

## 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 6 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 28 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 24<sup>th</sup> 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 5 February 2013 an application for the grant of a Premises Licence in respect of 11 Harehills Road, Leeds, LS8 5HR was received at the Entertainment Licensing Section. The application submitted by Zirig M Mahmood as the Premises Licence Holder and Kardo Umit Abdullah specified as the Designated Premises Supervisor was for the sale of alcohol off the premises from 9:00 am to 11:00 pm Monday to Saturday and from 10:00 am to 10:00 pm on Sundays. The application form signed and dated the 29 January 2013 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). As the applicant agreed with the conditions offered by the Environmental Protection Team, PREM/03296 was granted and issued on the 6 March 2013.

Our records show that between March 2013 and August 2015 a number of transfers of the Premises Licence Holder and the Designated Premises Supervisors were made for East

European Foods. I have noted that at some time or other there has been a crossover of personnel between East European Foods at 11 Harehills Road, Leeds, LS8 5HR and Biedronka at 225 Roundhay Road, Leeds, LS8 4HS; in particular Mr Shoresh Hatah Mohammed and Mr Alan Amiri.

Mr Alan Amiri, the current Premises Licence Holder for Biedronka was the Premises Licence Holder at East European Foods between 18 May and 19 August 2015.

Mr Shoresh Hatah Mohammed has been the Premises Licence Holder for East European Foods between 25 February and 9 October 2014 and again between 4 November 2014 and 8 April 2015.

On 19 August 2015 an application was received replacing both the Premises Licence Holder and the Designated Premises Supervisor to Mr Shoresh Hatah Mohammed. Premises Licence PREM/03296/010 granted with effect from 19 August 2015 was issued and sent out to Mr Mohammed on 3 September 2015. (I produce a copy of the covering letter and the current Premises Licence as my exhibit CB 2).

On Thursday 10 September 2015 I contacted the complaint for Biedronka, 225 Roundhay Road, LS8 to give them an update as to my enquiries in relation to allegations the premises were selling alcohol after the permitted hours of the licence. Whilst the complainant stated these particular premises had improved in their operation he stated that the Designated Premises Supervisor had moved across the road to East European Foods, 11 Harehills Road, LS8 and these were now operating past their permitted hours. As a result of this conversation I generated Complaint/Enquiry GE/002457 on our system with myself as the investigating officer. That same day I wrote to the Premises Licence Holder and Designated Premises Supervisor Mr Shoresh Hatah Mohammed at both the premises and his flat above the shop. The letters advise that a complaint has been received alleging the premises is open and selling alcohol after the permitted hours and the offence under Section 136 of the Licensing Act which if found guilty of carries an unlimited fine and/or 6 months imprisonment. (I produce a copy of my letter dated 10 September 2015 addressed to Mr Mohammed at East European Foods as my exhibit CB 3 and a copy of the same letter addressed to Mr Mohammed at his home address as my exhibit CB 4).

On Sunday 20 September 2015 I was working in company with my colleague Mr Paul Rix, Senior Liaison & Enforcement Officer. At 7:20 pm we attended at East European Foods, 11 Harehills Road, LS8. I introduced myself and Mr Rix to the male sitting behind the counter and asked him if he was Mr Shoresh Mohammed. He introduced himself as Mr Dana

Premises Licence was as I could not see it displayed. He said that it had not yet arrived. I noticed a monitor facing the counter with 7 camera shots shown on the screen. I asked Mr Abdullah if he could operate the system and show me that it retained 31 days footage. He replied no to both questions. I advised him the reason for the visit was that we had received a complaint that the shop was open and selling alcohol after the hours permitted on the licence. Mr Abdullah was able to tell me the hours as stated on the licence. He added that it could be staff cleaning after the shop has closed which might have lead to the complaint. I gave Mr Abdullah a DPS authorisation Form, Check 21 posters and my business card and asked that Mr Shores Mohammed ring me. At 7:28 pm we resumed from the shop.

