on the premises in accordance with the Health and Safety (First Aid) Regulations 1981 and make sure that
- it is accessible at all times
 - items are replaced as they are used
- 91 Any person who appears unwell, including those affected by drugs or alcohol, must be seen by a trained first aider, who shall
- give first aid
 - if necessary, seek medical assistance
- 92 The licensee shall maintain an Incident Report Register within which staff must record any incident which has occurred on the premises
- 93 The Incident Report Register must be retained on the premises for a period of one year, taken from the date of the last entry, and include the following
- a) consecutively numbered pages,
 - b) the date and time of incident,
 - c) the nature of incident,
 - d) the full name/s of staff involved including the registration number of any door staff, and to whom the incident was reported, including the names and numbers of any police officers who attended the scene of the incident and details of any witness/es,

- e) Any notes relative to the incident
- 94 Incident Report Registers shall be produced for immediate inspection on request by any Official of the Licensing or Police Authority
- 95 The premises must be effectively ventilated when the public are present Any mechanical ventilation system must be properly maintained
- 96 Drinking water provision must be clearly available, free of charge, at all times whilst the Entertainment Licence is operative
- 97 This facility must be kept in a clean condition
- 98 No exhibition, demonstration or performance of hypnotism shall be given on any person in the premises except with the express consent of the Licensing Authority and subject to such conditions as the Licensing Authority may attach to such consent Any notification of intention to stage a hypnotist should be made in writing providing at least fourteen days notice
- 99 The Licensee shall ensure that no nuisance is caused by noise or vibration emanating from the licensed premises resulting from the use of this Licence The Licensee shall provide urgent attention to any reports of noise nuisance, and act upon direction of the Licensing Authority
- 100 Licensees are reminded that unauthorised flyposting is an offence under the Town & Country Planning Act 1990, as amended, Section 224
- 101 In the case of an audience consisting of persons under 16 years of age, the minimum number of staff shall increase to a ratio of one per 100 occupancy
- 102 At any licensed function no child shall be permitted to occupy any seat in the front row of the balcony, gallery or tier unless accompanied by, or in the charge of a person who appears to have attained the age of 16 years
- 103 The Licensee shall ensure that any persons employed on the premises to work in the capacity as a door supervisor, hold current registration with the SIA and comply with all relevant rules and regulations laid down by that body
- 104 Door Staff Daily Record Register
- The Licensee shall maintain a Daily Record Register which is to be completed on a daily basis by the door staff when they commence and finish duty
- 105 The Daily Record Register must be retained on the premises for a period of one year, taken from the date of the last entry, and include the following
- a) consecutively number pages,
 - b) the registration number and full name of each registered person on duty,
 - c) the date and time that he/she commenced that period of duty with a signed acknowledgement by that person,
 - d) the time at which he/she finished duty with a signed acknowledgement by that person
- 106 Daily Record Registers shall be produced for immediate inspection on request by any official of the SIA, Police or Licensing Authority
- 107 Licence holders must have a written search policy for those entering the premises
- All members of staff must be acquainted with this policy

- 108 Sufficient number of staff of both sexes shall be on duty to undertake any searches of the public
- 109 Clear and visible notices should be displayed to those entering the premises detailing the establishments search policy These signs should state that the police will be informed if anyone is found in possession of controlled substances or weapons
- 110 Secure receptacles, to the standard as required by the West Yorkshire Police, must be provided in a restricted part of the building for staff to deposit drugs and weapons
- 111 Any seizure of controlled substances and weapons must be recorded in the Incident Report Register and reported to the police at the earliest possible time
- 112 The licensee shall ensure that drinks glasses and any other glass receptacles are prevented from being taken off the premises accepting off-sales and their legitimate sale
- 113 A suitable CCTV system operated in accordance with guidelines from the West Yorkshire Police shall be provided
- 114 Any exemption to this condition must be agreed by the West Yorkshire Police and Licensing Authority

Annex 2 – Conditions consistent with the operating schedule

The prevention of crime and disorder

- 115 Door staff will operate from opening time until 30 minutes after closing time
- 116 CCTV to be installed to a standard acceptable to West Yorkshire Police
- 117 To provide a minimum of 4 doorstaff on a Friday & Saturday evening & the Sunday on each bank holiday weekend

