

# LICENSING SUB-COMMITTEE

# MEETING TO BE HELD IN CIVIC HALL, LEEDS ON MONDAY, 25TH JUNE, 2012 AT 10.00 AM

# **MEMBERSHIP**

# Councillors

C Townsley - Horsforth;

P Latty - Guiseley and Rawdon;

G Wilkinson - Wetherby;

Agenda compiled by: Tel No:

Governance Services

Civic Hall

**LEEDS LS1 1UR** 

**Helen Gray** 247 4355

# AGENDA

Item No	Ward	Item Not Open		Page No
			PRELIMINARY PROCEDURES	
1			ELECTION OF THE CHAIR	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS	
			To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)	
			(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	

Item No	Ward	Item Not Open		Page No
3			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC	
			1) To highlight reports or appendices which:	
			a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.	
			b) To consider whether or not to accept the officers recommendation in respect of the above information.	
			c) If so, to formally pass the following resolution:-	
			<b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information	
			2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.	
4			LATE ITEMS	
			To identify any applications as late items of business which have been admitted to the agenda for consideration	
			(the special circumstances shall be identified in the minutes)	

Item No	Ward	Item Not Open		Page No
5			DECLARATIONS OF INTEREST  Members are reminded to declare any interests at the start of the hearing on each application for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of conduct  HEARINGS	
6	Gipton and Harehills;	10.4(2)	"BAYSWATER SUPERMARKET" - REVIEW OF A PREMISES LICENCE FOR BAYSWATER SUPERMARKET, 5 BAYSWATER VIEW, HAREHILLS, LEEDS LS8 5LQ  To consider the report of the Head of Licensing and Registration on an application for a Review of the premises licence held by Bayswater Supermarket, 5 Bayswater View, Harehills, Leeds LS8 5LQ. The application has been made by the West Yorkshire Police under Section 51 of the Licensing Act 2003.  Appendix D is exempt under Access to Information Procedure Rule 10.4 (2)  (Report attached)	3 - 80

### **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

# 9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

#### 9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### 10.0 Exempt information – discretion to exclude public access

- 10. 1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:
  - (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
  - (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
  - (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.
- 10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.
- 10. 4 Exempt information means information falling within the following categories (subject to any condition):
  - 1 Information relating to any individual
  - 2 Information which is likely to reveal the identity of an individual.
  - Information relating to the financial or business affairs of any particular person (including the authority holding that information).
  - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
  - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
  - 6 Information which reveals that the authority proposes
    - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
    - (b) to make an order or direction under any enactment
  - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

# Agenda Item 6



Report Author: Bridget Massey

Tel: 0113 247 4095

# Report of the Head of Licensing and Registration

**Report to the Licensing Sub Committee** 

Date: Monday 25<sup>th</sup> June 2012

Subject: Review of a Premises Licence for Bayswater Supermarket 5

Bayswater View Harehills Leeds LS8 5LQ

Are specific electoral Wards affected?		☐ No
If relevant, name(s) of Ward(s): Gipton & Harehills		
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	⊠ No
Is the decision eligible for Call-In?	☐ Yes	⊠ No
Does the report contain confidential or exempt information?  If relevant, Access to Information Procedure Rule number: 10.4 (2)  Appendix number: D  This Appendix is regarded as exempt under the provisions of Paragrap Act 2003 (Hearings Regulations 2005.		□ No ensing

## **Executive Summary**

This report informs Members of an application for the review of a Premises Licence under Section 51 of the Licensing Act 2003, sought by West Yorkshire Police in respect of Bayswater Supermarket, 5 Bayswater View, Leeds LS8 5LQ. The Licensing Authority is now under a duty to review the Premises Licence held by these premises.

## 1.0 Purpose of this Report

1.1 This report provides Members with the background and history to the making of the review. The report sets out the relevant law when reviewing licences under the Licensing Act 2003 ("the Act"), and informs members of the options available to them when reviewing a premises licence.