On Wednesday 7 October 2015 I was working in company with PC Lynn Dobson, the Leeds Licensing District Licensing Officer responsible for Leeds 8 and probationer 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 3.30 pm we attended at East European Foods, 11 Harehills Road, LS8. There was a young female behind the counter to whom I introduced us all to. Again I could not see the Premises Licence displayed. A male came from the back of the shop and identified himself as Shores Mohammed. I explained that I had visited before as I had received a complaint and I had been waiting for him to ring me. I explained that the complaint alleges the shop is open and selling alcohol after the permitted hours on his licence. I looked at the CCTV monitor and noted there were 6 camera feeds showing. Mr Mohammed confirmed there were 3 cameras covering inside the shop and 3 for outside. When I asked Mr Mohammed where the Premises Licence was he was able to find it. I advised him where to display Part B and showed him the 12 CCTV conditions on the Part A. I then asked if he could operate the CCTV system. He said it was upstairs and started to move towards the back of the shop but then admitted that it was not recording. I again explained that I was investigating a complaint that sales of alcohol were taking place after the hours permitted on his Premises Licence and if the CCTV was not recording he could not prove to me that this wasn't happening. Mr Mohammed stated that if it is quiet they shut earlier than the permitted hours. I advised Mr Mohamed that I would give him 3 weeks to get the CCTV fixed and I would be back to recheck. At 3:45 pm we resumed from the shop.

On Friday 9 October 2015 I wrote to Mr Shores Mohammed the Premises Licence Holder and Designated Premises Supervisor confirming in writing that on the two visits to his shop East European Foods, 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 Mohammed at the premises as my exhibit CB 5).

On Wednesday 4 November 2015 I was working in company with PC Dobson and probationer Alan Andrews, both of the West Yorkshire Police, visiting both on and off licenced premises. At 2:15 pm we attended at East European Foods. I noted again that the Part B was not displayed. Mr Shoresh Mohammed was in the shop on our arrival and told us that the CCTV engineer had been. We all went out the back of the shop, up the rear stairs to the flat above. We went into the bedroom on the first floor. Mr Mohammed said that the engineer told him 500 megabites for 2 months. I noted the date and time on the screen showed 05112015 and 00:05:22. Mr Mohammed tried to operate the CCTV system to search a month before but he was not able. The young male staff joined us and tried to show us footage from 15 October, 22 October, 29 October and 3 November 2015. The only image that appeared on the screen each time was ' NOTHING ON FILE'. We resumed back downstairs to the shop where I told Mr Shoresh Mohammed , 'This is serious. Every time you sell a can or bottle of alcohol you are committing offences under Section 136 of the Licensing act 2003 as you are not compliant with all the CCTV conditions on your Premises Licence'. Mr Mohammed repeated that he CCTV engineer had been out twice and he had paid £300. I said to him, 'If you took your car to the garage and paid £300 and then when you drove it out it started banging again, you would take it straight back. You should have checked the CCTV was working after you paid the money'. I further explained that if found guilty of an offence under Section 136, it used to a fine up to £20,000 and/or six months imprisonment but now the fine is unlimited; that's how serious it is'. As we were leaving I informed Mr Mohammed that I would be returning next week and if the CCTV is still not working I would have to sepak to my boss about formal action. We resumed from the shop at 2:35 pm.

On Tuesday 10 November 2015 I wrote again to Mr Shoresh Mohammed at East European Foods highlighting the issues found at 3 previous visits to his shop, namely the CCTV system not recording or staff being unable to operate and that the Part B of the Premises Licence was not displayed. The letter reminds Mr Mohammed 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 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 Mohammed at the shop as my exhibit CB 6).

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 3 days footage was available.

On Monday 14 December 2015 I wrote again to the Premises Licence Holder and Designated Premises Supervisor Mr Shores Mohammed at the premises known as East European Foods. 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 Mohammed at the premises as my exhibit CB 7).

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 10:16 am we attended at East European Foods, 11 Harehills Road, LS8. There was a young male whom I now know to be Mumteamu Gheorghe was behind the counter. I showed my badge and introduced myself and PC Crossley. The young male explained that he did not speak much English so telephoned his boss. PC Crossley asked where his boss was coming from ? The young male replied, 'Romania'. PC Crossley looked surprised and the young male pointed to the ceiling. Within a matter of minutes Mr Shores Mohammed came from the back of the shop. When I asked if he had received my letter telling him I was coming today, he nodded. I said, ' We have come to look at the CCTV'. Mr Mohammed signalled for us to follow him through the back of the shop, out the back door into a small yard where we went up the metal stairs to the first floor. I heard a dog barking so let PC Crossley go in front of me. We walked through the kitchen, across the small hallway and into the bedroom facing Harehills Road. Mr Mohammed stated he had paid £80 for 2000 gigabyte hard drive. The young male Mr Gheorghe had the mouse and I asked him to search on 8 December 2015. After he had entered 2015/12/08 on the search screen, the only that came up was 'NO DATA'. I told Mr Mohammed that I was not happy. ' I have been visiting these premises since September and written letters and still the CCTV is not right'. Mr Mohammed repeated that he had paid the CCTV engineer. I repeated what I had said on a previous visit, 'If I had paid for my car faxing and when I drove it out of the garage something was still wrong with it, I would be taking it straight back and tell them to fix what I had already paid for. You should have checked the CCTV every day that it was recording and retaining the footage'. The young male kept trying to find some footage. I asked for 10 December 2015. Again 'NO DATA'. I then asked for 15

