
Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: 31st January 2011

Subject: Application for the Grant of a Premises Licence for Baraka Cafe, 41 Queens Road, Woodhouse, Leeds, LS6 1HY

Electoral Wards Affected:

Headingley



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application for the grant of a Premises Licence for premises situated at 41 Queens Road, Woodhouse, Leeds, LS6 1HY, trading as Baraka Cafe.

An application for the grant of a Premises Licence for a cafe lounge. The applicant has requested the provision of late night refreshment and regulated entertainment. Please note that the applicant has not applied for sale of alcohol however, the premises is to operate a bring your own policy.

Please refer to paragraph 3.5 for proposed timings of activities.

The premises are located within an area covered by a Cumulative Impact Policy.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

1.0 Purpose of this Report

1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of the above mentioned premises.

1.2 Members are required to consider this application due to the receipt to representations.

2.0 History of Premises

2.1 This is the first application for a Premises Licence for these premises.

3.0 The Application

3.1 The applicant is Mr Farooq Ahmed,

3.2 The location of the premises can be found on the map attached as Appendix A.

3.3 A copy of the application and operating schedule are attached as Appendix B to this report. For the assistance of members, the Operating Schedule shows:

3.4 Proposed licensable activities

Provision of late night refreshment
Performance of live music
Performance of recorded Music
Performance of dance
Provision of facilities for dancing

3.5 Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Provision of late night refreshment Every Day	23:00 - 02:00
Performance of live music Every Day	08:00 - 02:00
Performance of recorded Music Every Day	08:00 - 02:00
Performance of dance Every Day	08:00 - 02:00
Provision of facilities for dancing Every Day	08:00 - 02:00

3.6 Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours

Everyday	08:00 - 02:00
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3.7 Steps to promote the licensing objectives

The applicant proposes to take specific steps to promote the licensing objectives identified in the Pro-Forma Risk Assessment; a copy of which is attached as Appendix C of this report.

4.0 **Relevant Representations**

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Representations have been received from the following Responsible Authorities:

- West Yorkshire Police

Members are invited to consider Appendix D of this report.

- Development Department

Members are invited to consider Appendix E of this report.

- Environmental Health

Members are invited to consider Appendix F of this report.

4.3 Representations have been received from interested parties. Members are invited to consider Appendix G of this report.

5.0 **Matters Relevant to the Application**

5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:

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

5.2 In the making of their decision Members are obliged to have regard to the national guidance and the council's licensing policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

5.3 Members should note that these premises fall within a Cumulative Impact Area. The Cumulative Impact Policy for this area reads as follows:

It is the council's policy in respect of Area 3 that, on receipt of relevant representations, necessary conditions will be applied to all premises licences in the area to ensure that the problems experienced in Areas 1 and 2 are not displaced into Area 3.

- Such conditions might include (but are not limited to):
- Restriction of hours
- Restriction of capacity

Or the authority may refuse to grant the licence or variation sought due to the impact on the licensing objectives.

6.0 Options available to members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

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

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

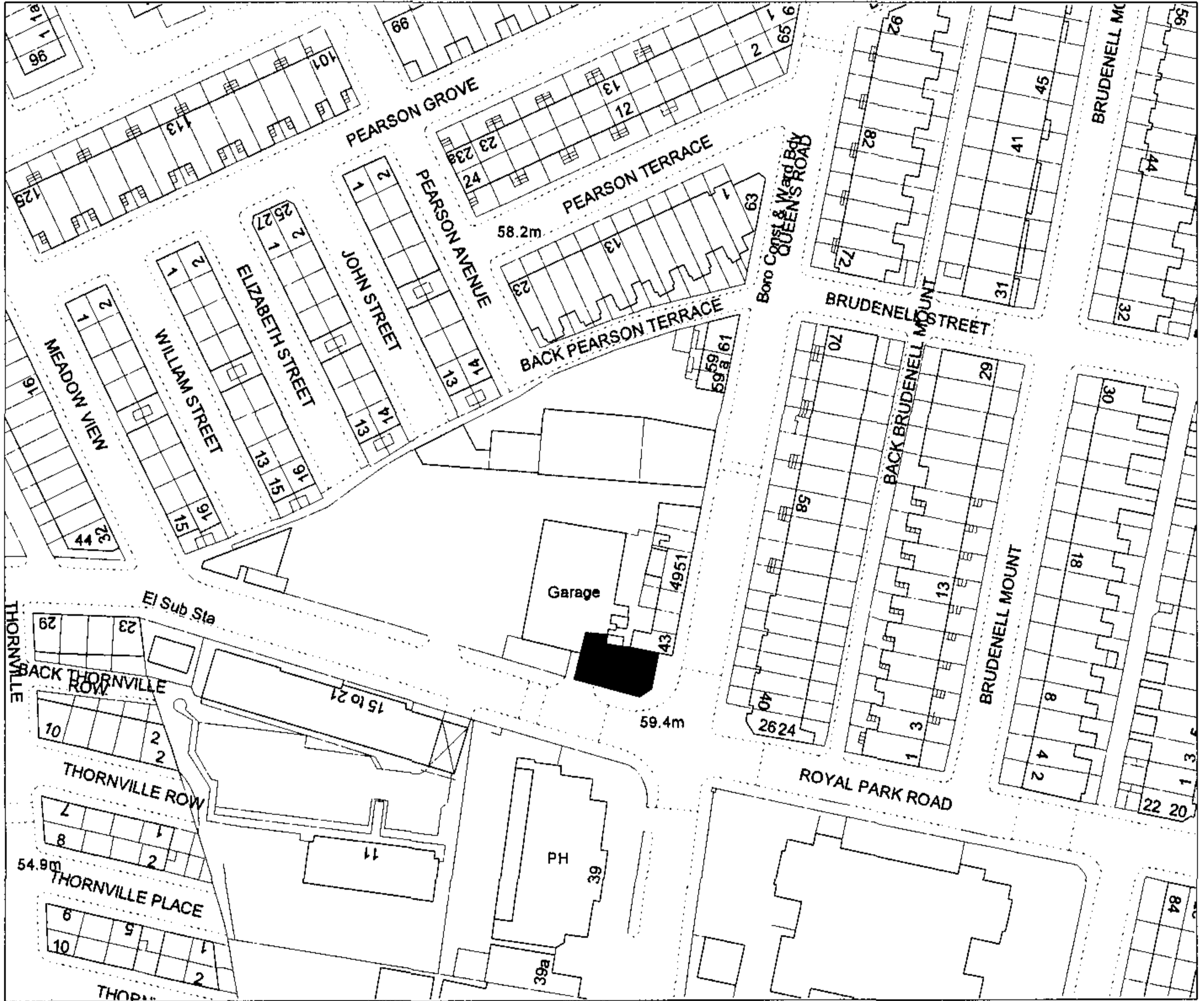
Background Papers

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



Grant of a Premises Licence: PREM/02976

Baraka Cafe, 41 Queens Road, Woodhouse, Leeds, LS6 1HY



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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Date:	18 January 2011
Scale:	1:400

