

Appendix D - Extra information from applicants solicitor

From: Beth Mortell <beth@woodswhur.co.uk>

Sent: 13 July 2021 09:10

To: Licensing <licensing@leicestershire.pnn.police.uk>; noiseteam <noiseteam@leicester.gov.uk>; Licensing <Licensing@leicester.gov.uk>

Cc: Paddy Whur <paddy@woodswhur.co.uk>

Subject: Aura Nightclub Premises Licence

Sent on behalf of Paddy Whur

Dear Sirs,

We write with reference to the above matter, and representing the applicant.

A helpful meeting was undertaken at the premises with the Police Licensing team and the applicant.

I committed to taking instructions to come back to the police in relation to this matter, and can only apologise that this wasn't achievable prior to the last date for representations.

I have written to all 3 who have made representations to see whether there is a possibility that we could reach agreement in relation to the representations received.

I have read the representations and have taken detailed instructions from my client.

Whilst the police suggest that my clients and myself were not aware of the grapevine issues in 2015, I would stress that these are clearly from a different operator with a different style of operation, and the implications of the premises licence review have no bearing on my client's operating style and track record.

I understand that the police were going to do some background checks on my client prior to any hearing taking place.

It is also suggested in the police representation that my clients were not aware of the impacts of the potential issues in relation to the premises falling within a cumulative impact policy area.

That is not an accurate position in that I had had serious conversations with my clients prior to lodging the application. At the meeting with the police I apologised for the fact that I had not touched base with the responsible authorities prior to lodging the application which was from a combination of factors.

My client is keen to attempt to reconcile the representations that have been made with an attempt to save the time and cost of having to hold a public meeting. To this effect, my clients have instructed me to offer to amend their application as follows:-

- 1) That the opening hours of the premises to the public:- Sunday to Wednesday from 1100 to 0230. Fridays and Saturdays from 1100 to 0300.
- 2) Supply of alcohol to cease no later than 30 minutes prior to the premises closing to the public.

- 3) The provision of recorded music, live music and the provision of performance of dance to cease no later than 15 minutes prior to the premises closing to the public.
- 4) A high definition coloured CCTV system must be installed, maintained and records clear images permitting the identification of individuals whilst the premises is open to the public. CCTV cameras to cover all public areas within the premises, including entrances and exits and the pavement area directly outside the premises.
- 5) The CCTV system and recordings must have a constant and accurate date and time stamp. The CCTV system must be fitted with security functions to prevent recordings being tampered with or deleted. CCTV images shall be retained for a minimum of 31 days and those images shall be made available to an officer from a responsible authority in accordance with the data protection law, within a reasonable time period.
- 6) A trained member of staff must be present at all times whilst the premises is open to the public who is able to operate the CCTV system and provide viewable copies to officers from responsible authorities.
- 7) Security Industry Authority (SIA) door supervisors must be employed at the premises. All door supervisors and other persons engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility armbands.
- 8) Door supervision must be provided on Fridays, Saturdays, Sundays during a Bank Holiday weekend, Christmas Eve and New Year's Eve when the premises is open to the public after 10pm. Door supervision must remain on duty until the premises is closed and all customers have left.
- 9) The licence holder must keep a record of all Security Industry Authority (SIA) door supervisors employed which includes their full name, SIA identification number and duty date/hours. The record must be kept on the premises, retained for a minimum of 6 months and made available for inspection upon request by a responsible authority.
- 10) Customers will not be permitted to remove from the premises any alcoholic drinks supplied by the premises in open containers or glass vessels supplied by the premises.
- 11) The licence holder will operate a Challenge 21 policy with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying PASS Logo. A training record must be kept on the premises, retained for 12 months and produced to an officer from a responsible authority upon request.
- 12) All external windows and doors must be kept shut at all times when amplified music is being provided. Doors may be opened for normal entrance and egress to people but must be shut immediately after.
- 13) On New Year's Eve opening hours to the public may continue until 4am on the 1st January.
- 14) The licence holder will adopt, promote and ensure that all front line staff are trained in public safety campaigns such as "Ask Angela" scheme, or other similar schemes. A record of the training must be kept on the premises, retained for 6 months and made available for inspection by responsible authorities.

We can also confirm that we would wish the application to be amended so that the sale of alcohol is for consumption on the premises only, and not for on and off the premises.

Please also find a copy of our client's lease for the premises.

When we met with the police licensing team there was a request to see the lease to ensure that a full commercial agreement is taking place from the landowner to my clients.

This is sent in confidence and as it has commercially sensitive information that my clients are happy for you to see this.

If it assists in concluding your views of this application, I can inform you that the complete renovation cost for opening will be somewhere in the region of £300,000. As was explained at the site visit with the police, the client has their own building company and therefore costs are reduced as a result of their ability to source the building work themselves. This will be a premium fit-out venue, and food and drink will be sold at premium prices. There will be no discounting.

There will be 2 full-time managers at the premises, 2 full-time chefs and 3 support cooks, plus full kitchen support staff. Serving within the bar and restaurant will be 15 members of staff. All of the staff will be recruited from the

local area and key members of staff will be introduced to the responsible authorities. If it would assist for a further meeting, or any further communication, then I am more than happy to effect that if this would assist.

Kind regards.

Yours sincerely.

Paddy Whur
paddy@woodswhur.co.uk

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