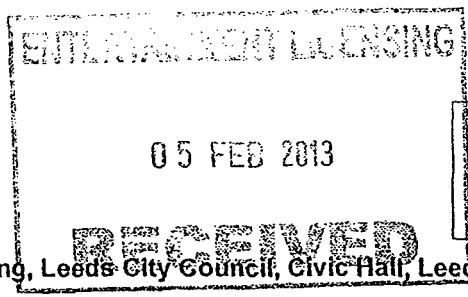
20, 22, 24 and 25 December. There was 'NO DATA' shown for any of these dates. I asked Mr Mohammed if the shop was open on Christmas Day ? He said that it was. I then asked Mr Mohammed if he had a receipt from the CCTV engineer ? What date did he come ? Was it after my letter in December ? Mr Mohammed said that it was after the other lady came. I asked if he meant PC Dobson and the police imaging officer ? He said , 'Yes'.

The young female who had been in bed since we arrived said, 'It was the 21<sup>st</sup>'. She then got out of bed and came over to the CCTV unit and monitor, took the mouse and tried to rewind the footage to see how far it went back. She went on to a different search screen and just kept clicking on the rewind symbol, which went back by the hour. She was able to go back to 09:00 on 5 January 2016. I told Mr Mohammed that means that only 3 days footage which is exactly what it was in November when PC Dobson visited. Mr Mohammed repeated that he had paid for 2000 gigabyte and showed me a 'label' of the system on his phone and told the female to try again. She entered 27 December 2015 on the search screen, ' NO DATA' appeared. The same happened when she searched on 1 January 2016. As a matter of interest I asked Mr Mohammed the name of the CCTV engineer he had used. He said, ' He has a shop over there a few streets away' (which is what Mr Amiri from Biedronka had said).

PC Crossley asked Mr Mohammed if he had his name or contact telephone number? Mr Mohammed replied in the negative saying he just knew he has a CCTV/Satellite shop nearby..I explained that 'I will be speaking to my boss about what's going to happen from here. It may be a prosecution at court or a review at the Civic Hall where 3 councillors will decide what action to take. I would be allowed to explain my case and so will you. I will be writing to you'. As we went downstairs into the shop Mr Mohammed asked what he should do. I told him maybe get another CCTV engineer, someone recommended by family or friends. At 10:53 am we resumed from the shop.

REG 1 03296 1001

SC/ CB1



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 ZIRING M. MAHMOOD (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
11 HARE HILLS ROAD
LEEDS
Post town Leeds Post code LS8 5HR

Telephone number of premises (if any)

Non domestic rateable value of premises £ 4,200

Part 2 - Applicant Details

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

- a) an individual or individuals\* [checked] 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: MAHMOOD First names: ZIRING

Please tick yes

I am 18 years old or over

Current postal address if different from premises address: [ ] ET

Post Town: BURY Postcode: [ ]

Daytime contact telephone number: [ ] 3 [ ]

Email address (optional): [ ] inc [ ]



SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

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

Surname  First names

I am 18 years old or over  Please tick yes

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**(B) OTHER APPLICANTS**

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?

