

WITNESS STATEMENT

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

Statement of Carmel Brennand**Age/Date of Birth – Over 21 Occupation – Senior Liaison & Enforcement Officer**

This statement (consisting of 7 page(s) each signed by me) is true to the best of my Knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated 27 January 2016

Signature :

I am the above named person. I am employed full - time as a Senior Liaison and Enforcement Officer with Leeds City Council's Entertainment Licensing Section. My duties include visiting licensed premises with other agencies to ensure compliance under the Licensing Act 2003, in promoting the four licensing objectives; the prevention of crime and disorder; public safety; the prevention of public nuisance and the protection of children from harm.

Since the 24th November 2005, the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment are licensable activities under the Licensing Act 2003. This means that a premises carrying on any of these activities require a Premises Licence authorising the activity.

On 17 September 2014 an application for the grant of a Premises Licence in respect of Biedronka, 225 Roundhay Road, Leeds, LS8 4HS was received at the Entertainment Licensing Section. The application submitted by Beachwood Solicitors on behalf of Shoresh Fatah Mohammed as the Premises Licence Holder and Kardo Unit Abdullah specified as the Designated Premises Supervisor, was for the retail sale of alcohol for consumption off the premises between 9:00 am to 11:00 pm Monday to Saturday and 10:00 am to 10:00 pm Sundays. The application form signed and dated 17 September 2015 was accompanied with a Proforma Risk Assessment. Page 2 of the Proforma Risk Assessment relates to CCTV and it can be seen that the applicant has ticked all the CCTV conditions thereby agreeing to them being included in the Premises Licence (I produce a copy of the application and the Proforma Risk Assessment as my exhibit CB 1).

On 19 September 2014 an email from Mr Soresh's solicitor is received requesting certain amendments to the application and the Proforma Risk Assessment. The solicitor requests that where the applicant has agreed to conditions in relation to the use of door supervisors

and that people under the age of 18 will not be allowed on the premises, these be removed. The solicitor also requests the hours for the sale of alcohol be increased to 07:00 to 12:00 midnight every day. (I produce a copy of the solicitor's email dated 19 September 2014 as my exhibit CB 2).

As there were no representations offered by any of the responsible authorities, PREM/03522/001 was granted with effect from 16 October 2014 and issued on 21 October 2014. (I produce a copy of the premises licence PREM/03522/001 issued on 21 October 2014 as my exhibit CB 3).

On Monday 6 July 2015 a complaint was received at this Section alleging that the premises were open and selling alcohol after the permitted hours on the Premises Licence. My colleague Mr Paul Rix, Senior Liaison & Enforcement Officer dealt with this matter initially and hand delivered warning letters to the premises.

At 00:58 am on Saturday 19 July 2015 I drove past Biedronka, 225 Roundhay Road, LS8 and noted the shop was closed with shutters down.

On Wednesday 19 August 2015 applications to transfer the Premises Licence and vary the Designated Premises Supervisor for Biedronka were received at this Section. Premises Licence PREM/03522/003 with Mr Alan Amiri as the Premises Licence Holder and Shores Mohammed as the Designated Premises Supervisor was granted with effect from 19 August and issued on 3 September 2015. (I produce a copy of the licence PREM/03522/003 with its covering letter as my exhibit CB 4).

At 2:50 pm on Thursday 3 September 2015 I attended at the shop at 225 Roundhay Road, Leeds, LS8 4HS known as Biedronka. I introduced myself to the male behind the counter who stated he was Mr Alan Amiri. I handed him an A4 envelope with the newly issued Premises Licence inside. I explained that we had received a complaint that the premises were open and selling alcohol after the hours on the licence. Mr Amiri confirmed the correct closing times to me. I asked if I could have a look at the CCTV to check this was the case. Mr Amiri stated that the hard drive was not recording. He had already had an engineer out to give him a quote for extra cameras and a new hard drive. I advised him that if the CCTV was not recording then he was in breach of certain conditions on the Premises Licence. I told him that I would give him 2 weeks to get this sorted. I gave him a DPS Authorisation form for Mr Shores Mohammed to sign for all members of staff who could potentially sell alcohol. I also gave him my business card and asked him to ring me when the CCTV was fixed.

On Thursday 10 September 2015 I contacted the original complainant and advised him that warning letters had been sent to the operators. That we had conducted drivebys late at night and the shop had not been open. I asked the complainant if he had noticed an improvement. He confirmed that he had. I told him that his complaint would be filed. As I had concerns regarding the CCTV, I would be progressing that separately.

On Wednesday 7 October 2015 I was working in company with PC Lynn Dobson, the Leeds District Licensing Officer responsible for Leeds 8 and probationer officer PC Stephanie Van Loo. We were conducting visits to several premises, both on and off licences where we had received complaints or concerns about the operation of those premises. At 3:15 pm we attended at Biedronka, 225 Roundhay Road. There was a young female behind the counter to whom I introduced all of us to. I asked if Mr Amiri or Mr Mohammed were here at the shop? Mr Amiri arrived at the shop literally as soon as I asked this. I noted that the Part B of the Premises Licence was not displayed. I looked at the CCTV monitor and noted there were 4 camera screens shown. I asked if we could have a look at any recorded footage. Neither Mr Amiri nor the young female could operate the system. I explained that I would return in 3 weeks and the CCTV should be recording and whoever is working at the shop should be able to operate the CCTV. I explained to Mr Amiri that there were 14 conditions on the Premises Licence just about the CCTV. I gave Mr Amiri 2 Check 21 Age Verification posters and another DPS authorisation form explaining that Mr Shores Mohammed has to authorise all the staff that could sell alcohol and that this could be verbal or written, hence the form. Mr Amiri stated that Mr Shores Mohammed was a good friend; he has known him for 15 years. As we were leaving the shop Mr Amiri asked whilst pointing over to an off licence shop on the other side of Roundhay Road, 'Can I have 24 hour licence like them?' I said, 'I think you need to walk before you run. Get things sorted in this shop first'. At 3:25 pm we resumed from the premises.

On Friday 9 October 2015 I wrote to Mr Alan Amiri, the Premises Licence Holder confirming in writing that on the two visits to his shop Biedronka, the CCTV was not compliant with the conditions on the Premises Licence; I remind him of the specific conditions on the Licence and advise the offence under Section 136 of the Licensing Act 2003 when any conditions are breached. I advise the repercussions of being found guilty of such an offence and that the premises will be revisited in the near future and checked for compliance. (I produce a copy of my letter addressed to Mr Amiri at Biedronka as my exhibit CB 5). The same letter was sent to Mr Shores Hatah Mohammed, the Designated Premises Supervisor at his home address. (I produce a copy of that letter as my exhibit CB 6).

On Wednesday 4 November 2015 I was working in company with PC Lynn Dobson and

probationer Alan Andrews, both of the West Yorkshire Police, visiting both on and off licensed premises. At 2:00 pm that day we attended at Biedronka, 225 Roundhay Road, Leeds 8. I introduced myself and the officers to the young girl behind the counter who I now know to be Arleta Rybak. I asked if Mr Alan Amiri was here to which she replied, ' No. It is my first day here training', which I thought was odd as she was on her own. I asked if she knew Mr Shores Mohammed to which she replied, 'No'. I looked up at the CCTV monitor which showed 6 camera shots and noted that it was showing 1506 on 4.11.15. I asked Arleta if she could operate the CCTV system, but she could not. I advised Arleta to tell Mr Amiri that we would come back next week and I wrote down my name so she could pass it on to him. We resumed from the shop at 2:10 pm.