Protection of children from harm

- 118 No under 18's permitted on 1st Floor level wine bar
- 119 Introduce check 25 age verification

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

LEEDS CITY COUNCIL

**DOCUMENT REFERRED TO IN
MY STATEMENT AS**

EXHIBIT NO MW7 

SIGNED 



KREN/O 1445/004

White - COUNCIL COPY Yellow - PREMISES COPY

CLOSURE NOTICE

Section 19, Criminal Justice and Police Act 2001

Read accompanying notes on reverse

This Closure Notice is served by the Local Authority Licensing Officer named below if he/she is satisfied that the premises are being, or within the last 24 hours have been used for the unauthorised sale of alcohol for consumption on or in the vicinity of the premises

Date of Closure Notice 17th March 2014 Time Notice served 1740 AM/PM

Licensing Authority Leeds City Council

Name and position of the Local Authority Licensing Officer serving the Closure Notice
MICHAEL WATERS *Senior/*Principal Liaison & Enforcement Officer (delete as applicable)

Signature of Licensing Authority Officer

Name and address of subject premises ZENITH PUB
GUSELY, LEEDS Post Code LS20 9BT

Alleged unauthorised use of the premises

There ***has been / *is** the unauthorised sale of alcohol taking place for consumption on / in the vicinity of the premises in breach ***of the licence / *of no licence authorisation** within the last 24 hours (*delete whichever does not apply) (include further details below)

(i) CCTV not recording 3 days
(ii) Minimum of 4 hours staff on Friday & Saturday

Steps which must be taken to end the alleged unauthorised use of the premises or to prevent it from reoccurring
Reinstall CCTV system to 3 days currently 1 day
Minimum 4 hour staff on Friday, Saturday & Sunday

The person (if applicable) upon whom the Closure Notice has been served

Name MUN, SHUN CHAN Position DTE

Signature Date _____ Time _____ AM/PM

Notes

'Closure Notice' – Section 19, Criminal Justice and Police Act 2001

- A Local Authority Licensing Officer has issued this Closure Notice under Section 19 of the Criminal Justice and Police Act 2001 (CJ&PA2001) (Sections 126 and 127 of Schedule 6 to the Licensing Act 2003) The Notice alleges that the premises are / have been operating illegally contrary to the provisions in the Premises' Operating Schedule and therefore in breach of its licence / no licence authorisation
- Such a breach affects the authorisation to sell alcohol in compliance with the Licensing Act 2003, being a licensable activity within the meaning of Section 14 of the Act
- The Notice sets out the actions which must be taken by the person in control of, or responsible for the unlawful activities conducted on the premises

'Closure Order' - Section 20, Criminal Justice and Police Act 2001

- Once a Closure Notice has been served under Section 19 of the CJ&PA2001, the Licensing Authority (or Police) may make a complaint to a Justice of the Peace at the local Magistrates Court for a Closure Order
- An application can be made to the Magistrates Court if the local Licensing Authority is satisfied that the unauthorised sale of alcohol (as alleged in the Closure Notice) is continuing and if there is a reasonable likelihood that the premises will so be used in the future
- Any such application for a Closure Order must not be made less than seven days and not more than six months after the service of this Closure Notice
- Where a complaint has been made to the Magistrates' Court, the Justice of the Peace may issue a summons requiring the applicant and the person(s) upon whom the Closure Notice was served to attend a Court hearing The summons will state the date time and place where the hearing will take place
- At the hearing, the Court will consider the complaint and decide whether a Closure Order should be made or not
- The procedure on a complaint for a Closure Order shall (except as otherwise provided), be in accordance with the Magistrates Court Act 1980

Appeals - Section 24, Criminal Justice and Police Act 2001

- Subsections (1) – (2) provide that an appeal against a Closure Order can be made to the Crown Court by any person upon whom a Closure Notice was served, or by any other person who has an interest in the premises but on whom the Closure Notice was not served Subsection (1) also permits appeals to the Crown Court in relation to discharge orders All appeals are required to be lodged within 21 days of the Closure Order or relevant decision being made There are no restrictions on the grounds for which the appeal can be made
- Subsection (3) empowers the Crown Court on appeal to make any order it considers appropriate