Day		Month		Year	

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)

The premises will be an off licence shop. will have CCTV operationed 24hrs there's fire exit on the premises as well as fire extinguishers. there's a main entrance and age restriction for alcohol sell ~ ~

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)	<input type="checkbox"/>	
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)	<input type="checkbox"/>	
Sat					
Sun					

**E**

<b>Live music</b> 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"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> 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"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

## G

<b>Performance of dance</b> 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"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)			
Wed						
Thur			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)			
Fri						
Sat						
Sun						

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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"/>
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon			Both	<input type="checkbox"/>	Please give further details here (please read guidance note 3)	
Tue			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Wed					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)	
Thur						
Fri						
Sat						
Sun						

I

<b>Late night refreshment</b> 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	Please give further details here (please read guidance note 3)					
Mon								
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

<b>Supply of alcohol</b> 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	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	09.00	23.00						
Tue	09.00	23.00						
Wed	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)		
Thur	09.00	23.00						
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 Kardo Umit Abdullah

Address

Postcode

Personal licence number (if known) ~~Bury Metropoli~~

Expires 01-06-2019

Issuing licensing authority (if known) Bury Metropolitan borough council  
Licensing section town hall, Knowsley street, Bury

**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).





# 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	29.01.15
Capacity	

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	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.



SCANNED

PREM2

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

Consent of individual to being specified as premises supervisor

I [KARDO UMIT ABDULLAH] of full name of prospective premises supervisor

[home address or prospective premises supervisor ?B..]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

NEW [PREMISES LICENCE] by [ZIRING MOHAMMED MAHMOOD] type of application name of applicant

relating to a premises licence [number of existing licence, if any]

[EAST EUROPEAN FOODS, 11 HAREHILLS ROAD, LS8 5HR] and any name and address of premises to which the application relates premises licence to be granted or varied in respect of this application made by

[ZIRING MOHAMMED MAHMOOD] concerning the supply of alcohol at name of applicant

[EAST EUROPEAN FOODS, 11 HAREHILLS ROAD, LS8 5HR] I also name and address of premises to which application relates confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence number [METROPOLITAN BOROUGH] council Knowsley Street BL9 0SW insert personal licence number, if any Personal licence issuing authority

exp: 10/6/19

[KARDO UMIT ABDULLAH] Leeds LS9 7PB insert name and address and telephone number of person issuing authority, if any

.signed

hname (please print)

30.01.13 dated

# Licensing Act 2003

## Proforma Risk Assessment V6



SCANNED  
**Leeds**  
CITY COUNCIL

Please complete the details below:

Applicant name:	ZIRING M. MAHMOOD
Business name:	EAST EUROPEAN FOODS
Business address:	11 HARE HILLS ROAD LEEDS
	Postcode: LS8 5HR

### 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 type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input checked="" 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 .	6PF001 ✓	✓
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).	6PF002 ✓	✓
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.	6PF003 ✓	✓
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.	6PF004 ✓	✓
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	6PF005 ✓	✓
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.	6PF006 ✓	✓
The CCTV system will contain the correct time and date stamp information. ✓	6PF007	✓
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality. ✓	6PF008	✓
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. ✓	6PF009	✓
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. ✓	6PF010	✓

The CCTV system will be capable of securing relevant pictures for review or export at a later date.	6PF011	
The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.	6PF012	✓
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.	6PF013	✓
It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.	6PF014	

**Designated Premises Supervisor (DPS)**

Will the DPS generally be on site? YES  NO  N/A

Is the DPS contactable in emergency? YES  NO  N/A

If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence? YES  NO  N/A

Is the Supervisor's Register bound with consecutively numbered pages? YES  NO

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.	6PF015	✓
<del>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.</del>	6PF016	

**Door Supervisors and Other Security Staff**

Do you use registered door supervisors or security staff? YES  NO  N/A

Are they Security Industry Authority (SIA) registered? YES  NO  N/A

Do you specify a minimum number of door supervisors? YES  NO  N/A

If YES, state the number of staff 1, one

Days (and times) employed \_\_\_\_\_

Has this been agreed with WYP? YES  NO  N/A

Do you have a policy with the door supervisor or security company which covers:

- Vetting customers entering the premises? YES  NO  N/A
- Is there a prominently displayed written search policy on the premises? YES  NO  N/A
- Controlling customers entering, within or leaving the premises? YES  NO  N/A



• Safeguarding the public within and immediately outside the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Notifying WYP at the earliest opportunity of any problems or incidents?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input 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 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 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 type="checkbox"/>
Do you have an Incident Report Register?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input 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 _____ Please specify days and hours door supervisors operate on the premises.	6PF017	
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.	6PF018	
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).	6PF019	
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.	6PF020	
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	6PF021	
The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.	6PF022	
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.	6PF023	
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.	6PF024	