On Tuesday 10 November 2015 I wrote again to Mr Alan Amiri at Biedronka highlighting issues found at 3 previous visits to his shop, namely that the staff spoken to did not appear to have been authorised to sell alcohol nor could they operate the CCTV system. The letter reminds Mr Amiri of the mandatory condition in relation to alcohol sales and the specific conditions on his Premises Licence in relation to the CCTV. I also remind him of the offences under Section 136 and the potential of an unlimited fine and/or 6 months imprisonment if found guilty of such an offence. I concluded the letter stating that the shop would be revisited in the week commencing Monday 16 November 2015 and checked for compliance and if matters were not rectified, formal action would be taken. (I produce a copy of my letter dated 10 November 2015 addressed to Mr Amiri at the shop as my exhibit CB 7 and the same letter addressed to Mr Shores Mohammed at his address as my exhibit CB 8.) These letters were posted out 1st class.

The annual fee of £180 for the Premises Licence in respect of Biedronka was due on 16 October 2015. As this had not been paid, the Licence became suspended with effect from 9 November 2015 as the Licensing Act allows a further 3 weeks in which payment can be made.

At 3:38 pm on Tuesday 10 November 2015 I rang the mobile telephone number we had on our systems for Mr Amiri to advise him that the Premises Licence was suspended The phone number I rang just cut off.

At 11:52 am on Wednesday 11 November 2015 I attended at the premises and introduced myself to the young male behind the counter. He introduced himself as Omid Mohamadi. When I asked if Mr Amiri or Mr Shores Mohammed was here, Mr Mohamadi stated that Mr Amiri would not be at the shop until later in the day. I explained the reason for the visit was

and therefore all sales of alcohol should cease and furthermore that the alcohol would have to be removed from display until the payment was received. I handed Mr Mohamadi a copy of the suspension letter which had already been posted out to the premises. (I produce a copy of the suspension letter as my exhibit CB 9). Mr Mohamadi rang Mr Amiri and explained that the licence had been suspended. Mr Mohamadi came off the phone saying that Mr Amiri would pay the fee today.

I explained to Mr Mohamadi that Mr Amiri would be receiving a long letter from me about the CCTV and other issues. I suggested if Mr Amiri found my letter difficult to understand it may be worth Mr Mohamadi reading it and telling Mr Amiri how important to comply with all the Licence. I asked if Mr Mohamadi could operate the CCTV. He said that he couldn't but that I could if I wanted. I explained it has to be staff. I advised that I would be returning next week and whoever is working at the shop needs to be able to operate it and the system should be recording for 31 days. I noted that the date and time on the CCTV monitor was 11.10.15, 23:55:31. When I asked Mr Mohamadi if he knew the Designated Premises Supervisor Shores Mohammed and if he had authorised him to sell alcohol, he replied that he had been in the shop half an hour ago. Mr Mohamadi stated that he had an SIA (Security Industry Authority) licence. I explained that a Personal Licence was required for a Premises Licence and explained how to get one.

I went back to my letter to Mr Amiri and asked Mr Mohamadi to stress how serious the breaches of the licence conditions were. I explained that if we were to go to court with the matter; if found guilty; the fine used to be up to £20,000 and/or 6 months imprisonment but now the fine was unlimited. I explained that I had told Mr Amiri all this and written to him as well. I left another DPS Authorisation form with Mr Mohamadi and my business card, although I had left one previously. I resumed from the shop at 12:05 pm.

On my return to the office later that day I was advised that the annual fee for Biedronka had been paid and therefore the suspension of the Licence had been lifted.

On Thursday 19 November 2015 I received an email from PC Dobson advising me of the results of her visit to this shop on Tuesday 17 November 2015 with an officer from the West Yorkshire Police Imaging Department. PC Dobson stated that on checking the CCTV system only 4 days footage was available.

On Monday 14 December 2015 I wrote again to the Premises Licence Holder Mr Alan Amiri at the premises known as Biedronka. I advised that after 4 visits to his shop, the CCTV was still not compliant with the conditions on his Premises Licence. I advised that the shop would be revisited on Friday 8 January 2016 where the CCTV would be checked and if it is still not compliant, I will be taking formal action by way of an application to review the Premises

Licence. I also advise the actions available to the Licensing Sub Committee on hearing such an application. (I produce a copy of my letter addressed to Mr Amiri at the premises as my exhibit CB 10). I wrote a similar worded letter to the Designated Premises Supervisor Mr Shoresh Mohammed at his address. (I produce this letter dated 14 December 2015 as my exhibit CB 11).

On Friday 8 January 2016 I was working in company with PC 3626 David Crossley, the Neighbourhood Policing Officer for the Harehills area. We were revisiting licensed and non-licensed premises within his allocated area. At 9:50 am we attended at 225 Roundhay Road, Leeds 8, known as Biedronka. There was a young female standing at the side of the counter and Mr Amiri sat behind the counter. I introduced myself and PC Crossley and asked Mr Amiri if he had received my letter telling him I was revisiting today ? He said, 'Yes' and proceeded to show me his new Personal Licence issued by Birmingham Council, reference no 9318/1. Mr Amiri stated he would now transfer the Designated Premises Supervisor into his name and take Soresh off. I reminded him that we were here to look at the CCTV. I turned around and looked at the CCTV monitor. There were 6 cameras shown, however no date or time shown. Mr Amiri had the mouse for the CCTV behind the counter. I asked him if we could look at footage from 8 December 2015. As he was having difficulty using the mouse, the young female took over from him, went on to the search screen and tried to change the year, date and month. The search screen showed this in American format, i.e. 2015-12-08. 'No Data' came up on the screen. Despite a few more attempts, she was unable to show any footage from 8 December 2015. She then tried just rewinding from today's date which only went as far back as 9:00 on 4 January 2016. I told Mr Amiri, 'I am not happy. The CCTV is supposed to go back 31 days'. Mr Amiri said he had paid the CCTV man £150, then £140. I told him that he should have checked the CCTV daily to make sure it was recording to 31 days. I pointed to the small bottles of spirits on a shelf behind him and said, 'Every time you sell a can of beer or one of those small bottles of vodka you are committing offences under Section 136 of the Licensing Act 2003. You have just done your personal licence course so you should know how serious this is. How much is the fine if I take you to court?'. Mr Amiri answered, 'A lot'. I nodded and said, 'Yes. It used to be up to £20,000 but now it is unlimited'. Mr Amiri picked up his mobile phone and said he was ringing his CCTV man. When he put the phone down he stated, 'The CCTV man is coming at 5 pm tonight, will you come back tomorrow and you will see that it has been fixed?'. I explained that even if I did come back tomorrow it would still not show 31 days footage and to be fair I had been coming to this shop since September. I cannot keep coming back. When I had hand delivered his Premises Licence back In September I had shown him all the CCTV conditions and explained he had to comply with all of them in order to sell alcohol.

spoken to staff every time I had visited, especially the young male who appeared to understand the importance of complying with every condition. Mr Amiri's response was, ' Now I know it is 31 days I will fix it. Please give me more time? I am trying to run a business. I do not claim benefits and even when I have a sick note for a bad back, I work'. I reiterated that I had visited him and written to him and if he had not understood my letters he could have rung me and I would have explained it all again to him. I explained, 'I am going to have to speak to my boss about formal action. We could end up in court or at the Civic Hall'. Mr Amiri said, 'Please not court, I was there yesterday with my son'. Before leaving the shop I asked who the CCTV engineer was. Mr Amiri pointed across Roundhay Road saying, ' He has a computer shop over there'. At 10:10 am we resumed from the shop.