2976

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

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST


Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Farooq Ahmed of Baraka Cafe

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

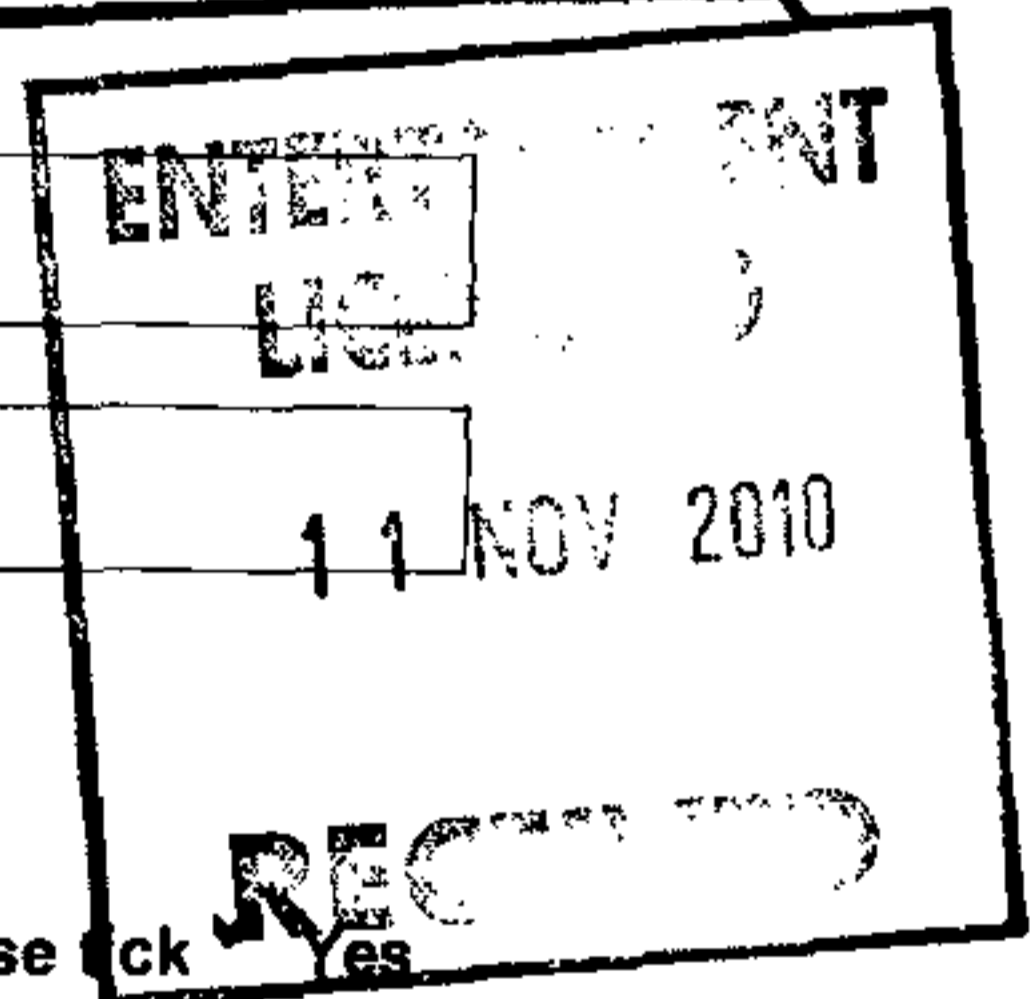
Postal address of premises 41 Queens Road, Leeds 6		
Post Town LEEDS	Postcode LS6 1HY	

Telephone number at premises (if any)

0113 2 742534

Non-domestic rateable value of premises

£9,500



Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick Yes

- a) An individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i) as a limited company please complete section (B)
 - ii) as a partnership please complete section (B)
 - iii) an unincorporated association or please complete section (B)
 - iv) other (for example, a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

- f) a health service body please complete section (B)
- g) a person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an Independent hospital please complete section (B)
- h) the chief officer of a police force in England & Wales please complete section (B)

*If you are applying as a person described in (a) or (b), please confirm:

- I am carrying on or proposing to carry on a business which involves the premise for licensable activities, or:
- I am making the application pursuant to a
 - statutory function or Please tick Yes
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(Rev, Dr, etc)

Surname: First Name:

I am 18 years old or over. Please tick Yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr

Mrs

Miss

Ms

Other title

Rev, Dr, etc)

Surname:

First Name:

Please tick Yes

I am 18 years old or over.

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate, please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name:
Address:
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
Email address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	8	1	0	2	0	1	0

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			

If more than 5000 people are expected to attend the premises at any one time, please state the number expected to attend.

--

Please give a general description of the premises (please read guidance note 1)

The Premises are a Cafe Lounge. The building comprises of a ground floor which is the main eating area, a first floor which is used a lounge area.

The current hours of opening are: Monday to Sunday from 0800 -23.30. This is to be extended to 02.00 am.

The premises are located in the heart of the local community which is primarily a student area. The premises are a safe comfortable environment

The cafe can accommodate parties, student groups, and general meetings for the local community. Mediterranean food is served during the day and a buffet is available in the evenings.

There is a general patio at the front and side which is used for smoking.

Outside the premises are a series of security cameras which were installed by Leeds City Council .to deter Anti Social behaviour, theft, nuisance etc. As a result the premises have never been broken into and there has never been any trouble caused by visitors.

The cafe operates an under 18 policy where ID must be requested if a customer appears to be under 18. Signs are displayed throughout the cafe stating that alcohol will not be sold. Alcohol is not served on the premises but customers may bring alcohol into the premises.