**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 type="checkbox"/>
Has this been agreed with WYP?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the policy include:	
• recording any search	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• informing the police of any search and seizure	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	6PF025	
The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.	6PF026	
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.	6PF027	
Notices will be prominently displayed at the entrances of the premises which state:	6PF028	
<ul style="list-style-type: none"> <li>• a search will be conducted as a condition of entry to premises;</li> <li>• Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register.</li> <li>• 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.</li> </ul> entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances		

**Communication**

Do you subscribe to 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 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	6PF029	

Such communication link will be kept in working order at all times when licensable activities are taking place	6PF030	
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.	6PF031	
Any police instructions or directions given via the link will be complied with whenever given.	6PF032	
All incidents of crime or disorder will be reported via the link to an agreed police contact point.	6PF033	

### Responsible Sale of Alcohol (cont)

<u>Proof of Age</u>		
Have you adopted a proof of Age Scheme?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Have all staff been instructed of the steps required to prevent under age sales of alcohol?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<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"/>
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"/>
Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?	YES <input type="checkbox"/>	NO <input 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"/>

Suggested measures	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises. Or	6PF034	
The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 21/25 who attempts to purchase alcohol at the premises.	6PF035	
<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.	6PF036	
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	6PF037	

Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	6PF038	
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)	6PF039	
<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.	6PF040	

**Responsible Sale of Alcohol (cont)**

<u>Membership of a Recognised Body</u> Do you belong to a Licensees Association/Body	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state which body .....	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Exclusion from Premises</u> Do you operate a system of excluding customers who are known to cause problems?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<ul style="list-style-type: none"> <li>is this your own system or</li> <li>a system run by a local licensees body</li> </ul>	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<u>Dispersal Policy</u> Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour)	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
<ul style="list-style-type: none"> <li>Was this agreed with WYP (and BTP where applicable)?</li> <li>Are all bar and door staff trained on the policy?</li> </ul>	YES <input type="checkbox"/> NO <input 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	6PF041	
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.	6PF042	

**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 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.	6PF043	
Price lists will be clearly displayed at each table and at each entrance to the premises.	6PF044	
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.	6PF045	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	6PF046	
Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence.	6PF047	
Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.	6PF048	
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.	6PF049	
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.	6PF050	
Sex toys must not be used and penetration of the genital area by any means must not take place.	6PF051	
Customers will not be permitted to throw money at the entertainers.	6PF052	
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.	6PF053	
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.	6PF054	

## 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.	6PF055	
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.	6PF056	
During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.	6PF057	
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.	6PF058	
Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.	6PF059	
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.	6PF060	
<p>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:</p> <ul style="list-style-type: none"> <li>a) Each socket-outlet circuit will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or</li> <li>b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</li> </ul> <p>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.</p>	6PF061	

## General Housekeeping

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

Suggested measures	Code	✓
Regular safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	6PF062	
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.	6PF063	
A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.	6PF064	

## Refreshments

Do you prepare hot food / drinks in proximity to the public?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
If YES: Has the risk of scalding or burns been assessed?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input 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.	6PF065	

**First Aid**

Do you have staff trained in First Aid?	YES <input type="checkbox"/> NO <input 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 type="checkbox"/> N/A <input type="checkbox"/>
Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A suitably trained First Aider or appointed person will be provided at all times when the premises are open.	6PF066	
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	6PF067	
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.	6PF068	
Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.	6PF069	
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.	6PF070	

**Special Effects**

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

Suggested 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.	6PF071	
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.	6PF072	



## Public Nuisance

### Noise and Vibration

Noise and vibration

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

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

Identify where sources of noise may occur outside your premises:

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

Identify which measures are in place/proposed:

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

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

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

Suggested 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	6PF073	
Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.	6PF074	
There will be no external loudspeakers	6PF075	
Bottles will not be placed in any external receptacle after 23.00 hours and 07.00 hours to minimise noise disturbance to neighbouring properties	6PF076	

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.	6PF077	
The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after 21:00/22:00/23:00* *Please delete as appropriate.	6PF078	
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,	6PF079	
The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.	6PF080	

**Litter**

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

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

.....

.....

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

Suggested 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	6PF081	

**Transport/Pedestrian Movement**

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

If YES:

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

.....