Signature:



ENTERTAINMENT LICENSING
17 SEP 2014
RECEIVED

PREM1

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 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** SHORESH FATAH MOHAMMED (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 or, if none, Ordnance Survey map reference or description <u>BIEDRONKA</u> <u>225 ROUNDHAY ROAD</u> <u>LEEDS LS8 4HS</u>	
Post town <u>LEEDS</u>	Post code <u>LS8 4HS</u>

Telephone number of premises (if any)	<u>—</u>
Non domestic rateable value of premises	<u>£ 4144</u>

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as:

Please tick as appropriate

- 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. as 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - o statutory function or
 - o a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname: **MOHAMMED** First names: **SHRISH FATAH**

Please tick yes

I am 18 years old or over

Current postal address if different from premises address:

Post Town: **LEEDS** Postcode:

Daytime contact telephone number:

Email address (optional):

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE) *N/A*

Mr Mrs Miss Ms Other title (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 Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS *N/A*

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In 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)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? *ASAP*

Day	Month	Year
01	10	2014

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

Day	Month	Year

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

off license + Convenience Store

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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

- Please tick yes
- Provision of regulated entertainment**
- a) plays (if ticking yes, fill in box A)
 - b) films (if ticking yes, fill in box B)
 - c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performance of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

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 (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			State any seasonal variations for performing play (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (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			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)
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 outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Both	<input type="checkbox"/>	Please give further details here (please read guidance note 3)
Tue					
Wed			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			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)		
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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			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. (Please read guidance note 5)		
Sat					
Sun					

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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

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		
			Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the 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)		
Sat					
Sun					

I

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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	09.00	23.00			
Wed	09.00	23.00			
Thur	09.00	23.00	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)		
Fri	09.00	23.00			
Sat	09.00	23.00			
Sun	10.00	22.00			

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

Name KARDU UNIT ABDULLAH

Address 1 BOSTON TOWERS
LEEDS

Postcode LS8 5HR

Personal licence number (if known) 1197

Issuing licensing authority (if known) METROPOLITAN
BURY

BER
BOROUGH OF

K

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)

L

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	23.00	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)
	08.00	23.00	
Tue	08.00	23.00	
Wed	08.00	23.00	
Thur	08.00	23.00	
Fri	08.00	23.00	
Sat	08.00	23.00	
Sun	09.00	23.00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) **General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

b) **The prevention of crime and disorder**

c) **Public safety**

d) **The prevention of public nuisance**

e) **The protection of children from harm**

Checklist

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated 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 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 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	17/09/2014
Capacity	APPLICANT

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 address for correspondence associated with this application (please read guidance note 19)

Post town LEEDS	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would 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 is 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 unamplified.
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 e.g. 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 the premises". If you wish people to be able purchase alcohol to consume away from the premises, please tick "off the premises". 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. An 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 v7

ENTERTAINMENT LICENSING

17 SEP 2014



Leeds
CITY COUNCIL

RECEIVED

Please complete the details below:

Applicant name:	SHORESH FATAH MOHAMMED
Business name:	BIEDRONKA
Business address:	225 ROUNDHAY ROAD LEEDS
	Postcode: LS8 4HS

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 that 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.
4. The Licensing Authority strongly recommends that you consult with the responsible authorities early in the application process to ensure that the measures you are suggesting are appropriate and sufficient for your application. Contact details for the responsible authorities are in the guidance note in the application pack. Please contact Entertainment Licensing if you cannot find this information.

How to use this document

1. This document has four sections which correspond with the four licensing objectives. 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 at the beginning of each section and consider the potential control measures listed in the columns beneath.
3. If you are happy to volunteer the control measures as part of your application 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 on your licence.

Crime and Disorder

CCTV

Does the premises have CCTV?	YES <input checked="" type="checkbox"/> NO <input 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 checked="" type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with WYP?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
The premises have a duly licensed Data Controller under the Data Protection Act 1998	YES <input checked="" 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 type="checkbox"/> N/A <input checked="" type="checkbox"/>
(NB unless WYP have agreed CCTV is not required, a representation is likely)	

Suggested measures	Code	✓
A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises .	7PF001 x	✓
The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).	7PF002 x	✓
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.	7PF003 x	✓
The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.	7PF004 x	✓
The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority	7PF005 x	✓
The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.	7PF006 x	✓
The CCTV system will contain the correct time and date stamp information.	7PF007 x	✓
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.	7PF008 x	✓
The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.	7PF009 x	✓

A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.	7PF010	X ✓
The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images caught on cameras on the premises will, on the lawful request of an authorised officer of a Responsible Authority (under the Licensing Act 2003), be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that it is secured to prevent any overwriting.	7PF011	X ✓
The CCTV system will be capable of securing relevant pictures for review or export at a later date.	7PF012	X ✓
The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.	7PF013	X ✓
The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.	7PF014	X ✓
It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.	7PF015	X ✓

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the DPS contactable in emergency?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Supervisor's Register bound with consecutively numbered pages?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Suggested measures	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.	7PF016	X ✓
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.	7PF017	X ✓

Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input 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:	
<ul style="list-style-type: none"> • 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 measures	Code	✓
The minimum number of door supervisors for the premises is <u>2</u> Please specify days and hours door supervisors operate on the premises. <i>JK</i>	7PF018	✓
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.	7PF019	✓
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).	7PF020	✓
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	7PF021	✓
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	7PF022	✓
The PLH/OPS 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.	7PF023	✓

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.	7PF024 X	✓
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	7PF025 X	✓

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 measures	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	7PF026	
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	7PF027	
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.	7PF028	
Notices will be prominently displayed at the entrances of the premises which state: <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 	7PF029	

Communication

Do you subscribe to a form of communication link (radio/text/pager system). The system shall be recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police.	YES <input type="checkbox"/> NO <input checked="" 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 measures	Code	✓
There will be a communication link via radio to other venues in the city centre. This will be the system recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police	7PF030	
Such communication link will be kept in working order at all times when licensable activities are taking place	7PF031	
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.	7PF032	
Any police instructions or directions given via the link will be complied with whenever given.	7PF033	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	7PF034	

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 checked="" 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 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 checked="" 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 checked="" type="checkbox"/>
<u>Alcohol Designated Public Places Orders</u>	
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 <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.	7PF035	
or		
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises. ✓	7PF036	✓ ✗
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 who attempts to purchase alcohol at the premises. ✓	7PF037	✓ ✓
or		
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.	7PF038	
<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.	7PF039	✓ ✗
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	7PF040	✓ ✗
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	7PF041	
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)	7PF042	
<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.	7PF043	

<u>Membership of a Recognised Body</u>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Do you belong to a Licensees Association/Body	
If YES, please state which body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Exclusion from Premises</u>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you operate a system of excluding customers who are known to cause problems?	
If YES:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input 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"/>

Dispersal Policy	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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)	
If YES:	
• Was this agreed with WYP (and BTP where applicable)?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
• Are all bar and door staff trained on the policy?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	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	7PF044	
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.	7PF045	

Is your premises predominantly a restaurant?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Prior to the submission of your application It is recommended that you consult with the West Yorkshire Police on your proposals to operate as a restaurant. The discussions should be to agree the number of covers to be set aside and your proposals for service.	