Enforcement Powers and Offences – Section 25, Criminal Justice and Police Act 2001

- It is an offence for a person without reasonable excuse to permit a premises to be open in contravention of a Closure Order made by the Magistrates Court Any person found guilty of such an offence will be liable to a fine not exceeding £20,000, or to imprisonment for a term not exceeding three months or to both (Not exhaustive)

THIS IS THE END OF THE CLOSURE NOTICE

WITNESS STATEMENT

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

Statement of Samantha Jane Longfellow

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

This statement (consisting of _____ 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

Date 27 Feb 2018

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 investigating licensed/unlicensed premises contrary to the Licensing Act 2003. I have delegated authority under the said Act.

On Friday 11th August 2017 I was working in company with my colleague Mrs Carmel Brennand, Senior Liaison and Enforcement Officer. Carmel & I had been asked by another colleague Mr Michael Waters, Senior Liaison and Enforcement Officer to pay passing attention to the premises known as Zen Rendezvous, 10 The Green, Guiseley, LS20 9BT.

At 20 45hrs that evening Carmel & I parked in the car park opposite the premises. We could see a few people upstairs but no persons outside the venue. We then resumed from the area.

On Saturday 12th August 2017 at 00 06hrs Carmel & I returned to the area. As we drove down from the Station we noticed 3 x groups of young males. Each group had approximately 4x males. 1 x male was vomiting on the pavement.

We parked in the car park opposite Zen Rendezvous and noted that it was now very busy upstairs. There was a very large queue outside the premises. There were 2 x door supervisors on the door, neither appeared to be checking identification of any of the young (appearing under the age of 18) looking customers. Door staff appeared to be stamping their hands.


There were approximately 70 youths outside the venue, some were in the queue some were just in the bus shelter and some were sat on our side of the road drinking from a clear bottle (I produce as exhibit SJL 1 & SJL 2, photos taken outside of the venue).

At 00 10hrs an older male who had parked behind our vehicle approached a group of young


looking females on our side of the road and chatted to them for a few moments. He then walked back to his car with a young looking female. Carmel approached the vehicle that the older male and younger female had just gotten in to and introduced herself to the older male who was sat in the driver's seat. I then approached the same vehicle and produced my identification. Carmel then asked if there was a party going on at Zen Rendezvous? The male who we believed to be the father of the young female said no. Carmel went on to explain that we were dealing with complaints from local residents then asked if this was a usual Friday night. The male didn't respond. Carmel then asked the male how old his daughter was. He said 'no I won't answer that Carmel' then closed his window and drove away. As we returned to our vehicle we heard glass being smashed near the road. At 00 20hrs Carmel & I crossed the road and walked past the houses and round toward the back of the venue. No persons were round there. We could hear the music coming from the 1st floor window half way along the building that was open. As we were walking back to our vehicle we noticed a male dressed in black with what appeared to be a door supervisor arm band. He was stopping the youths from going round the corner toward the local resident's houses and the rear of the venue. We noted that there was a lot of noise coming from the youths in the bus shelter, the wall opposite and the car park. At 00 35hrs there were still approximately 50 youths outside the venue. There appeared to be a lot of boy racers up and down the street then in to the car park. There was a lot of shouting in general around the venue from the youths it was very loud. Door supervisors still weren't checking identification. At 00 37hrs we noted that the door supervisors were not even stamping hands. There were still approximately 50 youths outside the venue. During the time we were outside the venue young males and females were walking through the leisure centre car park to the unlit grassed area.

On Saturday 30th September 2017 I was working in company with my colleague Mrs Carmel Brennand. At 00 06hrs on the 1st October 2017 Carmel & I parked in the car park opposite Zen Rendezvous. There were 8 young people sat in the bust stop shelter and a couple were sat on the wall in between the bus shelter and the car park. A group of 5x were near the lamppost. 2 x door staff neither were displaying their SIA badges. We could hear the music coming from the premises.