# 2.0 Background Information

2.1 An application for the conversion of a Justices Licence was received by the Licensing Authority on 2<sup>nd</sup> August 2005. The licensing authority did not receive any

representations therefore the licence was duly granted. We received a transfer and designated premises supervisor variation on the 6<sup>th</sup> November 2006 for which we did not receive any representations. The licence was successfully transferred into the current premises licence holders.

### 2.0 Premises Licence

- 2.1 The Premises Licence Holder is Mr Rasal Ahmed.
- 2.2 A copy of the Premises Licence can be found at Appendix **A** of this report.
- 2.2 In summary, the Premises Licence permits the following:

Sale by retail of alcohol (for consumption off the premises)

08:00 until 23:00 hrs Monday to Saturday 10.00 until 22:30 hrs Sunday

# 3.0 Designated Premises Supervisor

3.1 The Designated Premises Supervisor for the premises is Mr Rubal Ahmed

#### 4.0 Location

4.1 Maps which identify the location of the premises are attached at Appendix **B**.

### 5.0 Main Issues

- 5.1 The review is being sought by West Yorkshire Police on the grounds of the prevention of crime & disorder, prevention of public nuisance and protection of children from harm. A partial copy of the review application is located at Appendix C of this report. It should be noted that certain information submitted within the application is potentially exempt information under Access to Information Rule 10.4 (2) as it includes information which relates to individuals and is likely to reveal the identity of an individual. This information is contained within appendix D.
- As part of the review procedure, details of the review and an outline of the grounds on which the review is requested must be displayed at the premises for a period of 28 days, commencing the day after the application is received.
- 5.3 Such notices were duly placed on prominent display at the premises on 11<sup>th</sup> May 2012 and checked on a regular basis. The notices were removed at the end of the consultation period on 7<sup>th</sup> June 2012.
- 5.4 Section 51 of the Licensing Act 2003 places the Licensing Authority under a duty to review the premises Licence in respect of Bayswater Supermarket. A summary of the procedure followed in accordance with the Act is attached to this report by way of a flow chart at Appendix E.

## 6.0 Relevant Representations/Support

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

6.1.2 A Letter of Support in respect of the Review has been received from the Ward Members and is attached at Appendix **F** 

# 7.0 Matters Relevant to the Application

- 7.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:
  - 7.1.1 the prevention of crime and disorder:
  - 7.1.2 public safety;
  - 7.1.3 the prevention of public nuisance; and
  - 7.1.4 the protection of children from harm.
- 7.2 In making their decision Members are obliged to have regard to guidance issued under Section 182 of the Act, a copy of the relevant section is attached at Appendix G. Members must also have regard to the Council's licensing policy, the relevant representations made and evidence they hear.

# 8.0 Implications for Council Policy and Government

8.1 It is the stated licensing policy of the Council that when considering a review the authority will take into account all relevant circumstances.

# 9.0 Legal and Resource Implications

- 9.1 There are no resource implications in determining the review.
- 9.2 The Act provides the right to appeal on any decision reached on review. The right of appeal is to the Magistrate's Court.

### 10.0 Recommendations

- 10.1 Members are requested to determine this review. The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
  - 10.1.1 to modify the conditions of the licence (which includes adding new conditions or any alteration or omission of an existing condition);
  - 10.1.2 exclude any licensable activities to which the application relates;
  - 10.1.3 to remove the Designated Premises Supervisor;
  - 10.1.4 to suspend the licence for a period not exceeding 3 months; and/or
  - 10.1.5 to revoke the licence.
- 10.2 Members may alternatively decide that no action is necessary and that the circumstance of the review does not require the Committee to take any steps to promote the licensing objectives.
- 10.3 Members should note the Guidance also suggests it is open to Members to issue an informal warning to the licence holder or to recommend improvement within a particular time. However the Guidance further provides that where responsible authorities have already issued such warnings, the issuing of another warning should not be repeated.

10.4 Members of the Licensing Committee are asked to note that they may not take any of the steps outlined above merely because they consider it desirable to do so. It must actually be <u>necessary</u> in order to promote the licensing objectives.