Deliveries are made to the store usually during the morning or afternoons when the premises are fairly quite so as not to disturb either the local residents or the customers who attend the cafe.

There are waste bins located throughout the cafe and the staff are responsible for clearing up throughout the day and evening to prevent a nuisance.

The Applicants premises have been inspected in relation to health and safety standards and they have passed the required standards.

The fire Authority is satisfied that the premises complies with safety regulations, including the provision of fire fighting equipment. Fire extinguishers are located in the cafe.

Presently, the cafe plays background music.

The Applicant requires the premises to use for live entertainment.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment:

Please tick ✓ Yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities for:

- | | |
|--|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)(if ticking yes, fill in box K) | <input type="checkbox"/> |

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

M) Supply of alcohol (if ticking yes, fill in box M)

In all cases, complete boxes N, O, and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 4)	
Thurs				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sun				

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the exhibition of films please read guidance note 4)	
Thurs				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thurs			Non standard timings. Where you intend to use the premises indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5).
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or out doors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both <input type="checkbox"/>
Tue				
Wed				
Thurs			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).	
Fri				
Sat				
Sun				

E

Live Music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 3)</p> <p>No specific days are set.</p> <p><u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5).</p>	
Mon	08.00 am	02.00am		
Tue	08.00	02.00 am		
Wed	08.00	02.00 am		
Thurs	08.00	02.00 am		
Fri	08.00	02.00 am		
Sat	08.00	02.00 am		
Sun	08.00	02.00 am		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 3)</p> <p>Music will be played throughout the opening hours.</p> <p><u>State any seasonal variations for playing recorded music</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5).</p>	
Mon	08.00 am	02.00am		
Tue	08.00	02.00 am		
Wed	08.00	02.00 am		
Thurs	08.00	02.00 am		
Fri	08.00	02.00 am		
Sat	08.00	02.00 am		
Sun	08.00	02.00 am		

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	08.00	02.00	No specific days - As + when	
Tue	08.00	02.00		
Wed	08.00	02.00	State any seasonal variations for the performance of dance (please read guidance note 4)	
Thurs	08.00	02.00		
Fri	08.00	02.00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sat	08.00	02.00		
Sun	08.00	02.00		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thurs			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sun				

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors
Mon				
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thurs			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing Customers may request dancing as and when.	Indoors
Mon	08.00	02.00		
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue	08.00	02.00	Please give further details here (please read guidance note 3)	
Wed	08.00	02.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thurs	08.00	02.00		
Fri	08.00	02.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sat	08.00	02.00		
Sun	08.00	02.00		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - Please tick [Y] (Please read guidance note 2).	Indoors
Mon				
				<input type="checkbox"/>
Tue				Outdoors
				<input type="checkbox"/>
Wed				Both
				<input type="checkbox"/>
Thurs			Please give further details here (please read guidance note 3)	
Fri			State any seasonal variations for the Provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 4)	
Sat			Non standard timings. Where you intend to use the premises for the Provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5).	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick [Y] (Please read guidance note 2)	
Day	Start	Finish		Indoors
Mon	08.00	02.00 am		
			<input type="checkbox"/>	
Tue	08.00	02.00 am	Please give further details here (please read guidance note 3) Late night refreshment to be served with hot and cold drinks.	Outdoors
				<input type="checkbox"/>
Wed	08.00	02.00 am		Both
				<input type="checkbox"/>
Thurs	08.00	02.00 am	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Fri	08.00	02.00 am	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5).	
Sat	08.00	02.00 am		
Sun	08.00	02.00 am		

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick [Y]) Please read guidance note 7).	On the premises <input type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Customers may bring their own alcohol. Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5).	
Mon				
Tue				
Wed				
Thurs				
Fri				
Sat				
Sun				

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name _____

Address _____

Postcode _____

Personal Licensing Number (if known) _____

Issue Licensing Authority (if known) _____

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

All children will be supervised.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	02.00 am	Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5).
Tue	08.00	02.00 am	
Wed	08.00	02.00 am	
Thurs	08.00	02.00 am	
Fri	08.00	02.00 am	
Sat	08.00	02.00 am	
Sun	08.00	02.00 am	

P

**Describe the steps you intend to take to promote all four licensing objectives:
a) General—all four licensing objectives (b, c, d, e) (please read guidance note 9)**

The cafe has been open to the public for a number of years. There has never been any incidents of nuisance, noise or criminal activities.
Should any situation arise, whereby any of the above were to arise, the relevant authority would be called.
Any persons or group of people breaking this licensing objective would be asked to leave.

b) The prevention of crime & disorder

There have never been any incidents that have given rise to such incidents. Immediately outside the premises, Leeds City Council have displayed security cameras and there is adequate street lighting.
Should any situation arise which breaches this licensing activity the police will automatically be alerted.

c) Public safety

There are cameras posted both outside the cafe and positioned randomly in the locality. There is on street lighting. Before opening to the public the staff check that the premises are clean and that there is not any litter that could cause slips and trips. Written records will be kept should any such incident arise.
There is routine maintenance of all equipment.

d) The prevention of public nuisance

Noise is kept to a minimum and the cafe has never had any incidents giving rise to public nuisance. There is no noise vibration that could cause a nuisance.
There are no external loudspeakers and the volume of any music is reduced after 23.00 pm.

e) The protection of children from harm

If and when children attend the cafe, they are supervised throughout.

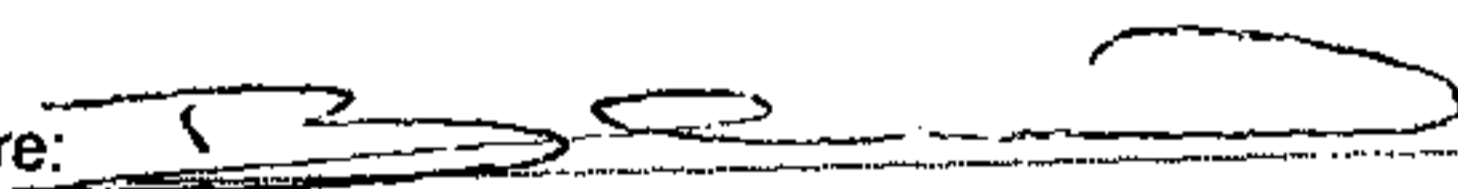
Please tick Yes

- I have made or enclosed payment of the fee
- I have enclosed the plans of the premises
- I have sent you copies of this application, and the plan to responsible authorities and others where applicable
- I have enclosed the consent form produced by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements, my application will be rejected.