Suggested 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.	6PF082	
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.	6PF083	
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.	6PF084	
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.	6PF085	

## 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  NO  N/A

If so, do you only provide the adult entertainment at certain times/days of the week? YES  NO  N/A

Is your premises located near to premises which are children orientated? YES  NO  N/A

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.	6PF086	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	6PF087	
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)	6PF088	
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.	6PF089	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	6PF090	
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.	6PF091	

### Under Age Sales of Alcohol

Do the premises sell or supply alcohol? YES  NO  N/A

Suggested measures	Code	✓
People under 18 years of age will not be admitted.	6PF092	

### Gambling

Is there a strong element of gambling on the premises? YES  NO  N/A

Suggested measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	6PF093	

or		
There will be sufficient physical screening of the relevant entertainment from view of those under 18 years.	6PF094	

### Performers Under 18

Do entertainment performances include performances by children and young persons under 18 years of age? YES  NO  N/A

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.	6PF095	
The venue will be suitable to accommodate safely the numbers of children intended.	6PF096	
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	6PF097	
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.	6PF098	

### Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children? YES  NO  N/A

If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises). YES  NO  N/A

Do you provide young persons discos or similar entertainment? YES  NO  N/A

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.	6PF099	
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.	6PF100	
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.	6PF101	

Close supervision will be held when children use balconies and other raised areas.	6PF102	
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.	6PF103	

**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.	6PF104	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	6PF105	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Leeds City Council, Department of Social Services.	6PF106	
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.	6PF107	

## 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

East European Foods, 11 Harehills Road, Harehills, Leeds, LS8 5HR

##### 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*

Monday to Saturday	09:00 - 23:00
Sunday	10:00 - 22:00

##### Opening hours of the premises

---

Monday to Saturday	09:00 - 23:00
Sunday	10:00 - 22:00

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 Hatah Mohammed  
11 Harehills Road  
Harehills  
Leeds  
LS8 5HR

Daytime Contact Telephone Number:

Current Email Address: .ik

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

Shores Hatah Mohammed  
11 Harehills Road  
Harehills  
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: 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.
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 CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.
16. 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.

17. 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.

**The prevention of public nuisance**

18. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
19. Noise for licensable activity at the premises will not be audible at the nearest noise sensitive premises which are Flat -11 Harehills Road ,Leeds, LS8 5HR.
20. Noise from plant and machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.
21. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

**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/03296/010

Initial licence from: 6th March 2013

Part B  
Schedule 12 Licensing Act 2003

Current version effective from: 19th August 2015

**Premises Address** East European Foods, 11 Harehills Road, Harehills, Leeds, LS8 5HR

## 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*

Monday to Saturday	09:00 - 23:00
Sunday	10:00 - 22:00

<b>Opening hours of the premises</b>	Monday to Saturday	09:00 - 23:00
	Sunday	10:00 - 22:00

**Alcohol consumption:** Alcohol is sold for consumption off the premises

**Premises licence holder(s):** Mr Shores Hatah Mohammed, 11 Harehills Road, Harehills, Leeds, LS8 5HR

**Designated premises supervisor:** Shores 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

CB2



**Leeds**  
CITY COUNCIL

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

Mr Shoresh Hatah Mohammed  
11 Harehills Road  
Harehills  
Leeds  
LS8 5HR

Contact: Mrs Emma White  
Tel: 0113 2474095  
Fax: 0113 2243885  
Email:  
Our Ref: A80/PREM/03296/010

3rd September 2015

Dear Mr Mohammed

**Premises Licence: PREM/03296/010**  
**For: East European Foods, 11 Harehills Road, Harehills, Leeds, LS8 5HR**

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 6th March 2016.

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



**Leeds**  
CITY COUNCIL

Elections, Licensing & Registration  
Civic Hall  
Leeds LS1 1UR

**Private & Confidential**  
Mr Shores Hatah Mohammed  
East European Foods

Our Ref: A80/CB/LIC/PREM/03296/010  
Your Ref:  
Contact: Carmel Brennand  
Tel: 0113 2474095  
Fax: 0113 2243885  
Email:

Date: 10 September 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003  
PREMISES : EAST EUROPEAN FOODS, 11 HAREHILLS ROAD, LEEDS, LS8 5HR**

I am writing to you in your capacity as both the Premises Licence Holder and Designated Premises Supervisor 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**