# 11.0 Background Papers

- 11.1 Guidance issued under s182 Licensing Act 2003
- 11.2 Leeds City Council Statement of Licensing Policy



# **Public Register Copy**

# **Premises Licence Leeds City Council**

Licence Issued By:	On: 1st September 2005
N Jacks	
25	140 Ph
Nicole Jackson	, .
Assistant Chief Ex	xecutive (Corporate Governance)
Premises Licence Number	PREM/01626
Part 1 - Premises Details	
Postal address of premises, or if none, ordnand Post Town, Post Code	e survey map reference or description, including
Bayswater Supermarket	
5 Bayswater View	
Harehills Leeds	
LS8 5LQ	
Telephone number	
Where the licence is time limited the dates	
N/A	
	, un re-passivage auth-1 A-1
Licensable activities authorised by the licence	
Sale by Retail of Alcohol	
Times the licence authorises the carrying out o	f licensable activities
Sale by Retail of Alcohol	
Monday to Saturday 08:00 - 23:00	
Sunday 10:00 - 22:30	

The opening hours of the premises
The hours of licensable activities for the premises are as above. There are no regulated opening hours for non-licensable activities.
Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption off the Premises
Name, (registered) address of holder of premises licence
Mr Rasal Ahmed
Bayswater Supermarket
5 Bayswater View Harehills
Leeds
LS8 5LQ
Registered number of holder, for example company number, charity number (where applicable)
N/A
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol
Mr Rubal Ahmed
State whether access to the premises by children is restricted or prohibited
N/A

# Annex 1 - Mandatory conditions

No supply of alcohol may be made under this licence

- a. At a time when there is no designated premises supervisor in respect of the premises licence, or
- b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

### **Embedded Restrictions in respect of Justices' off licence**

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

The above restrictions do not prohibit:

- a) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- b) the sale of alcohol to a trader or club for the purposes of the trade or club;

Alcohol shall not be sold in an open container or be consumed in, the licensed premises.

### Annex 2 - Conditions consistent with the Operating Schedule

N/A

## Annex 3 - Conditions attached after a hearing by the licensing authority

N/A

#### Annex 4 - Plans

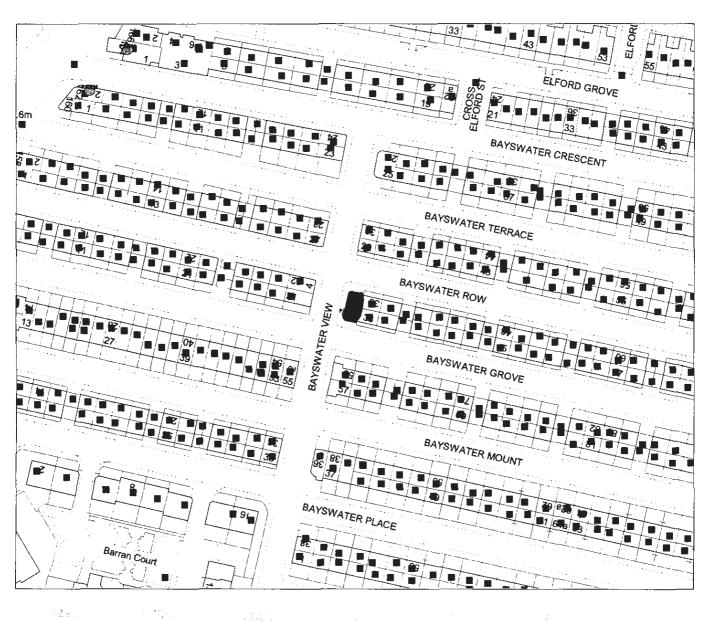
The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council Licensing Authority.