Suggested measures	Code	✓
The premises shall be and remain predominantly food led.	7PF046	
An agreed number of covers will be maintained at all times the premises are operating. The number of covers will be _____	7PF047	
At any time that the premises licence has effect the sale of alcohol for consumption on the premises will be ancillary to the service of table meals	7PF048	
Waiter/waitress service will be in operation throughout the premises in relation to orders for food and/or alcohol	7PF049	
The sale/supply of alcohol shall only be made to accompany the sale of food. This does not preclude the sale/supply of alcohol to a person waiting to be seated in the restaurant or at the conclusion of the meal.	7PF050	

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 <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Please note that should you provide relevant entertainment more than 12 occasions per 12 month period or more frequently than monthly you will be required to apply for a Sex Establishment licence.	

Suggested measures	Code	✓
Entertainers will be aged no less than 18 years.	7PF051	
Price lists will be clearly displayed at each table and at each entrance to the premises.	7PF052	
Entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.	7PF053	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	7PF054	
Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence.	7PF055	
Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.	7PF056	
Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.	7PF057	
Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.	7PF058	
Sex toys must not be used and penetration of the genital area by any means must not take place.	7PF059	
Customers will not be permitted to throw money at the entertainers.	7PF060	
All areas used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.	7PE061	
All areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.	7PF062	

Public Safety

Management Arrangements

Suggested measures	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.	7PF063 R	✓
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.	7PF064 R	✓
During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.	7PF065 R	✓
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.	7PF066 R	✓
The Premises Licence holder will not allow the sale or supply of "Legal Highs" on the premises.	7PF067 R	✓
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	7PF068 R	✓
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.	7PF069 R	✓
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 will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA. The current operation of all residual current devices will 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.	7PF070 R	✓

General Housekeeping

Do you have written procedures for the inspection of:	
• Furnishings and fabrics	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
• Suspended decorations/lights/amplification systems	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
• Guarding to stairs/balconies/landings/ramps	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
• Condition of floor surfaces	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Provision of safety glazing	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
Regular safety checks of guarding 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.	7PF071 D	✓
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.	7PF072 D	✓
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.	7PF073 D	✓

Fire Safety

The Regulatory Reform (Fire Safety) Order 2005 requires employers and other responsible persons to make a 'suitable and sufficient' assessment of the risks from fire in licensed premises and how they affect the safety of their employees and other persons who may be on or in the vicinity of the premises. Where a licence is in force the responsible person must record the significant findings of the risk assessment.

In compiling a fire risk assessment you must consider the following:

- The number of persons using the premises
- Means of escape
- Fire alarms
- Emergency Lighting
- Fire Fighting Equipment
- Fire Exit Notices
- Safety Precautions

For further advice regarding fire precautions and how to comply with your legal duties under The Regulatory Reform (Fire Safety) Order 2005, please refer to the guides listed below which are available to download, free of charge, from:

<https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>

Suggested Measures	Code	✓
The premises have a current Fire Risk Assessment	7PF074	✓

Refreshments

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

Suggested measures	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	7PF075	

First Aid

Do you have staff trained in First Aid?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state numbers _____	
Do you provide facilities for treatment of minor injuries (e.g. First Aid box)?	YES <input type="checkbox"/> NO <input checked="" 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 checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A suitably trained First Aider or appointed person will be provided at all times when the premises are open.	7PF076	
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	7PF077	
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.	7PF078	
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.	7PF079	✓
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.	7PF080	✓

Special Effects

Do you use special effects on the premises, e.g. strobes, lasers, smoke machines or fireworks? YES NO N/A

If yes, please give details :

Suggested measures	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.	7PF081	
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.	7PF082	✓

Public Nuisance

Noise and Vibration

<u>Noise and vibration</u>	
Identify the potential sources of noise and vibration which apply to your premises:	
• Amplified music	<input type="checkbox"/>
• Unamplified music	<input type="checkbox"/>
• Singing and speech	<input type="checkbox"/>
• Waste disposal, including bottle bins	<input type="checkbox"/>
• Plant and machinery, including extraction systems	<input type="checkbox"/>
• Food preparation	<input type="checkbox"/>
• Cleaning	<input type="checkbox"/>
Identify where sources of noise may occur outside your premises:	
• Beer garden	<input type="checkbox"/>
• Play area	<input type="checkbox"/>
• Car park	<input type="checkbox"/>
• Temporary structure	<input type="checkbox"/>
• Plant and equipment	<input type="checkbox"/>
Identify which measures are in place/proposed:	
• Soundproofing	<input type="checkbox"/>
• Air conditioning to allow windows to be kept closed	<input type="checkbox"/>
• Sound limiters	<input type="checkbox"/>
• Use of lobby doors	<input type="checkbox"/>
• Cooling down period with reduced music volume	<input type="checkbox"/>
• Fixed and appropriate times for collection of waste	<input type="checkbox"/>
• Restricted use of outdoor areas	<input type="checkbox"/>
• No external loud speakers	<input type="checkbox"/>
Are the premises located near noise sensitive properties, e.g. residential areas, residential homes, hospitals?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 measures	Code	✓
Licensable activities will be conducted and the facilities for licensed activities will 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	7PF083	
Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.	7PF084	
There will be no external loudspeakers	7PF085	<input checked="" type="checkbox"/>
Bottles will not be placed in any external receptacle after 23.00 hours and 07.00 hours to minimise noise disturbance to neighbouring properties	7PF086	<input checked="" type="checkbox"/>
Noise from plant or machinery will be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery will be regularly serviced and maintained to meet this level.	7PF087	

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.	7PF088	
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 22:00	7PF089	
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 23:00	7PF090	
The activities of persons using the external areas will be monitored after 23:00hrs and they will be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary,	7PF091	
The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.	7PF092	

Litter

Does the premises sell takeaway food, drinks or other produce/packaging which may generate litter/waste?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If YES, please identify the steps taken to prevent nuisance caused by litter:	
.....	
.....	
<ul style="list-style-type: none"> • Provision of litter bins <input type="checkbox"/> • Display of notices to customers <input type="checkbox"/> • Warnings/advice on packaging <input type="checkbox"/> • Instructions to staff to periodically clear litter from the street around the premises <input type="checkbox"/> • Other (please specify) <input type="checkbox"/> 	

Suggested measures	Code	✓
The PLH/DPS will ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter	7PF093	

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 <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
If YES what steps do you take to ensure that the procedure(s) works?	

Suggested measures	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.	7PF094	
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.	7PF095	
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.	7PF096	
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.	7PF097	

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 checked="" 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 checked="" type="checkbox"/>
Is your premises located near to premises which are children orientated?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	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.	7PF098	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	7PF099	
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)	7PF100	
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.	7PF101	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	7PF102	
Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.	7PF103	

Under Age Sales of Alcohol

Do the premises sell or supply alcohol?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
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Suggested measures	Code	✓
People under 18 years of age will not be admitted.	7PF104	✓

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 measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	7PF105	

or		
There will be sufficient physical screening of the relevant entertainment from view of those under 18 years.	7PF106	

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 checked="" 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 measures	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.	7PF107	
The venue will be suitable to accommodate safely the numbers of children intended.	7PF108	
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	7PF109	
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.	7PF110	

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 checked="" 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 checked="" type="checkbox"/>
Do you provide young persons discos or similar entertainment?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Suggested measures	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.	7PF111	
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.	7PF112	
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.	7PF113	
Close supervision will be held when children use balconies and other raised areas.	7PF114	

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.	7PF115	
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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 measures	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.	7PF116	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	7PF117	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.	7PF118 X	✓
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.	7PF119	

From:
Sent: 19 September 2014 11:50
To: Entertainment Licensing
Subject: Re Our Client Mr Shores Fatah Mohammed - 225 Roundhay Road Leeds LS8 4HS
Attachments: SHO001- 01Amended pages 9 & 11 & Notice .pdf

Dear Sirs

**Re Our Client Mr Shores Fatah Mohammed - 225 Roundhay Road Leeds
LS8 4HS**

Please could you please kindly amend the following details in the forms that we have submitted to you to comply with our client's instructions.