At 00 15hrs we watched 2 x females come out of the venue. 1 x of the females wearing a pink dress walked over to the wall then retrieved 2 x bottles wine from the car park side of the wall near the tree. 1 x $\frac{3}{4}$ empty and 1 x $\frac{3}{4}$ full. Both females were then stood in the street drinking along with 4 x other females and 3 x males.

At 00 24 the female in pink returned to the venue and walked back in 

Carmel & I resumed from the area

On 20th Feb 2018, I interrogated the H M Land Registry website for information regarding 10 The Green, Guiseley, Leeds LS20 9BT I entered the address mentioned into the 'Enquiry by Property Description' and the results produced a title number of 'WYK315617' and that the tenure was freehold I then looked on the H M Land Registry 'Proprietorship Register', this shows that Yok Fong Yeung became the named proprietor/owner on 9th January 2002 (I produce as my exhibit SJL3, a copy of the proprietorship register) 

Signature 

Leeds City Council

DOCUMENT REFERRED TO IN
MY STATEMENT AS

EXHIBIT NO. S.J.1

SIGNED 



Leeds City Council

DOCUMENT REFERRED TO IN
MY STATEMENT AS

EXHIBIT NO. S/112

SIGNED





LEEDS CITY COUNCIL

DOCUMENT REFERRED TO IN
MY STATEMENT AS

EXHIBIT

SIGNED



THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 20 FEB 2018 AT 11 27 01 BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002 UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

TITLE NUMBER WYK315617

There is no application or official search pending against this title

A: Property Register

This register describes the land and estate comprised in the title

WEST YORKSHIRE LEEDS

- 1 (19 06 1984) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 10 The Green Guiseley, (LS20 9BT)
- 2 The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title dated 31 October 1930 made between (1) John Wormald Rawnsley and William Edward Rawnsley (Vendors) (2) William Edward Rawnsley (Personal Representative) and (3) Catherine Steel and Edith Steel (Purchasers) -

"TOGETHER with (in common with the Vendors and all others entitled thereto) full and free rights of road laying gas and water pipes and electric cables drainage and sewerage over and under the whole length and width of the back road situate on the South-East side of the dwellinghouse and shop hereby conveyed the Purchasers their successors in title and assigns maintaining and keeping in good repair the co-extensive portion of the said back road hereby conveyed with the drains and sewers thereunder AND ALSO all necessary rights of entry upon and to take up so much of the said back road as may be necessary for making connections with and cleansing and repairing any drain or sewer thereunder the Purchasers making good the surface or any damage done thereby as soon as possible AND ALSO in common as aforesaid full and free rights of footroad over and along the whole length and width of the passage at the northerly side of Number 12 The Green aforesaid AND ALSO the joint use in common with the Vendors and the owners and occupiers of the adjoining property Number 12 The Green of the ashespit situate at the rear of the said adjoining property the Purchasers paying one half of the cost of keeping the said ashespit clean and in good repair RESERVING NEVERTHELESS unto the Vendors and their successors in title similar rights of road drainage and sewerage over and along and under such portion of the said back road as is hereby conveyed "

- 3 The Conveyance dated 31 October 1930 referred to above contains the following provision -

"IT is hereby agreed and declared that the walls separating the property hereby conveyed from the adjoining properties on the North-East and South-West sides thereof and such of the gutters fallpipes drains and sewers as are used in conjunction with such adjoining properties shall be mesne or party walls gutters fallpipes drains and sewers and shall for ever be used and maintained and repaired as such accordingly "

Title number WYK315617

B Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (09 01 2002) PROPRIETOR YUK FONG YEUNG of 10-14 The Green, Guiseley, Leeds
- 2 (09 01 2002) RESTRICTION Except under an order of the registrar no disposition by the proprietor of the land is to be registered without the consent of the proprietor of the Charge dated 7 December 2001 in favour of Clydesdale Bank PLC referred to in the Charges Register

C Charges Register

This register contains any charges and other matters that affect the land.