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE OF UP TO LEVEL 5 ON THE STANDARD SCALE [£5000], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4--Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature: 

Date: 11/11/2010

Capacity: SOLICITOR

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12) If signing on behalf of the applicant, please state in what capacity.

Signature: _____

Date: _____

Capacity: _____

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Bilkis Mahmood Blackstone Law Solicitors & Advocates LLP Dunbar House LEEDS	
Post Town LEEDS	Postcode LS7 2BB
Telephone number (if any) 0113 2473949	
E-mail address (optional) bilkis.mahmood@blackstonelawllp.co.uk	

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or un-amplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Licensing Act 2003

Proforma Risk Assessment V4



APPENDIX C
Leeds
CITY COUNCIL

Please complete the details below:

Applicant name: FAROOQ AHMED
Business name: BARAKA CAFE
Business address: 41 QUEENS ROAD LEEDS
Postcode: LS6 1HY

Guidance about this document

1. The Licensing Authority recommends that you complete this specially designed pro forma risk assessment to help you decide what should be entered in your operating schedule to show how you will promote the four licensing objectives.
2. Whilst the Licensing Authority cannot insist you use this document it takes the view that it assists responsible authorities in assessing the operating schedule, promotes discussions and partnership working and will reduce the number of representations and hearings.
3. If you do not use this risk assessment pro forma then you will need to demonstrate how you will meet the licensing objectives by providing other supporting evidence via your operating schedule.

How to use this document

1. This document has four sections which correspond with the four licensing objectives and appendix 1 of our Licensing Policy. In each section you will find information on potential control measures (each with an individual code) which we suggest may help you meet the four licensing objectives.
2. Run through the questions in the grey sections and consider the potential control measures listed in the columns beneath.
3. If you are happy to volunteer the control measures as conditions on your licence place a tick in the relevant box in the right hand column. You can then enter the corresponding codes in page 14 of your application form in the boxes which match up with the licensing objectives or simply write "see pro forma risk assessment". These measures will then appear as conditions on your licence.

Crime and Disorder

CCTV

Does the premises have CCTV?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
Was the siting and standard agreed with West Yorkshire Police (WYP)?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If NO:	
Have you consulted WYP about whether CCTV should be installed?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
(NB unless WYP have agreed CCTV is not required, a representation is likely)	

Suggested condition	Code	✓
A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out	4PF001	
The siting and standard of the CCTV system will be agreed with WYP prior to installation and will comply with that agreement at all times.	4PF002	
Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police	4PF003	
CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of WYP.	4PF004	

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the DPS contactable in emergency?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Supervisor's Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>

Suggested condition	Code	✓
A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.	4PF005	
The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.	4PF006	

Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Are they Security Industry Authority (SIA) registered?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you specify a minimum number of door supervisors?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES, state the number of staff _____	
Days (and times) employed _____	
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a policy with the door supervisor or security company which covers:	
• Vetting customers entering the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Is there a prominently displayed written search policy on the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Controlling customers entering, within or leaving the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Safeguarding the public within and immediately outside the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Notifying WYP at the earliest opportunity of any problems or incidents?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• Exclusion of persons who have had too much to drink or appear inclined to disorder?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Daily Record Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Can you identify who was on duty at any particular time?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Do you have an Incident Report Register?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Incident Report Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>

Suggested condition	Code	✓
The minimum number of door supervisors for the premises is _____ Please specify days and hours door supervisors operate on the premises.	4PF007	
The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.	4PF008	
The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).	4PF009	
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	4PF010	

Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	4PF011	
The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.	4PF012	
The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.	4PF013	
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	4PF014	

Drugs and Offensive Weapons

Do you have a policy and procedure to prevent use of illegal drugs or weapons (e.g. a search policy)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Does the policy include:	
• recording any search	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• informing the police of any search and seizure	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested condition	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	4PF015	
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	4PF016	
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.	4PF017	

Notices will be prominently displayed at the entrances of the premises which state:	4PF018	
<ul style="list-style-type: none"> • a search will be conducted as a condition of entry to premises; • Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register. • Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. • entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances 		

Communication

Do you subscribe to Nite Net or a similar form of communication (radio/text/pager system)	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested condition	Code	✓
There will be a communication link to the WYP* and or* other relevant venues in the locality by means of (specify method) * delete as appropriate	4PF019	
Such communication link will be kept in working order at all times when licensable activities are taking place	4PF020	
The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	4PF021	
Any police instructions or directions given via the link will be complied with whenever given.	4PF022	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	4PF023	

Responsible Sale of Alcohol

<u>Proof of Age</u>	
Have you adopted a proof of Age Scheme?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Glass and Bottles</u>	
Do you have a policy for the frequent collection of glasses and bottles?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Alcohol Designated Public Places Orders

If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects?

YES NO N/A

Suggested condition	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises. Or	4PF024	
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises.	4PF025	
<u>Glass and Bottles</u> Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.	4PF026	
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	4PF027	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	4PF028	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by West Yorkshire Police / British Transport Police (e.g. football match days)	4PF029	
<u>Alcohol Designated Public Places Orders</u> Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	4PF030	

Responsible Sale of Alcohol

<u>Membership of a Recognised Body</u> Do you belong to a Licensees Association/Body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES, please state which body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<u>Exclusion from Premises</u> Do you operate a system of excluding customers who are known to cause problems?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
If YES:	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
• is this your own system or	
• a system run by a local licensees body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Dispersal Policy</u> Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour)	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

If YES:

- Was this agreed with WYP (and BTP where applicable)? YES NO N/A
- Are all bar and door staff trained on the policy? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives	4PF031	
The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The PLH/DPS will ensure that staff receive training on the policy.	4PF032	