Monday to Saturday 09:00 – 23:00  
Sunday 10:00 – 22:00

**Opening hours of the premises**

Monday to Saturday 09:00 – 23:00  
Sunday 10:00 – 22:00

**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

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

Our Ref: A80/CB/LIC/PREM/03296/010  
Your Ref:  
Contact: Carmel Brennan  
Tel: 0113 2474095  
Fax: 0113 2243885  
Email:

Date: 10 September 2015

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003  
PREMISES : EAST EUROPEAN FOODS, 11 HAREHILLS ROAD, LEEDS, LS8 5HR**

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Yours faithfully

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Entertainment Licensing

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Leeds LS1 1UR

**Private & Confidential**  
Mr Shoresh Hatah Mohammed  
East European Foods

Our Ref: A80/CB/LIC/PREM/03296/010  
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 : EAST EUROPEAN FOODS, 11 HAREHILLS ROAD, LEEDS, LS8 5HR**

I am writing to you in your capacity as both the Premises Licence Holder and Designated Premises Supervisor of the above premises. As you are aware I have visited the premises twice recently, namely Sunday 20 September and Wednesday 8 October 2015 further to a complaint that the premises were operating past their permitted hours.

On 20 September your employee Dana Abdullah was unable to operate the cctv or confirm that footage was retained for the specified period. On 8 October you informed us that the system was not recording. 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.*
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 CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.*
16. *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.*

**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 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 )

CB6



**Leeds**  
CITY COUNCIL

Elections, Licensing & Registration  
Civic Hall  
Leeds LS1 1UR

**Private & Confidential**  
Mr Shores Hatah Mohammed  
East European Foods

Our Ref: A80/CB/LIC/PREM/03296/010  
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 : EAST EUROPEAN FOODS, 11 HAREHILLS ROAD, LEEDS, LS8 5HR**

I am writing to you again in your capacity as both the Premises Licence Holder and Designated Premises Supervisor of the above premises. As you are aware I have visited the premises three times recently, namely Sunday 20 September, Wednesday 8 October and Wednesday 4 November 2015 initially in respect of a complaint that the premises were operating past their permitted hours and more recently in respect of breach of licence conditions.

On 20 September your employee Dana Abdullah was unable to operate the cctv or confirm that footage was retained for the specified period. On 8 October you informed us that the system was not recording. On 4 November neither you nor your staff could operate the system to show officers any recorded footage. 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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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 CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.

16. 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.

#### 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 also noted that Part B of the Premises Licence was not displayed. This is an offence under:-

#### Section 57 Duty to keep and produce licence

(1) This section applies whenever premises in respect of which a premises licence has effect are being used for one or more licensable activities authorised by the licence.

(3) The holder of the premises licence must secure that -

- (a) the summary of the licence or certified copy of that summary, and
- (b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2),

are prominently displayed at the premises.

(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).

(5) A constable or an authorised person may require the person who, by virtue of arrangements made for the purposes of subsection (2), is required to have the premises licence (or certified copy of it) in his custody or under his control to produce the licence (or such a copy) for examination.

- (6) An authorised person exercising the power conferred by subsection (5) must, if so requested, produce evidence of his authority to exercise the power.
- (7) A person commits an offence if he fails, without reasonable excuse, to produce a premises licence or certified copy of a premises licence in accordance with a requirement under subsection (5).
- (8) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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 the above issues have not been rectified, I will be looking at 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 Brennan  
Senior Liaison and Enforcement Officer  
Entertainment Licensing

---

CC West Yorkshire Police ( Licensing )

CB7



**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/03296/010  
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 : EAST EUROPEAN FOODS, 11 HAREHILLS ROAD, LEEDS, LS8 5HR**

I am writing to you in your capacity as both the Premises Licence Holder and Designated Premises Supervisor of the above premises which have been visited on 20 September, 8 October, 4 November and 17 November. I have also written to you on 10 September, 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





## 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 1 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 11:03 am we attended at East European Foods Ltd, 11 Harehills Road, LS8 5HR. Mr Rix attached the laminated blue review notice in respect of these premises to the lamp post nearest the front door. I went into the shop premises and Mr Shoresh Mohammed came into the shop from the rear. I asked him if he had received the envelope of papers from my office. He confirmed that he had. He then stated that the CCTV was now working. After I had visited the last time his girlfriend carried on trying to find the footage and she managed to. I asked, 'Why did you not ring me to tell me? You have my telephone number from my business cards and it's on all the letters I have sent you. I have been a lot of times. The process has started now for the review. My colleague has put that notice up' as I pointed to the lamp post outside the front door. ' That stays there for 28 days. This matter will be heard on 5 April 2016 but you will be sent a letter telling you all about it'.