- 1 (09 01 2002) REGISTERED CHARGE dated 7 December 2001 affecting also title WYK315617 to secure the moneys including the further advances therein mentioned
- 2 (20 04 2005) Proprietor CLYDESDALE BANK PLC (Scot Co Regn No SC001111) of Yorkshire Bank 20 Merrion Way, Leeds LS2 8NZ and of Portfolio Manager, Yorkshire Bank First Floor, Brunswick Point, Leeds LS2 8NQ and of The Company Secretary Clydesdale Bank PLC, 30 St Vincent Place, Glasgow G1 2HL trading as Yorkshire Bank

End of register

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 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 for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true

Date 28 February 2018

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 investigating licensed/unlicensed premises contrary to the Licensing Act 2003 I have delegated authority under the said Act

On Friday 11th August 2017 I was working in company with my colleague Miss Samantha Longfellow, Senior Liaison and Enforcement Officer We had been asked by our colleague Mr Michael Waters, Senior Liaison and Enforcement Officer to pay passing attention to the premises known as Zen Rendezvous, 10 The Green, Guiseley, LS20 9BT

At 20 45hrs that evening we parked in the leisure centre car park opposite the premises with a full view of the frontage We could see a few people upstairs but no persons outside the venue We then resumed from the area

On Saturday 12th August 2017 at 00 06hrs Samantha and I returned to the area As we drove on Otley Road, Guiseley from The Station Pub we noticed 3 x groups of young males Each group had approximately 4x males 1 x male was vomiting on the pavement We parked in the same car park opposite Zen Rendezvous and noted that it was now very busy upstairs There was a very large queue outside the premises There were 2 x door supervisors on the door, neither appeared to be checking identification of any of the young (appearing under the age of 18) looking customers Door staff appeared to be stamping their hands

There were approximately 70 youths outside the venue, some were in the queue some were just in the bus shelter and some were sat on our side of the road drinking from a clear bottle Samantha took photographs of the youths outside Zen Rendezvous

At 00 10hrs an older male who had parked behind our vehicle approached a group of young

looking females on our side of the road and chatted to them for a few moments. He then walked back to his car with a young looking female. I approached the vehicle that the older male and younger female had just gotten in to and introduced myself to the older male who was sat in the driver's seat. Samantha followed me and produced her identification. I asked if there was a party going on at Zen Rendezvous? The male who we believed to be the father of the young female said no. I explained that we were dealing with complaints from local residents and asked if this was a usual Friday night. The male didn't respond. I then asked the male how old his daughter was. He said 'no I won't answer that Carmel' then closed his window and drove away. As we returned to our vehicle we heard glass being smashed near the road.

At 00 20hrs we crossed the road and walked past the houses and round toward the back of the venue. No persons were round there. We could hear the music coming from the 1st floor window half way along the building that was open. As we were walking back to our vehicle we noticed a male dressed in black with what appeared to be a door supervisor arm band. He was stopping the youths from going round the corner toward the local resident's houses and the rear of the venue. We noted that there was a lot of noise coming from the youths in the bus shelter, the wall opposite and the car park.

At 00 35hrs there were still approximately 50 youths outside the venue. There appeared to be a lot of boy racers up and down the street then in to the car park.

There was a lot of shouting in general around the venue from the youths it was very loud. Door supervisors still weren't checking identification.


At 00 37hrs we noted that the door supervisors were not even stamping hands. There were still approximately 50 youths outside the venue.

During the time we were outside the venue young males and females were walking through the leisure centre car park to the unlit grassed area.

On Saturday 30th September 2017 I was working again in company with my colleague Miss Samantha Longfellow. At 00 06hrs on the 1st October 2017 Samantha & I parked in the leisure centre car park opposite Zen Rendezvous with a good view of the premises. There were 8 young people sat in the bus stop shelter and a couple were sat on the wall on our side of the road opposite the premises and a group of 5x were near the lamppost. The short bald male door staff did not have his SIA badge visible nor the taller one wearing a hat. We could hear the music coming from the premises.

At 00 15hrs we watched 2 x females come out of the venue. 1 x of the females wearing a pink dress walked over to the wall then retrieved 2 x bottles wine from the car park side of the wall near the tree. 1 x $\frac{3}{4}$ empty and 1 x $\frac{3}{4}$ full. Both females were then stood in the street drinking along with 4 x other females and 3 x males.

At 00 24 the female in pink returned to the venue and walked back in

At 00 30 we resumed from the area 

Signature 