# Leeds City Council Entertainment Licensing

# PREM/01626/002

# 5 Bayswater View, Leeds, LS8 5LQ



Km 0.02 0.04 0.06 0.08 0.1 0.12 0.14 0.16 0.18 0.2

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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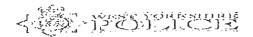
Date:	12 June 2012
Scale:	1:1250

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# 5 Bayswater View, Harehills, Leeds LS85LQ

- Application to Review

# NOTEROTECHNELY MARKED



Licensing Department Millgarth Police Station Millgarth Street Leeds LS2 7HX

Leeds District Licensing Department

Tel: 0113-2414023 Fax: 0113-2413123

Email: lynn.dobson@westyorkshire.pnn.police.uk

10 May 2012

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

RE: APPLICATION FOR REVIEW OF PREMISES LICENCE:

# **PREMISES:**

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

# PREMISES LICENCE HOLDER:

MR RASAL AHMED, 5 BAYSWATER VIEW, HAREHILLS, LEEDS LS8 5LQ

## EACH RESPONSIBLE AUTHORITY – please take note:

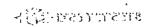
Supplied to each Responsible Authority at this stage is the review application only.

Should any authority wish to be supplied with any of the additional supporting documents referred to in the application, the documents will be forwarded to the authority but only if a request is put in writing to West Yorkshire Police at the above address. Emails will be acceptable.

In addition, as this is an application made by West Yorkshire Police, each Responsible Authority is entitled to make relevant representations about this review, based on any of the four licensing objectives.

If any of the Responsible Authorities listed below intend to do this, could they please contact West Yorkshire Police as soon as possible.

# NOT PROTECTIVELY MARKED



# APPLICATION FOR THE REVIEW OF A PREMISES FIGURALE 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 co form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside and written in black ink. Use additional sheets if necessary.  You may wish to keep a copy of the completed form for your records.	
DIC TACHY MICHIEL PRINT IN THE	Service of the service of
f, (insert name of applicant) PC 5783 Dobson	
<ul> <li>Apply for the review of a Premises Licence under Section 51</li> <li>Apply for the review of a Club Premises Certificate under Section 87 of the Licensing Act premises described in Part 1 below</li> </ul>	2003 for the
Part 1 - Premises or Club Premises details	
Postal address of premises or, if none, Ordnance Survey map reference or description:	
5 Bayswater View	
Town/City: Leeds Postcode: LS8 5LQ	
Name of premises licence holder or club holding club premises certificate (if known):  Rasal Ahmed	
Number of premises licence or club premises certificate (if known): PREM/01626	
Trumber of profited to dide profited definition (if known).	
Part 2 - Applicant details  Please 'check' appropriate box(es)  I am:	
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)	$\boxtimes$
3. A member of the club to which this application relates (please complete A below)	
A Details of individual applicant	
A – Details of individual applicant	
Surname: Forename(s):	
I am 18 years old or over:	
Current postal address if different from premises address: Town/City: Postcode:	
Daytime contact telephone number:	
E-mail address (optional):	

**RESTRICTED** 

1.12.07

5 Bayswater View, Harehills, Leeds LS8 5LQ is an off licence situated in the Harehills area of Leeds. The area, as a whole, suffers from a high proportion of alcohol related anti-social behaviour (ASB) and crime and disorder.

The area is closely monitored by the Neighbourhood Policing Team (NPT) for the Gipton and Harehills (GH) area. This team is lead by Inspector Tom Harrison, who has recently taken over the area from Insp Mick Lawrenson. Much of the work in relation to local issues is conducted in conjunction with partnership agencies and following close liaison with the residents from the community. This store has been a concern for agencies and residents for some considerable time.

The current premises licence holder (PLH), Rasal Ahmed, became PLH in 2006. His brother, Rubal Ahmed, became designated premises supervisor (DPS) at the same time. The grounds to object to these applications did not exist at this time and the applications were allowed to proceed.

Concerns have been received, by licensing, after the PLH and DPS had been at the store for some considerable time. However, over the last eighteen months there has been a significant increase in reported anti-social behaviour (ASB) and intelligence.

In 2009 a test purchase operation was conducted at the store and a sale of alcohol was made to an underage test purchase child. The sale was made by the Rasal Ahmed.

Concern has continued to grow in relation to the management of the store and their ability to run the premises whilst upholding the licensing objectives. The PLH has come to the attention of West Yorkshire Police on a number of occasions and residents have continued to report their concerns.