Entertainment of an Adult Nature e.g. Strip Tease Dancing or Nude Dancing

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation? YES NO N/A

Suggested condition	Code	✓
Each area shall be supervised and shall display signs advising clients of the rules and conditions of licence regarding improper performances.	4PF033	
Performers shall be aged not less than 18 years.	4PF034	
Nothing shall be done, recited, sung, exhibited, or performed which is likely to cause a breach of the peace.	4PF035	
Whilst performing, the performer must at all times wear at least a G-string (female)/ pouch (male), covering the genitalia. This item of clothing must be worn at the commencement of the performance and may be removed during the performance but must be replaced at the conclusion.	4PF036	
During any performance of lap dancing, striptease or nude dancing (including performances usually termed 'private dances') there must not be any physical contact, by the performer, with any person in the viewing audience except: a) Leading a patron hand in hand to and from a chair or private room. b) Simple handshake greeting at the beginning and/or end of the performance. c) The placing of monetary notes or dance vouchers in the hand or garter worn by the performer. d) Pecking the cheek of a patron at the conclusion of the performance.	4PF037	
No performance shall include any sex act with any other performers, persons in the audience or with the use of any objects.	4PF038	
A price list must be displayed in a prominent position on the premises giving the price and time allowed for the dance routine.	4PF039	
Performers/dancers not performing must not be present in the licensed area in a state of nudity.	4PF040	

CCTV to be installed and maintained in the premises to the satisfaction of the West Yorkshire Police.	4PF041	
The recordings will be produced to a police constable or authorised officer of the Council, on request, and must be retained for a minimum of 31 days.	4PF042	
Booths, private rooms and areas must be visible to supervision and must not have closing doors or curtains that prevent the performance being observed.	4PF043	

Public Safety

Management Arrangements

<u>Management Arrangements to be removed</u>		
Do you have procedures for the following?		
• Accident / incident reporting	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Routine maintenance	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Dally inspection of public areas	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Recording relevant tests / inspections	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Collecting glasses/bottles with particular emphasis on balcony areas	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested condition	Code	✓
Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.	4PF044	✓
Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.	4PF045	✓
During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.	4PF046	
A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.	4PF047	
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	4PF048	
Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept and made available at the request of an authorised officer. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.	4PF049	
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.	4PF050	

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.

General Housekeeping

Do you have written procedures for the inspection of:

- | | |
|--|--|
| • Furnishings and fabrics | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| • Suspended decorations/lights/amplification systems | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| • Guarding to stairs/balconies/landings/ramps | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| • Condition of floor surfaces | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| • Provision of safety glazing | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| • Guardings to fires or open flames | YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

Suggested condition	Code	✓
Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	4PF051	
Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it.	4PF052	
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.	4PF053	

Refreshments

- | | |
|--|--|
| Do you prepare hot food / drinks in proximity to the public? | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/> |
| If YES:
Has the risk of scalding or burns been assessed? | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |

Suggested condition	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	4PF054	

First Aid

Do you have staff trained in First Aid?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state numbers <u>one</u>	
Do you provide facilities for treatment of minor injuries (e.g. First Aid box)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested condition	Code	✓
A suitably trained First Aider or appointed person will be provided at all times when the premises are open.	4PF055	✓
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	4PF056	
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times.	4PF057	
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.	4PF058	
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.	4PF059	

Special Effects

Do you use special effects on the premises, e.g. strobes, lasers, smoke machines or fireworks?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If yes, please give details :	

Suggested condition	Code	✓
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be appropriately trained.	4PF060	
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.	4PF061	

Public Nuisance

Noise and Vibration

Noise and vibration

Identify the potential sources of noise and vibration which apply to your premises:

- Amplified music
- Unamplified music
- Singing and speech
- Waste disposal, including bottle bins
- Plant and machinery, including extraction systems
- Food preparation
- Cleaning

Identify where sources of noise may occur outside your premises:

- Beer garden
- Play area
- Car park
- Temporary structure
- Plant and equipment

Identify which measures are in place/proposed:

- Soundproofing
- Air conditioning to allow windows to be kept closed
- Sound limiters
- Use of lobby doors
- Cooling down period with reduced music volume
- Fixed and appropriate times for collection of waste
- Restricted use of outdoor areas
- No external loud speakers

Are the premises located near noise sensitive properties, e.g. residential areas, residential homes, hospitals? YES NO N/A

Applicants should refer to the Clean Neighbourhoods and Environment Act 2005 which has amended the Noise Act 1996 to introduce "night noise offences" for licensed premises in completing this section.

Suggested condition	Code	✓
Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties	4PF062	✓
Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises after 23.00 hours and at all times if entertainment takes place on more than 30 occasions per year	4PF063	
There shall be no external loudspeakers	4PF064	✓
Bottles will not be placed in any external receptacle after 23.00 hours to	4PF065	

minimise noise disturbance to neighbouring properties		
Noise from plant or machinery shall be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.	4PF066	
The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 21:00/22:00/23:00* *Please delete as appropriate.	4PF067	
The activities of persons using the external areas shall be monitored after 23:00hrs and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary,	4PF068	
The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.	4PF069	

Litter

Does the premises sell takeaway food, drinks or other produce/packaging which may generate litter/waste? YES NO N/A

If YES, please identify the steps taken to prevent nuisance caused by litter:

..... Separate glass from plastic and re-cycled.....

..... bins & liners provided.....

- Provision of litter bins
- Display of notices to customers
- Warnings/advice on packaging
- Instructions to staff to periodically clear litter from the street around the premises
- Other (please specify)

Suggested condition	Code	✓
The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter	4PF070	

Transport/Pedestrian Movement

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises? YES NO N/A

If YES:

What steps do you take to ensure that the procedure(s) works?

Suggested condition	Code	✓
Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.	4PF071	
SIA Registered door staff will be employed and used where queues are likely to form to manage the queues and ensure: Queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.	4PF072	
The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.	4PF073	
A facility will be provided for customers to order Hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.	4PF074	

Protection of Children from Harm

Entertainment of an Adult Nature

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
If so, do you only provide the adult entertainment at certain times/days of the week?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Is your premises located near to premises which are children orientated?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

Suggested condition	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.	4PF075	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	4PF076	
Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age checks (including staff)	4PF077	
The PLH/DPS will not display outside the premises photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.	4PF078	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	4PF079	
Any written or visual advertisement material, posters, signage, window display at or for the premises must not be of a sexually explicit and or suggestive nature, thus protecting children from moral, emotional, psychological and physical harm.	4PF080	

Under Age Sales of Alcohol

Do the premises sell or supply alcohol?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Suggested condition	Code	✓
People under 18 years of age will not be admitted.	4PF081	

Gambling

Is there a strong element of gambling on the premises?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Suggested condition	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	4PF082	

or		
There will be sufficient physical screening of the relevant entertainment from view of those under 18 years.	4PF083	