The Performa Risk Assessment V7

1. **Page 4 - Door Supervisors & Other Security Staff - Suggested measures - please remove this** as the premises will not have any door supervisors - our client misunderstood this question and has answered this incorrectly. Please remove Code 7PF018 - 7PF023 as these do not apply.

2. **Page 17 - Under Age Sales of Alcohol - Suggested measures - please remove this.** People ~~under the age will be admitted to the premises as these premises are a convenience store.~~ Please remove code 7PF104 as this does not apply.

PREM 1

1. Page 9 - J Supply of Alcohol standard days and timings -

Please amend the timing as follows:

Monday - Sunday

Start 07.00 - Finish 24.00

the rest is the same.

2. Page 11 - L Hours premises are open to the public - standard days and timings -

Please amend the timing as follows:

Monday - Sunday

Start 07.00 - Finish 24.00

I attach the amended pages to replace these pages in the form we submitted.

Please also can you kindly advise the new date for the written representation to be added to the notice - previously it was 15th October shall I amend this to 16th October? I have printed the attached notice and will ask my client to replace this with the previous one that he has displayed at the premises.

Please kindly confirm receipt of this email to reflect the changes.

Kind Regards

Nillu Chodha
Beachwood Solicitors

This firm is regulated by the Solicitors Regulation Authority (SRA Number 519365)

SERVICE BY E-MAIL OR FAX NOT ACCEPTED

This message is confidential and may contain privileged information. It is for use only by the person or entity to which it is addressed. If you are not the intended recipient, you must not use, disclose, distribute, copy, print or rely upon this message or make any other use of it. If an addressing or transmission error has mis-directed this e-mail, please notify the author by replying to this e-mail and delete the material from any computer.

Premises Licence

Part A Schedule 12 Licensing Act 2003

Part 1 – Premises Details

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

Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

Licensable activities authorised by this licence

Sale by retail of alcohol,

Times the licence authorises the carrying out of licensable activities

ie by retail of alcohol

Every Day 07:00 - 00:00

Opening hours of the premises

Everyday 07:00 - 00:00

Alcohol is sold for consumption off the premises

Part 2

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

Mr Shores Fatah Mohammed
11 Harehills Road
Leeds
LS8 5HR

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

Kardo Unit Abdullah
1 Boston Towers
Leeds
LS8 5HR

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

Personal licence number: 1197

Licensing authority: Metropolitan Borough Of Bury

Licence issued under the authority of Leeds City Council

(
Mrs Emma White
Licensing Officer
Entertainment Licensing
Licensing and Registration

Annex 1 – Mandatory Conditions

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

- a. a holographic mark, or
 - b. an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

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

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

Annex 2 – Conditions consistent with the operating schedule

The prevention of crime and disorder

5. A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises .
6. The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).
7. The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
8. The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.
9. The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority
10. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.
11. The CCTV system will contain the correct time and date stamp information.
12. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
13. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.
14. A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.
15. The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images caught on cameras on the premises will, on the lawful request of an authorised officer of a Responsible Authority (under the Licensing Act 2003), be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that it is secured to prevent any overwriting.
16. The CCTV system will be capable of securing relevant pictures for review or export at a later date.
17. The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
18. The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.
19. It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.

20. 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.
21. 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.
22. 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.
23. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.
24. 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 who attempts to purchase alcohol at the premises.

Public Safety

25. 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.
26. 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.
27. During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.
28. 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.
29. The Premises Licence holder will not allow the sale or supply of 'Legal Highs' on the premises.
30. 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.
31. 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 will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or
 - b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

The current operation of all residual current devices will 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.

32. 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.
33. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
34. The premises have a current Fire Risk Assessment.
35. Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.
36. 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.

The prevention of public nuisance

37. Bottles will not be placed in any external receptacle after 23.00 hours and 07.00 hours to minimise noise disturbance to neighbouring properties.

Protection of children from harm

38. The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.

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

None

Annex 4 – Plans

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

Premises Licence

Premises licence number: PREM/03522/001

Part B
Schedule 12 Licensing Act 2003

Initial licence from: 16th October 2014

Current version effective from: 16th October 2014

Premises Address **Biedronka, 225 Roundhay Road, Leeds, LS8 4HS**

Licensable activities authorised by this licence

Sale by retail of alcohol,

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol
Every Day

07:00 - 00:00

Opening hours of the premises

Everyday

07:00 - 00:00

Alcohol consumption:

Alcohol is sold for consumption off the premises

Premises licence holder(s):

Mr Shoreh Fatah Mohammed, 11 Harehills Road, Leeds, LS8 5HR

Designated premises supervisor:

Kardo Unit Abdullah

Access by children:

Access to the premises by children is unrestricted.

Licence issued under the authority of Leeds City Council

Mrs Emma White
Licensing Officer
Entertainment Licensing
Licensing and Registration



Mr Alan Amiri
225 Roundhay Road
Leeds
LS8 4HS

Elections, Licensing and Registration
Entertainment Licensing
Civic Hall
Leeds LS1 1UR

Contact: Mrs Emma White
Tel: 0113 2474095
Fax: 0113 2243885
Email: entertainment.licensing@leeds.gov.uk
Our Ref: A80/PREM/03522/003

3rd September 2015

Dear Mr Amiri

Premises Licence: PREM/03522/003
For: Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

Please find enclosed your new premises licence in two parts. The Part A full licence and the Part B summary licence. You should check the details on the licence carefully. The licensing authority is prepared to correct clerical errors for up to 28 days upon receipt of this letter. Beyond that time, any change must be made as an application for a new licence or as a variation. This does not affect your statutory right of appeal.

It is a requirement of the Licensing Act 2003 to display the Part B summary licence (or a certified copy) on your premises. You should keep Part A (or a certified copy) on the premises. In your absence the Part A must be under the control of a nominated person who has been authorised in writing by yourself for this purpose.

Can we remind you that it is an offence to operate other than in accordance with the provisions of your licence. The penalty on conviction for doing so is a fine of up to £20,000 and/or 6 months imprisonment.

You will also need to ensure that you have the necessary planning and building control permissions for your property. Nothing in your new licence changes existing law in relation to these matters.

Please note that an annual fee of £180.00 will be required on the anniversary of the first grant of the premises licence for these premises. This will fall on the 16th October 2015.

Also attached is guidance produced by Leeds City Council Health and Safety team as an explanation of conditions that may be attached to this licence.



Please do not hesitate to contact us should you require any further assistance.

