

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure 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 Noise and Pollution Control Team, Leicester City Council

Apply for a review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

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

Abu Daniel 161 Belgrave Gate

Post Town: Leicester Post Code (if known): LE1 3HS

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

Mr Mohammad Attuf

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

LEIPRM1772

Part 2 - Applicant details

I am

Please Tick Yes

- 1) An interested party (please complete (A) or (B) below)
 - a) A person living in the vicinity of the premises
 - b) A body representing persons living in the vicinity of the premises

c) A person involved in business in the vicinity of the premises d) A body representing persons involved in business in the vicinity of the premises 2) A responsible authority (please complete C below) YES 3) A member of a club to which this application relates (please complete (A) below) (A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable) Please tick Miss Other title Mr 🗌 Mrs Ms (for example, Rev) Surname First names Please tick yes I am 18 years old or over Current postal address if different from premises address Post town **Post Code** Daytime contact telephone number E-mail address (optional) (B) DETAILS OF OTHER APPLICANT Name and Address

Telephone Number

Email Address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and Address							
Chris White							
Leicester City Council Noise and Pollution Control Team							
York House							
91 Granby Street							
Leicester							
LE1 6FB							
Telephone number (if any)							
0116 454 3059							
E mail address (optional)							
chris.white@leicester.gov.uk							
This application to review relates to the following licensing chicative(s)							
This application to review relates to the following licensing objective(s) Please tick one or more boxes							
1) the prevention of crime and disorder							
2) public safety							
3) the prevention of public nuisance							
4) the protection of children from harm							
Please state the grounds for review (please see guidance note 1)							
Please state the grounds for review (please see guidance note 1)							
Abu Daniel is a Shisha Café at 161 Belgrave Gate Leicester.							
The venue has a large open front to allow them to comply with the smoke free legislation. This means when the café plays loud music there is no insulation to reduce the level of noise leaving the building.							
There are several residential properties in the vicinity of the café and the level of music is causing a nuisance to these residents.							
To prevent public nuisance recurring, I therefore formally request a review of the premises licence for Abu Daniel 161 Belgrave Gate to remove the following from the list of licensable activities authorised by the licence.							
Recorded music (indoors and outdoors) Performance of a play (indoors and outdoors) Indoor sporting event							
Entertainment of a similar description to that falling within E, F or G (indoors and outdoors).							

Please provide as much information as possible to support the application

Noise nuisances have recently been witnessed from this address 4 times in total. On each occasion, the music could be clearly heard in a complainant's bedroom.

A noise nuisance was witnessed from Abu Daniel Shisha Café 161 Belgrave Gate, Leicester of loud amplified music on 27th July 2022 at 22.00 hours. An informal warning letter was sent to Mr Mohammad Attuf, 2 Avington Close, Leicester on the 3rd August 2022. In this letter it advised Mr Mohammad Attuf to reduce the level of noise coming from his premises or legal action could be taken against him.

A second noise nuisance from amplified music from Abu Daniel Shisha Café 161 Belgrave Gate, Leicester was witnessed on 6th August 2022 at 00.55 hours. A Notice of the requirement to abate the noise nuisance from recurring was served under section 80 of the Environmental Protection Act 1990 on Mr Mohammad Attuf, 2 Avington Close on the 10th August 2022 as the person responsible of Abu Daniel Shisha Café 161 Belgrave Gate, Leicester.

A third noise nuisance was witnessed from Adu Daniel Shisha Café 161 Belgrave Gate, Leicester on the 27th August at 22:05 hours again from amplified music. A letter was delivered to Mr Mohammad Attuf on the 2nd September 2022 requesting he attend an interview under caution on the 27th September 2022. In this letter Mr Mohammad Attuf was also informed that if a further nuisance was witness from Adu Daniel Shisha Café that we would apply for a warrant to enter the premises with the intention of removing item(s) that are likely to cause a nuisance.

On the 17th September at 23.15 hours a further noise nuisance was witnessed from Adu Daniel Shisha Café 161 Belgrave Gate, Leicester from loud, amplified music.

On the 12th October 2022, with the assistance of the Police, we entered 161 Belgrave gate Leicester under the provisions of a Warrant granted by Leicester City Magistrates' Court and seized several pieces of noise making equipment.

On each occasion that a noise nuisance has been witnessed Noise and Pollution Control Officers have confirmed that Abu Daniels was the source of the music. Noise nuisances have been witnessed between 22.00 and 00.55 hours. It would therefore be difficult to restrict the hours music is played to ensure residents no longer suffer public nuisance from the premises. The premises is not suitable for the performance of recorded/live music or similar due to the doors and windows having to be open to comply with smoke-free legislation

	Please tick yes							
Have you made an application for review relating to this premises before	e?	NO)					
If yes, please state the date of that application	Da	у Мо	onth	1 Y	ear	•		

If you have made representations before relating to this premises please state what they were and when you made them							
Not applicable							
Please tick yes							
 I have sent copies of this form and enclos authorities and the premises licence hold club premises certificate, as appropriate 							
 I understand that if I do not comply with the my application will be rejected 	he above requirements	\boxtimes					
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION							
Part 3 – Signatures (please read guidance not	te 3)						
Signature of applicant or applicant's solicitor or on the solicitor of the applicant plear of the applicant plear of the applicant plear of the solicitor or of the applicant plear of the solicitor of the applicant plear of the solicitor of the		uidance					
Signature							
		* * * * * * * * * * * * * * * * * * * *					
Date 13/10/2022							
Capacity: Pollution Control Officer, Leicester Cit	y Council						
Contact name (where not previously given) a associated with this application (please read		ndence					
Post Town	Postcode						
Telephone number for correspondence (if any)							
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)							

Notes for Guidance

- 1. The ground(s) for review must be based on one of the licensing objectives.
- 2. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
- 3. The application form must be signed.
- 4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5. This is the address which we shall use to correspond with you about this application.