Performers Under 18

Do entertainment performances include performances by children and young persons under 18 years of age?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE The Children (Performance) Regulations 1968 as amended – continue to apply but are not conditions on the licence as that would be duplication	

Suggested condition	Code	✓
The PLH/DPS will provide an adequate number of suitable adult supervisors who can provide care for the children as they move from stage to dressing room etc, and to ensure that all children can be accounted for in case of an evacuation or an emergency.	4PF084	
The venue will be suitable to accommodate safely the numbers of children intended.	4PF085	
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	4PF086	
The PLH/DPS will ensure that all special effects e.g. flashing lights, dry ice, smoke etc are suitable for the children involved in the performance.	4PF087	

Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises).	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you provide young persons discos or similar entertainment?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested condition	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times.	4PF088	
For closely seated audiences, i.e. theatres and cinemas, the ratio of supervisors will be 1 per 25 children, provided that where the children are in the charge of an adult organiser such organisers will be regarded as attendants to an extent not exceeding half of the number of attendants required by the above condition 4PF088.	4PF089	
No child will be permitted to occupy the front row of any balcony gallery or tier, unless accompanied by and in the charge of a person who appears to have attained the age of 16 years.	4PF090	

Close supervision will be held when children use balconies and other raised areas.	4PF091	
Upon egress from the premises the Licensee will deploy staff on exit doors and within the vicinity of the premises to ensure the safe dispersal of children and the premises will not close until all children have left the area.	4PF092	

Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children? YES NO N/A

If YES state measures used:

Are your premises located near any adult orientated premises e.g. an adult retail sex shop or amusement arcade? YES NO N/A

Suggested condition	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all potential staff before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.	4PF093	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	4PF094	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.	4PF095	
The PLH/DPS will liaise with any adult orientated premises close to his/her premises which the Licensee suspects are at risk of admitting underage children from his/her own premises.	4PF096	

NOT PROTECTIVELY MARKED

Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

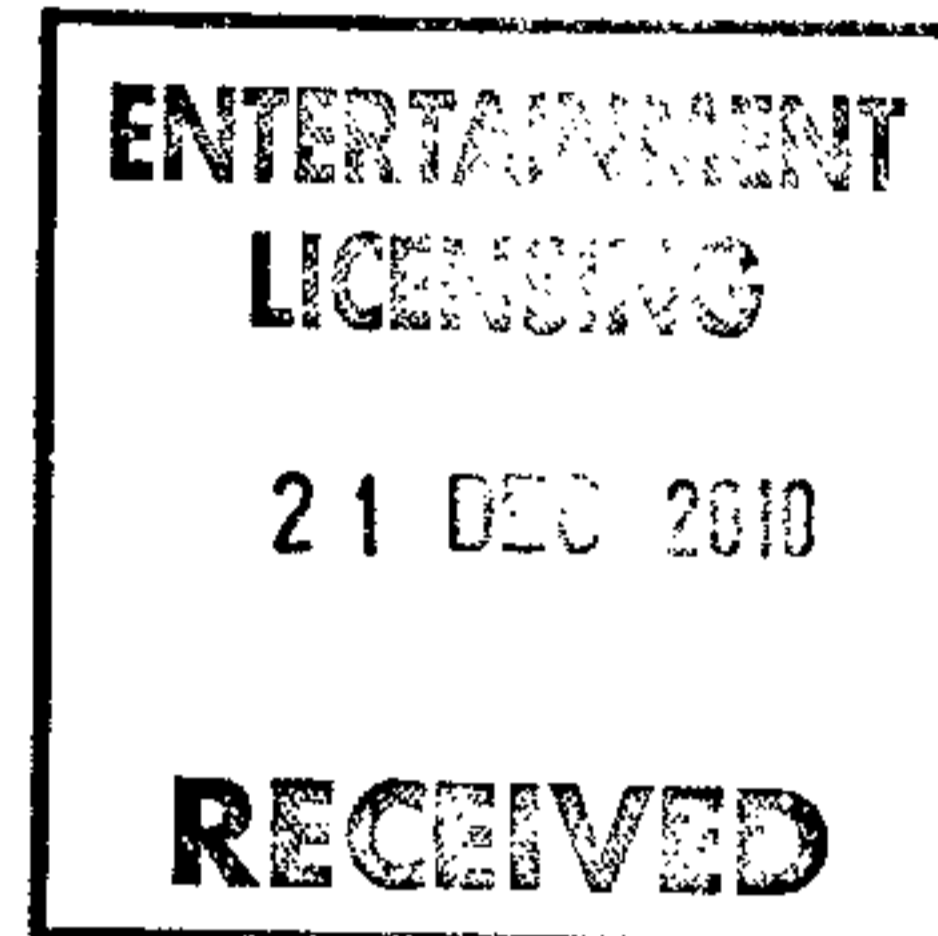
Tel: 0113-2413057
Fax: 0113-2413123
Email: donna.town@westyorkshire.pnn.police.uk
Website:

CA - City & Holbeck

Your ref:
Our ref:

21st December 2010

Baraka Café
41 Queens Road
Leeds
LS6 1HY



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

PART A

RE: BARAKA CAFÉ, 41 QUEENS ROAD, LEEDS, LS6 1HY
APPLICATION FOR A PREMISES LICENCE – LICENSING ACT 2003
POLICE – LETTER OF REPRESENTATION

Thank you for submitting the application for the above mentioned premises, which we received at this address on 29th November 2010.

West Yorkshire Police believe that should the applicant be granted a premises licence for “Baraka”, this would seriously undermine the licensing objectives, in particular the prevention of crime and disorder and public nuisance in the locality. The reasons for this are detailed below.

The applicant has the following convictions that remain unspent under the Rehabilitation of Offenders Act 1974:

- Conviction for false imprisonment on 11th July 2003 at Leeds Crown Court. Mr Ishaq was sentenced to 2 years imprisonment.
- Conviction for possessing controlled drug Class B amphetamine on 27th February 2007 at Leeds Crown Court. Mr Ishaq received a £250 fine.

The applicant possesses an extensive list of 19 convictions for 38 separate offences dating back to 1983 including offences against the person, fraud, theft and drug related offences, resulting in the applicant serving 7 separate terms of imprisonment or youth custody in the past. He also has an impending prosecution in North Yorkshire for driving whilst unfit through drink or drugs.