Yours sincerely

Mrs Emma White
Licensing Officer
Entertainment Licensing

Premises Licence

Part A Schedule 12 Licensing Act 2003

Part 1 – Premises Details

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

Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

Licensable activities authorised by this licence

Sale by retail of alcohol,

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Every Day 07:00 - 00:00

Opening hours of the premises

Everyday 07:00 - 00:00

Alcohol is sold for consumption off the premises

Part 2

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

Mr Alan Amiri
225 Roundhay Road
Leeds
LS8 4HS

Daytime Contact Telephone Number:

Current Email Address:

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

Shoresh Hatah Mohammed
d

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

Personal licence number: LEEDS/PERL/07762/14 Licensing authority: Leeds City Council

Licence issued under the authority of Leeds City Council

Mrs Emma White
Licensing Officer
Entertainment Licensing
Elections, Licensing and Registration

Annex 1 – Mandatory Conditions

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

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

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

- a. a holographic mark, or
 - b. an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

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

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

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

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

Annex 2 – Conditions consistent with the operating schedule

The prevention of crime and disorder

5. A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises .
6. The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).
7. The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
8. The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.
9. The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority
10. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.
11. The CCTV system will contain the correct time and date stamp information.
12. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
13. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.
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16. The CCTV system will be capable of securing relevant pictures for review or export at a later date.
 17. The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
 18. The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.
 19. It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.
 20. 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.
 21. 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.
 22. 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.
-

23. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.
24. 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 who attempts to purchase alcohol at the premises.

Public Safety

25. 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.
26. 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.
27. During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.
28. 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.
29. The Premises Licence holder will not allow the sale or supply of 'Legal Highs' on the premises.
30. 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.

31. 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 will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or
- b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

The current operation of all residual current devices will 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.

32. 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.
33. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
34. The premises have a current Fire Risk Assessment.
35. Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.
36. 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.

The prevention of public nuisance

37. Bottles will not be placed in any external receptacle after 23.00 hours and 07.00 hours to minimise noise disturbance to neighbouring properties.

Protection of children from harm

38. The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.

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

None

Annex 4 – Plans

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

Premises Licence

Premises licence number: PREM/03522/003

Part B
Schedule 12 Licensing Act 2003

Initial licence from: 16th October 2014

Current version effective from: 19th August 2015

Premises Address Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

Licensable activities authorised by this licence

Sale by retail of alcohol,

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Every Day 07:00 - 00:00

Opening hours of the premises Everyday 07:00 - 00:00

Alcohol consumption: Alcohol is sold for consumption off the premises

Premises licence holder(s): Mr Alan Amiri, 225 Roundhay Road, Leeds, LS8 4HS

Designated premises supervisor: Shoresh Hatah Mohammed

Access by children: Access to the premises by children is unrestricted.

Licence issued under the authority of Leeds City Council

Mrs Emma White
Licensing Officer
Entertainment Licensing
Elections, Licensing and Registration



Elections, Licensing & Registration
Civic Hall
Leeds LS1 1UR

Private & Confidential

Mr Alan Amiri
Biedronka
225 Roundhay Road
Leeds
LS8 4HS

Our Ref: A80/CB/LIC/PREM/03522/003
Your Ref:
Contact: Carmel Brennand
Tel: 0113 2474095
Fax: 0113 2243885
Email: carmel.brennand@leeds.gov.uk

Date: 9 October 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003
PREMISES : BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

I am writing to you in your capacity as both the Premises Licence Holder of the above premises. As you are aware I have visited the premises twice recently, namely Thursday 3 September and Wednesday 8 October 2015 further to a complaint that the premises were operating past their permitted hours.

On the first occasion you stated the cctv was not recording and on the second occasion you were unable to operate the system.

This means that you are in breach of the conditions on your Premises Licence and as a result are committing offences.

May I remind you of the specific conditions on your licence.

The prevention of crime and disorder

5. A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises .
6. The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).
7. The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
8. The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.
9. The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority
10. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.



11. *The CCTV system will contain the correct time and date stamp information.*
12. *The CCTV system will have sufficient storage retention capacity for a minimum of 31 days continuous footage which will be of good quality.*
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19. *It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.*

Please note that you should have an Incident Register and Supervisors Register on site. A page a day diary would serve as both.

Under the Licensing Act 2003 Section 136

- (1) A person commits an offence if -
 - (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
 - (b) he knowingly allows a licensable activity to be so carried on
- (4) **A person guilty of an offence under this section is liable on summary conviction to an unlimited fine, imprisonment for a term not exceeding six months or to both.**

May I also remind you to display Part B of the Premises Licence and have the Part A in a safe place at the shop.

I must advise you that your premises will be revisited in the near future and the above issues will be checked for compliance by Leeds City Council Licensing Enforcement Officers.

The content of this letter will be passed to other Agencies with a responsibility under their own powers who may wish to visit your premises.

Please do not hesitate to contact me should you wish to discuss the matter further on the telephone number, above.

Yours faithfully

Mrs Carmel Brennand
Senior Liaison and Enforcement Officer
Entertainment Licensing

CC West Yorkshire Police (Licensing)



Elections, Licensing & Registration
Civic Hall
Leeds LS1 1UR

Private & Confidential
Mr Shoresh Hatah Mohammed

Our Ref: A80/CB/LIC/PREM/03522/003
Your Ref:
Contact: Carmel Brennand
Tel: 0113 2474095
Fax: 0113 2243885
Email:

Date: 9 October 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003
PREMISES : BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

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Mrs Carmel Brennand
Senior Liaison and Enforcement Officer
Entertainment Licensing

CC West Yorkshire Police (Licensing)



Elections, Licensing & Registration
Civic Hall
Leeds LS1 1UR

Private & Confidential

Mr Alan Amiri
Biedronka
225 Roundhay Road
Leeds
LS8 4HS

Our Ref: A80/CB/LIC/PREM/03522/003
Your Ref:
Contact: Carmel Brennan
Tel: 0113 2474095
Fax: 0113 2243885
Email:

Date: 10 November 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003
PREMISES : BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

I am writing to you again in your capacity as the Premises Licence Holder of the above premises. As you are aware I have visited the premises three times recently, namely Thursday 3 September, Wednesday 8 October and on Wednesday 4 November 2015; initially in respect of a complaint that the premises were operating past their permitted hours and subsequently in respect of breaches of licence conditions.

At the time of my last visit on 4 November 2015, the female member of staff working at the shop on her own admitted that she did not know Shores Hatah Mohammed. This is a matter of concern as any alcohol must be authorised by the Designated Premises Supervisor.

Section 19 Mandatory conditions where licence authorises supply of alcohol

- (1) 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
- (2) Every supply of alcohol under the premises licence must be made or authorised by a Person who holds a personal licence.

In respect of the CCTV, on the first occasion you stated the cctv was not recording and on the second occasion you were unable to operate the system. At the time of my visit on 4 November 2015, the female staff member could not operate the CCTV and I noted that the time on the monitor was an hour out.

This means that you are in breach of the conditions on your Premises Licence and as a result are committing offences.



May I remind you of the specific conditions on your licence.

The prevention of crime and disorder

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

I must advise you that your premises will be revisited during the week commencing Monday 16 November 2015 and the above issues will be checked for compliance. If these matters are not rectified I will be looking at taking formal action.

The content of this letter will be passed to other Agencies with a responsibility under their own powers who may wish to visit your premises.

Please do not hesitate to contact me should you wish to discuss the matter further on the telephone number, above.

Yours faithfully

Mrs Carmel Brennand
Senior Liaison and Enforcement Officer
Entertainment Licensing

CC West Yorkshire Police (Licensing)



Leeds
CITY COUNCIL

Elections, Licensing & Registration
Civic Hall
Leeds LS1 1UR

Private & Confidential

Mr Shoresh Hatah Mohammed
East European Foods

LS8 5HR

Our Ref: A80/CB/LIC/PREM/03522/003
Your Ref:
Contact: Carmel Brennand
Tel: 0113 2474095
Fax: 0113 2243885
Email:

Date: 10 November 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003
PREMISES : BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

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I must advise you that your premises will be revisited during the week commencing Monday 16 November 2015 and the above issues will be checked for compliance. If these matters are not rectified I will be looking at taking formal action.