Residents have reported youths congregating at the store and acting in an anti social manner whilst committing drug, licensing and public order offences. The residents reports being afraid of reprisals and on occasions ask that they are not identified or visited for fear of what may happen. One resident states that their health has suffered because of what has happened in the area. Others feel totally exhausted and fed up by the frequent problems with youths and feel that the store is the magnet that attracts them to the area. Residents believe that the store is fuelling the problems of the locality by allowing underage sales of alcohol and turning a blind eye to the behaviour displayed by the youths.

On 19 November 2011 a further test purchase operation was conducted and Bayswater Supermarket was again tested. The store failed the operation. The seller was Rasal Ahmed.

On 10 December 2011 a further test purchase operation was conducted and Bayswater Supermarket was again tested. The store failed the operation. The seller was Rasal Ahmed.

Following liaison with the NPT and an interrogation of Police systems, a meeting was called with the PLH to discuss the concerns. On 5 January 2012 the meeting took place at Millgarth Police Station with PC Dobson.

It was clear from this meeting that Rasal Ahmed was unclear of his responsibilities as PLH and unconcerned about the sales of alcohol made to children. Ahmed denied being a magnet for youths causing ASB saying that youths do congregate at his shop but they do not do anything. Ahmed contradicts himself during the course of the meeting and when it is made clear that a review would be considered, with revocation being an option, he appears shocked saying he did not realise he could lose his licence.

Whilst there have been no further test purchase failures, the level of concern has remained high. Residents are still calling the Police and their local ward councillors and still say the store is the reason for the problem

A full chronology is attached to the review papers.

Please provide as much information as possible to support the application (please read Guidance note 2)

# RESTRICTED

B - Details of	f other applicant			
Surname:		Forename(s):		
Address:				
	Town/City:		Postcode:	
Daytime conta	act telephone number:			
E-mail addres	s (optional):			
C - Details of	f responsible authority app	olicant		
	West Yorkshire Police			
Surname:	Dobson	Forename(s):	Lynn	
Address:	Millgarth Police	e Station, Miligarth	Street	
	Town/City:	Leeds	Postcode;	LS2 7HX
Daytime conta	act telephone number:	0113 2414111		
E-mail addres	s (optional):	lynn.dobson@v	estyorkshire.pnn.police.uk	
This application	on to review relates to the fol	lowing licensing ob	ective(s): (Please 'check' one or more t	ooxea)
• •	ention of crime and disorder	•		
(b) Public Si				
	vention of public nuisance			
• •	ection of children from harm			
State the grou	ınd(s) for review (please rea	d Guidance note 1)	* *	

RESTRICTED

# RESERVED

made them:		
		<del></del>
lease 'check' appropriate box(es)		
	s of this form and enclosures to the responsible authorities and the	
premises licence ho	older or club holding the club premises certificate, as appropriate	$\boxtimes$
<ul> <li>I understand that it rejected</li> </ul>	f I do not comply with the above requirements, my application will be	$\boxtimes$
	e read Guidance note 3)  applicant's solicitor or other duly authorised agent (see guidance repplicant, please state in what capacity:	note 4). I
Signature of applicant or	applicant's solicitor or other duly authorised agent (see guidance r	note 4).
Signature of applicant or signing on behalf of the ap	applicant's solicitor or other duly authorised agent (see guidance r	note 4).
Signature of applicant or signing on behalf of the applicant or signature:	applicant's solicitor or other duly authorised agent (see guidance repplicant, please state in what capacity:	note 4).
Signature of applicant or signing on behalf of the applicant or signature:  Capacity:  Contact name (where not	applicant's solicitor or other duly authorised agent (see guidance repplicant, please state in what capacity:  Date:  previously given) and postal address for correspondence associated	
Signature of applicant or signing on behalf of the applicature:  Capacity:  Contact name (where not application (please read Gui	applicant's solicitor or other duly authorised agent (see guidance repplicant, please state in what capacity:  Date:  previously given) and postal address for correspondence associated	
Signature of applicant or signing on behalf of the applicature:  Capacity:  Contact name (where not application (please read Gui	applicant's solicitor or other duly authorised agent (see guidance repplicant, please state in what capacity:  Date:  previously given) and postal address for correspondence associated idance note 5):	
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Signature of applicant or signing on behalf of the applicature:  Capacity:  Contact name (where not application (please read Gui	applicant's solicitor or other duly authorised agent (see guidance replicant, please state in what capacity:  Date:  previously given) and postal address for correspondence associated idance note 5):  Forename(s):	
Signature of applicant or signing on behalf of the application.  Capacity:  Capacity:  Contact name (where not application (please read Guille Surname:  Address:  Telephone number (if any): if you would prefer us to coryou using an e-mall address	applicant's solicitor or other duly authorised agent (see guidance repplicant, please state in what capacity:  Date:  Date:  Previously given) and postal address for correspondence associated idence note 5):  Forename(s):  Town/City:  Postcode:	
Signature of applicant or signing on behalf of the application:  Capacity:  Contact name (where not application (please read Gui Surname:  Address:  Felephone number (if any):  f you would prefer us to cor	applicant's solicitor or other duly authorised agent (see guidance repplicant, please state in what capacity:  Date:  Date:  Previously given) and postal address for correspondence associated idence note 5):  Forename(s):  Town/City:  Postcode:	