The applicant was prosecuted by Leeds City Council in October 2010 for five counts of carry on licensable activity on premises other than in accordance with an authorisation Licensing Act 2003.

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

These offences took place at Baraka Café, Queens Road. This was appealed, the date of the appeal hearing is yet to be set.

Queens Road, where Baraka Café is situated, will from January 2011, be incorporated into the increased Cumulative Impact Policy area. Whilst this policy is not in place at time of writing, the reason for the increased CIP area, and the statistics put forward which resulted in the stronger policy wording and enlarged area should not be completely dismissed.

It is the opinion of West Yorkshire Police that the application contains insufficient information on how the licensing objectives will be achieved. In fact no real crime prevention measures, such as CCTV, have been offered on the application to be included as conditions of the licence. We cannot be satisfied at this stage that, if granted, the new premises licence and hours applied for would not adversely affect crime and disorder in the locality.

However, if any part of this application proves to be successful, then we strongly recommend that the licensing authority impose the following measures to be included as conditions of the operating schedule to promote the licensing objectives in general.

Conditions / Crime Prevention Measures to read:-

- **Operate an effective CCTV system to be maintained in accordance with guidelines issued by West Yorkshire Police, to cover both inside and immediately outside the premises.**
- **All images captured by the CCTV system, will be retained for a minimum period of 31 days. All images must be of a quality acceptable in a court of law.**
- **At all times that licensable activities are taking place there shall be a member of staff on duty who is able to operate the CCTV system and download footage immediately on request of a police officer or Leeds City Council Enforcement Officer.**
- **Whilst the consumption of alcohol is permitted on the premises, any sale or supply of alcohol will NOT be permitted at any time under the terms of the premises licence, and further any additional charges made or payments received by the premises licence holder, with a view to making a profit in relation to the consumption of alcohol, could then be construed as a sale or supply of alcohol;**
- **There will be NO fixed dispense points or mobile structures acting as dispense points, to be made available for the supply of alcohol within the curtilage of the licensed premises at any time the premises licence has effect.**

IT IS THE OPINION OF WEST YORKSHIRE POLICE THAT THE CONDITIONS REQUESTED ARE RELEVANT, PROPORTIONATE AND NECESSARY IN ORDER TO PROMOTE THE LICENSING OBJECTIVES.

Yours sincerely

Donna Town
Licensing Officer

NOT PROTECTIVELY MARKED



Mr Farooq Ahmed
Baraka Café
41 Queens Road
Leeds
LS6 1HY

City Development Department
The Leonardo Building
2 Rossington Street
LEEDS
LS2 8HD

Contact: **Chris Sanderson**
Tel: 0113 2478216
Fax: 0113 2478230

Your Ref:
Our Ref: Licence Applications

Date 20th December 2010

Dear Mr Ahmed,

Subject: APPLICATION FOR PREMISES LICENCE

PART A

Thank you for submitting your application for licensed activities at:

Name of venue:- Baraka Cafe

Address:- 41 Queens Road, Leeds LS6 1HY.

We write to inform you we shall be objecting to your application and a copy of this letter will be sent to the Licensing Authority.

The premises were granted planning permission for the change of use of vacant retail unit to café and take away hot food shop in June 2001 subject to a condition restricting the hours of use of the premises. The proposed hours of use set out in your premises license application exceed those allowed by the planning permission. The Development Department objects to the granting of a Premises License in the terms as applied for due to noise and disturbance being caused to nearby residential occupiers in particular above the parade as a result of the comings and goings of customers and their motor vehicles, from customers congregating on the street in the vicinity of the building and from activities within the building. It is considered that the opening hours applied for at these premises would conflict with the Licensing objective of preventing public nuisance.

The City Development Department considers that the extended opening hours proposed are unlikely to be acceptable and that a Premises Licence should not be granted outside the hours specified in the existing planning permission unless and until an express planning permission or a Certificate of Lawful Development is obtained by the operator of the premises to extend those operating hours. If you are willing to amend your application to the hours as specified in the existing planning permission, details of which are contained in Part B, then we shall withdraw our objection.



PART B

Licensing Act 2003 – Application for Premise Licence

On behalf of :

Baraka Cafe

For the premises known as and located at :

41 Queens Road, Leeds, LS6 1HY.

I am the applicant / representative authorised by the applicant (delete as appropriate)

In signing this document I request that the Licensing Authority accept this letter signifying my wishes to amend the application to reflect the hours as detailed in the existing planning consent, as follows :

Planning permission has been granted for the change of use of vacant unit to café and take away hot food shop (permission ref 26/189/99/FU dated 18-06-2001) subject to the following condition:

THE OPENING HOURS OF THE PREMISES SHALL BE RESTRICTED TO 08.00 HOURS TO 23.00 HOURS MONDAY TO SATURDAY AND 19.00 HOURS TO 23.00 HOURS ON SUNDAYS AND BANK HOLIDAYS.

THE REASON FOR THE CONDITION WAS IN THE INTERESTS OF AMENITY OF NEARBY RESIDENTS.

Signed :

Dated :

Please return this document to :

Development Department
The Leonardo Building
2 Rossington Street
LEEDS
LS2 8HD

Yours sincerely

Chris Sanderson
Principal Compliance Officer

x

Blackstone Law Solicitors & Advocates LLP
Dunbar House
Sheepcar Court
Meanwood Road
Leeds
LS7 2BB



Environmental protection team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN

Contact: Mrs Rachael Teale
Tel: 0113 214 6247
Fax: 0113 214 6250
rachael.teale@leeds.gov.uk

Our reference: PREM/02976
4 January 2010

Dear Sir/Madam

Licensing Act 2003

Name of Premises: Baraka Cafe

Address: 41 Queens Road, Woodhouse, Leeds, LS6 1HY

I refer to your application in respect of the above premises. I write to inform you that we shall be fully objecting to your application and a copy of this letter will be sent to the licensing section of the Authority.

The application site is located in Woodhouse, close to Hyde Park, which is a student area. In the surrounding area, there are several shops, restaurants as well as residential accommodation. The nearest residential premises being no less than 50 meters away. The site operates as a café lounge where food is served. On the upper floor there is additional sitting area where pole dancing may take place. The site is not licensed to sell alcohol, however customers are allowed to bring their own. This department has received five complaints relating to loud music (the last being in 2005).