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

reception. Both gentlemen stated their CCTV was now correct. I asked, '31 days, yes?'. Both said, 'Yes'. I told them that the process had already started and it could not be stopped. Mr Amiri said, 'It was fixed 2 days after you came in'. When I asked why he had not 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 Shores. 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 Shores 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 2:36 pm on Wednesday 17 February 2016 I rang the mobile number given by Mr Shores Mohammed and left a voicemail message on it advising that I would be visiting his shop at 12 noon 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. I also left my contact details.

On Thursday 18 February I was working in company with the Police District Licensing Officer, PC Lynn Dobson. At 12 noon we attended at East European Foods Ltd, 11 Harehills Road. I noted the review notice was still on display. I introduced myself and PC Dobson to the young male behind the counter and said we were here to see Mr Mohammed. The young male spoke to someone on his mobile telephone and then told us Mr Mohammed was just getting dressed so would not be long. Whilst we were waiting I checked the CCTV monitor facing the counter and noted the time stamp was 5 minutes out. After only a few minutes Mr Mohammed came from the rear of the shop. I told him we were here to look at the CCTV and we followed him to the rear of the shop, out the back door and up the outside staircase to the first floor. We followed him into the bedroom facing onto Harehills Road. He took us over to the right hand corner where a hard drive and a small monitor was. I asked where the big TV was as we had previously looked at the CCTV on the large TV screen. Mr Mohammed pointed to the wall behind us. Mr Mohammed's girlfriend had been in the room waiting for us. She proceeded to operate the CCTV and was able to show footage from 12

10 pm and finally 10.38 pm just as the shop was closing. I advised her the monitor downstairs was 5 minutes out on the time stamp and she was able to correct it there and then. I then asked Mr Mohammed if he had any DVDs or USB sticks to download some footage. He said he didn't. I asked if he had received my voicemail message I had left the previous afternoon. He checked his phone and said he hadn't got a message. We checked the number I had used and he confirmed it was correct. Mr Mohammed's girlfriend confirmed she could download footage but would need a lap top. When I asked if they had a lap top Mr Mohammed said he had one but it was away to be fixed. PC Dobson suggested that Mr Mohammed get some DVD's and download footage from 1 day ago, 31 days ago and 3 days in between. When Mr Mohammed queried, 'All day?' , PC Dobson clarified, 'No, just 5 minutes footage on each day and then drop them down to Entertainment Licensing so Mrs Brennand can check the footage'. Mr Mohammed agreed to do this. We resumed from the premises at 12:15pm.

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. The application was to vary the Premises Licence Holder from him to Mr Hassan Mirabadi. 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 to bring me DVDs of his CCTV footage next week'. Mr Mohammed said he would.

## WITNESS STATEMENT

( CJ ACT 1967, s.9;MC Act 1980, 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: 2.2.16

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 Sunday 20 September 2015 I was working in company with my colleague Mrs Carmel Brennand, Senior Liaison & Enforcement Officer.

At 7:20 pm we attended at East European Foods, 11 Harehills Road, LS8.

Mrs Brennand introduced herself and then myself to the male sitting behind the counter and asked him if he was Mr Shoresh Mohammed.

He replied he was Mr Dana Abdullah and stated he worked at the shop part time.

Carmel asked him where the Part B of the Premises Licence was as it did not appear to be on display. This display is a legal requirement under the Licensing act 2003.

He said that it had not yet arrived.

I noticed a monitor facing the counter with 7 camera shots shown on the screen.

Carmel asked Mr Abdullah if he could operate the system and show that it retained 31 days footage. He replied no to both questions.

Carmel advised him the reason for the visit was that we had received a complaint that the shop was open and selling alcohol after the hours permitted on the licence.

Mr Abdullah was able to tell us the hours as stated on the licence. He added that it could be staff cleaning after the shop has closed which might have resulted in the complaint.

Carmel gave Mr Abdullah a DPS authorisation Form, Check 21 posters and her business card and requested that Mr Shoresh Mohammed contact her.

At 7:28 pm we resumed from the shop.

Signature :