- 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.
- This is the address which we shall use to correspond with you about this application.

Exempt / Confidential Under Access to Information Procedure Rules 10.4 (2)

Document is Restricted

# **Review of Premises Licence**

# Application for a review received.

- Is the application completed correctly?
- Is the application relevant to the Licensing Objective?
- Is the interested party relying on frivolous, vexatious or a repetitious ground?
- Has the applicant notified responsible authorities and Licence holder?

Notify the applicant as soon as possible that the ground is frivolous, vexatious or a repetition.

Licensing Authority must advertise the review

Advertisement placed - At or near premises subject to review

- At offices of Licensing Authority

- On leeds.gov.uk

# The advert must include the following details

- a) The address of the premises subject to review
- b) The dates between which interested parties & Responsible Authorities may make representations
- c) The grounds of the application for review
- d) The postal address, web site address ,licensing register details etc
- e) That it is an offence to knowingly or recklessly to make a false statement in connection with the review.

The advert is placed for no less than 28 consecutive days starting with the day after the application was given to the applicant.

# The Licensing Authority must hold a hearing

The hearing must be held within 20 working days beginning with the day *after* the end of the period during which representations may be made

The Licensing Authority must give notice of the hearing, no later than ten working days before the day of the hearing

Notice of the review hearing must be given to

- a) The premises licence holder
- b) Those that made relevant representations

Representations from interested parties must not be vexatious, frivolous or a repetition.

- A ground for review already specified in an earlier review application of the same premises which has already been determined; or
- Representations considered when the premises licence was first granted; or
- Representations which would have been made when the application for the premises licence was first granted and which were excluded then due to a provisional statement being issued; and
- A reasonable interval has not elapsed since a previous review or the grant of the licence.

Notification that a representation is frivolous, vexatious or repetitious must be given in writing before the review is determined.



Gipton & Harehills Ward **Labour Councillors** Cllr Kamila Magsood **Cllr Arif Hussain Cllr Roger Harington** Civic Hall Leeds, LS1 1UR

Ms Bridget Massey **Entertainment Licensing** Leeds City Council

Civic tel 0113 247 6922 0113 247 4046 Civic Fax kamila.maqsood@leeds.gov.uk arif.hussain@leeds.gov.uk roger.harington@leeds.gov.uk Our ref KM/AH/RH/NP 18<sup>th</sup> May 2012 Date

Dear Ms Massey

Licence Review: Bayswater Supermarket, 5 Bayswater View, LS8 5LQ.

We refer to the above licence review and write to express our support for the objectives of West Yorkshire Police with regard to this premises.

We have received numerous complaints from local residents regarding this store and we therefore support the review of the Premises Licence.

We trust that our comments will be taken into account when considering this case, but if you require further information, please feel free to contact us.

Yours sincerely

Councillor Kamila Magsood Councillor Arif Hussain

07910 848474

07887 586300

Councillor Roger Harington

Roga Harryton

0113 240 0769