The application is for regulated entertainment including films, live music, recorded music and performance of dance and the provision of late night refreshment until 2am.

After consultation with the City Development Department the current planning permission is:

THE OPENING HOURS OF THE PREMISES SHALL BE RESTRICTED TO 08.00 HOURS TO 23.00 HOURS MONDAY TO SATURDAY AND 19.00 HOURS TO 23.00 HOURS ON SUNDAYS AND BANK HOLIDAYS.

This planning decision was taken to protect the residential amenity of the area. Should an extension of the permitted hours be applied for, the City Development Department have stated that the extended opening hours proposed are unlikely to be acceptable.

Therefore, in view of the above circumstances, this Department fully objects to the application being granted.

However should the committee be minded to grant the application then the following conditions should be applied.

Noise and Vibration

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
2. Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises.
3. There shall be no external loudspeakers
4. Bottles will not be placed in any external receptacle after 11 pm to minimise noise disturbance to neighbouring properties.
5. Noise from plant or machinery shall be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
6. The activities of persons using the external areas shall be monitored after 11 pm and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.

Transport / Pedestrian Movement

7. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.

Yours faithfully

Mrs Rachael Teale
Senior Environmental Health Officer

Massey, Bridget

From: Monaghan, Cllr James
Sent: 07 December 2010 12:57
To: Entertainment Licensing
Subject: Baraka Café, 41 Queens Road, Leeds, LS6 1HY

I am writing to object to the proposal for Baraka to open until 2am with provision for late night refreshment, music and dance.

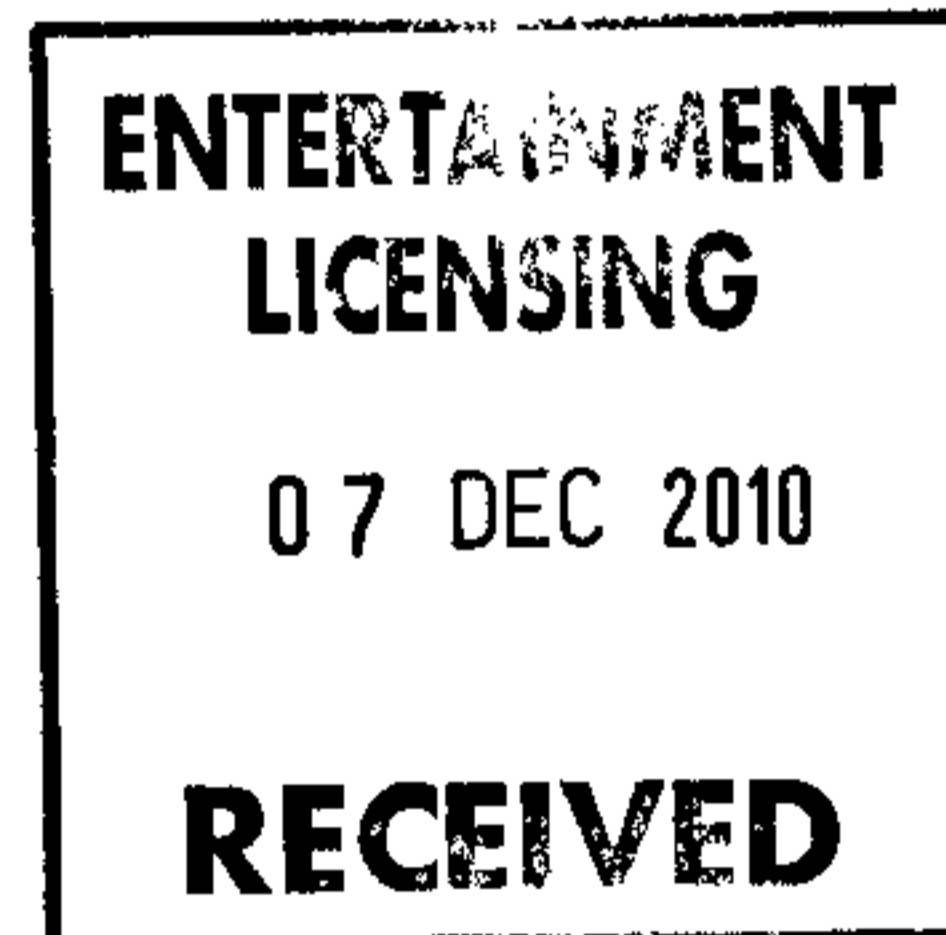
This premises is in the heart of a residential area and operating to the hours mentioned would cause nuisance and disruption for those resident living above the neighbouring property in Nangla Court and those living opposite on Queens Road.

The premises is now in the new cumulative impact policy area and although the premises does not sell alcohol it will be providing late night refreshment, which will encourage people (quite likely in drink) to be in the area late at night, with the associated noise and nuisance and potential disorder.

As a ward councillor I am aware of a planning enforcement, environmental action team and police involvement on the premises that I hope will be picked up by the relevant agencies in their comments.

James

--
Cllr James Monaghan
Headingley ward



The Residents
42 Queens Road
Hyde Park
LEEDS
LS6 1HU

10 December 2010

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

RE: Baraka Cafe, 41 Queens Road, Leeds, LS6 1HY (ref. PE/JK)

Dear Sir/Madam,

I am writing in response to your letter regarding the application for increased licensable activities at the above premises. All of our household has a strong objection to this application. While we can tolerate the loud music from the establishment until 23.00, extending this to the early hours is far from acceptable.

There have been many occasions when the music level from Baraka has been far too loud, I would question if the noise levels produced were in line with the relevant regulations. Most recently on the evening of Thursday 9/12/10, the noise was clearly disturbing us all night, while it did stop at 23.00 the base of the music could be felt as we sat in our front room.

We are all final year students and take our studies seriously, often we work into the evenings, but with this extension to the operating hours I fear it would cause huge disruption.

I do not consider the Baraka to be suitable for what the application is proposing, its location in the middle of a housing area is not ideal, it would seriously increase the risk of crime and disorder due to the large amount of people who currently stand outside in groups smoking in the evenings thus increasing the nuisance to the public and local residents.

We would be hugely disappointed if this application is to be approved and would continue to oppose it due to the unnecessary nature of the activities. We look forward to hearing more on these developments and urge the authoritative figures involved in making this decision consider the needs of the local residents over that of the establishment.

Sincerely yours,

Richard Walker & Housemates