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Please do not hesitate to contact me should you wish to discuss the matter further on the telephone number, above.

Yours faithfully

Mrs Carmel Brennand
Senior Liaison and Enforcement Officer
Entertainment Licensing

CC West Yorkshire Police (Licensing)



Elections, Licensing and Registration
 Entertainment Licensing
 Civic Hall
 Leeds LS1 1UR

Mr Alan Amiri
 225 Roundhay Road
 Leeds
 LS8 4HS

Contact: Entertainment Licensing
 Tel: 0113 2474095
 Fax: 0113 2243885
 Email: entertainment.licensing@leeds.gov.uk
 Our Ref: A80/PREM/03522/003

10th November 2015

Dear Mr Amiri

LICENSING ACT 2003 ANNUAL FEE
PREMISES: BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS
LICENCE NUMBER: PREM/03522/003

Note: If you have recently made payment of your premises licence annual fee, please contact the office to advise how and when payment was made.

We have written to you on two previous occasions to remind you to pay the annual fee for the above premises. This fee was due prior to 16th October 2015. Our records indicate that we have not received the annual fee to date.

The outstanding amount is £180.00.

As you have failed to pay the fee by the due date and by the end of the grace period your premises licence has now been suspended under Section 55A of the Licensing Act 2003. Your premises is no longer authorised to carry on licensable activities under the Licensing Act 2003. If you continue to provide these activities you will be doing so without authorisation. The penalty for providing licensable activities otherwise in accordance with an authorisation is, on summary conviction, an unlimited fine and/or 6 months imprisonment.

The suspension will be removed when you have paid the outstanding amount.

How to pay

Payments may be made by cheque or postal order to:
 Leeds City Council
 Entertainment Licensing
 Civic Hall
 Leeds
 LS1 1UR

Please make your cheque payable to Leeds City Council and put your premises licence details on the reverse of any cheque or postal orders.

Alternatively you may call in to the public office which is situated at the 1st Floor, St George House, 40 Great George Street, LS1 3DL (to the rear of Leeds Town Hall), where you can pay by credit card, debit card, cash, cheque or postal order. The office is open Monday to Friday, 9am until 4pm.

Furthermore, you can pay by credit or debit card over the phone on 0113 247 4095 or online at <https://payments.leeds.gov.uk/ePayments/entlic.aspx>.

We accept Visa, MasterCard, Visa Electron, Maestro, Solo and JCB.

You can make this payment by BACS. Please contact us for our account details.

Please do not hesitate to contact us should you require any further assistance.

Yours sincerely

Mr Stephen Holder
Principal Licensing Officer
Entertainment Licensing



Elections, Licensing & Registration
Civic Hall
Leeds LS1 1UR

Private & Confidential

Mr Alan Amiri
Biedronka
225 Roundhay Road
Leeds
LS8 4HS

Our Ref: A80/CB/LIC/PREM/03522/003
Your Ref:
Contact: Carmel Brennand
Tel: 0113 2474095
Fax: 0113 2243885
Email:

Date: 14 December 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003
PREMISES : BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

I am writing to you in your capacity as the Premises Licence Holder of the above premises which have been visited on 3 September, 8 October, 4 November and 17 November. I have also written to you on the 9 October and 10 November.

I wish to advise you that I will be revisiting these premises on the morning of Friday 8 January 2016 to conduct an inspection under the Licensing Act 2003, especially in regard to the CCTV system. I must inform you that if the issues in relation to the CCTV have not been attended to and are therefore still not compliant with the relevant conditions, I will be taking formal action.

Due to the seriousness of the breaches of the Premises Licence conditions and the length of time the issues have remained outstanding, I will be applying to review the Premises Licence. A review application is heard by the Licensing Committee and they are empowered, if necessary to promote the licensing objectives, to :-

Modify the conditions of the premises licence,
Exclude a licensable activity from the scope of the licence,
Remove the designated premises supervisor from the licence, suspend the licence for a period not exceeding 3 months, or
Revoke the licence.

Please do not hesitate to contact me should you wish to discuss the matter further.

Yours faithfully

Mrs Carmel Brennand
Senior Liaison and Enforcement Officer
Entertainment Licensing





Leeds
CITY COUNCIL

Elections, Licensing & Registration
Civic Hall
Leeds LS1 1UR

Private & Confidential
Mr Shoresh Hatah Mohammed
East European Foods
11 Harehills Road
Leeds
LS8 5HR

Our Ref: A80/CB/LIC/PREM/03522/003
Your Ref:
Contact: Carmel Brennand
Tel: 0113 2474095
Fax: 0113 2243885
Email:

Date: 14 December 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003
PREMISES : BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

I am writing to you in your capacity as the Designated Premises Supervisor of the above premises which have been visited on 3 September, 8 October, 4 November and 17 November. I have also written to you on the 9 October and 10 November.

I wish to advise you that I will be revisiting these premises on the morning of Friday 8 January 2016 to conduct an inspection under the Licensing Act 2003, especially in regard to the CCTV system. I must inform you that if the issues in relation to the CCTV have not been attended to and are therefore still not compliant with the relevant conditions, I will be taking formal action.

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Please do not hesitate to contact me should you wish to discuss the matter further.

Yours faithfully

Mrs Carmel Brennand
Senior Liaison and Enforcement Officer
Entertainment Licensing



WITNESS STATEMENT

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

Statement of Carmel Brennand

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

This statement (consisting of 3 page(s) each signed by me) is true to the best of my Knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated 3 March 2016

Signature :

I am the above named person. I am employed full - time as a Senior Liaison and Enforcement Officer with Leeds City Council's Entertainment Licensing Section. My duties include visiting licensed premises with other agencies to ensure compliance under the Licensing Act 2003, in promoting the four licensing objectives; the prevention of crime and disorder; public safety; the prevention of public nuisance and the protection of children from harm.

This statement is further to my statement of 28 January 2016.

On Thursday 11 February 2016 I was working in company with my colleague Mr Paul Rix, Senior Liaison & Enforcement Officer. At 10:55 am we attended at Biedronka, 225 Roundhay Road, LS8 4HS. I introduced myself and Mr Rix and asked the gentleman behind the counter his name. He introduced himself as Mehedi Ahmadian. When I told him that we were here to display a review notice outside the shop and that it would be there for 28 days Mr Ahmadian stated that the CCTV was working. I advised that the process had already started so had to be gone through and that Mr Amiri had been served papers. Mr Ahmadian said that Mr Amiri was at the cash and carry. We resumed from the shop and attached the laminated blue review notice to the nearest lamp post on the pavement outside the shop.

At 1:40 pm on Friday 12 February 2016 Mr Shoresh Mohammed and Mr Alan Amiri attended at the reception of Entertainment Licensing. They had submitted an application to vary the Designated Premises Supervisor for Biedronka, 22 Roundhay Road, LS8 4HS. The application was to replace Mr Shoresh Mohammed with Mr Alan Amiri. I went out into reception. Both gentlemen stated their CCTV was now correct. I asked, ' 31 days, yes ?'.

contacted me he said that he had a bad back and had been to hospital. ' It was the CCTV engineer. He kept coming back. It cost me £450'. I replied, ' I am telling you the same as I told Shoresh. If I take my car to the garage for fixing, I pay the money and then I drive it out and it is still clonking; I would take it back or even take to another garage to get it fixed'. Mr Shoresh Mohammed repeated that after I had left his shop last time. I asked, 'You mean when I was there with the police woman, PC Dobson?' Mr Mohammed replied in the affirmative saying, 'Yes. My girlfriend kept trying with the CCTV and managed to go back 31 days'. Both gentlemen asked for my help. I told them I would have to speak to my boss about revisiting their shops. I asked them both, ' Does your CCTV have 31 days ? Does it go back to 11 January?' Both of them said, 'Yes'. I took both their mobile telephone numbers and told them I would be in touch.

At 2:30 pm on Wednesday 17 February 2016 I rang the mobile number given by Mr Alan Amiri and asked if it was alright if I came to his shop tomorrow the 18 February to check the CCTV and make sure all the conditions are complied with, i.e. the time and date, the 31 days footage, that someone can operate the system and have spare DVD's or USB sticks for downloaded material.

On Thursday 18 February I was working in company with the Police District Licensing Officer, PC Lynn Dobson. We attended at Biedronka, 225 Roundhay Road. I apologised To Mr Amiri for being later than expected. There were 2 other males in the shop, one I know to be Mr Omid Mohammed and a young female who appeared to be doing a stock check. Mr Amiri said the CCTV goes back to the 1st February. Mr Mohammed stated that had changed it down to 6 frames a second to gain more footage and the hard drive is 2 giggabyte. PC Dobson queried if he meant 2 terrabyte and then asked if Mr Amiri could operate the system and if he/they could show how much memory was left. Mr Amiri said he would phone the CCTV engineer and get him to come down to the shop. We resumed from Biedronka and went over the road to East European Foods to check the CCTV there.

We returned to Biedronka at 12:17 pm. Mr Mohammed said he had found the screen that showed the memory without getting the engineer out. Mr Mohammed brought up the screen and we looked at the monitor which gave the following information:-

TD	TYPE	SIZE(GB)	FREE (GB)
01	SAIA	1863.02	0.00

I said, 'It shows 0 (zero) free, that's not good'. Mr Mohammed told us that the engineer said every CCTV system shows zero. I told Alan that he was wasting my time. ' When you stood in reception last Friday you told me you had fixed the CCTV 2 days after I had last been ,

trying to sort it out. I reminded them that I had been visiting since September last year and I had only back again because I had been told it was sorted. PC Dobson wrote down on a piece of paper; '1st day, 31st day and 3 days in between' and explained that we wanted 5 minutes of footage from each of these days on DVDs and these should be brought to Entertainment Licensing for me to check. I looked at Mr Mohammed and said, 'Will you explain all this to Mr Amiri?' He replied, 'Yes'.

At 1:05 pm on Wednesday 24 February 2016 Mr Soresh Mohammed attended at reception at the Entertainment Licensing Section at St George House, Great George Street to submit an application in respect of East European Foods Ltd. I went into the reception area and asked Mr Mohammed, 'Where are the DVDs?' Mr Mohammed replied that he would try and bring them the following day. I said, 'All I want to see is 5 minutes footage from each of the days requested. The hearing at Civic Hall will still have to go ahead but I will be able to explain to the Committee that you are compliant with all the CCTV conditions. Will you also speak to Mr Alan Amiri and remind him of the same thing; to bring me DVDs of his CCTV footage next week'. Mr Mohammed said he would.

WITNESS STATEMENT

(CJ ACT 1967, s.9;MC Ac' 980, ss.5A(3)(a) and 5b;MC Rules 1981, r.70)

Statement of John Paul Rix

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

This statement (consisting of 1 page each signed by me) is true to the best of my Knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Date: 27 1 16

Signature :

I am the above named person. I am employed full - time as a Senior Liaison and Enforcement Officer with Leeds City Council's Entertainment Licensing Section. My duties include investigating licenced and unlicensed premises contrary to the Licensing Act 2003. I have delegated authority under the said Act.

On the 6 July 2015 a complaint was generated about a premises at 225 Harehills Road, LS9 trading as Biedronka. This was following a telephone conversation with the complainant who wished to remain anonymous. In this conversation the complainant alleged that the subject premises was selling alcohol beyond the permitted hours of the licence granted under The Licensing Act 2003. Specifically that the premises sells alcohol until 01:30. This time was confirmed by the complainant when I rang the number given.

The licence granted reference PREM/03522/001 authorised sales of alcohol between 07:00 and 00:00 everyday. The licence holder at the time was Mr Shoresh Fatah Mohammed and the designated premises supervisor named on the licence was Mr Kardo Unit Abdullah.

Warning letters were produced to both men addressed to the premises, these were hand delivered to the premises on 9 July 2015. (Exhibited as PR 1 and 2)

Another to the home address of the designated premises supervisor was posted on the 8 July 2015. (Exhibited as PR3)

On the 9 July 2015 visit I advised Mr Mohammed of the allegations which he denied and also advised him that the cctv system showed an incorrect time stamp which was 6 hours out.

Signature :



Private & Confidential
 Mr Shoresh Fatah Mohammed
 Biedronka
 225 Roundhay Road
 Leeds
 LS8 4HS

Elections, Licensing & Registration
 Civic Hall
 Leeds
 LS1 1UR

Contact: Paul Rix
 Tel: (0113) 24 74095
 Fax: (0113) 22 43885
 Email:
 Our Ref: ADDITION NUMBER 421
 Your Ref:

Date: 8 July 2015

Dear Sir,

**LICENSING ACT 2003: INVESTIGATION INTO POSSIBLE OFFENCES
 PREMISES: BIEDRONKA, 255 ROUNDHAY ROAD, LS8 4HS.**

I am writing to you in your capacity as the Premises Licence Holder of the above named premises. This department is in receipt of a complaint alleging that the subject premises is retailing alcohol beyond permitted hours.

I take this opportunity to remind you of the hours authorised by the Premises Licence.

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol
 Every Day 07:00 - 00:00

Opening hours of the premises
 Everyday 07:00 - 00:00

Under the Licensing Act 2003 **Section 136**

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

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

I must advise you that your premises will be monitored for compliance by Leeds City Council Licensing Enforcement Officers.

The content of this letter will be passed to other Agencies with a responsibility under their own powers who may wish to visit your premises.

Please do not hesitate to contact me should you wish to discuss the matter further on the telephone number, above.

Yours faithfully

Paul Rix
Senior Liaison & Enforcement Officer
Entertainment Licensing
Email: paul.rix@leeds.gov.uk
www.leeds.gov.uk

Cc. West Yorkshire Police Licensing



Private & Confidential
Kardo Unit Abdullah
Biedronka
255 Roundhay Road
Leeds
LS8 4HS

Elections, Licensing & Registration
Civic Hall
Leeds
LS1 1UR

Contact: Paul Rix
Tel: (0113) 24 74095
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Our Ref :
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Date: 8 July 2015

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Yours faithfully

Paul Rix
Senior Liaison & Enforcement Officer
Entertainment Licensing
Email: k
www.le

Cc. West Yorkshire Police Licensing



Private & Confidential
 Kardo Unit Abdullah
 1 Boston Towers
 Leeds
 LS8 5HR

Elections, Licensing & Registration
 Civic Hall
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Contact: Paul Rix
 Tel: (0113) 24 74095
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Cc. West Yorkshire Police Licensing