



Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: 4th January 2011

Subject: Application to vary a Premises Licence for Sainsburys Supermarkets Ltd, 157 Moorgate Road, Kippax, Leeds, LS25 7ET

Electoral Wards Affected:

Kippax & Methley

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application to vary a Premises Licence for premises situated at 157 Moorgate Road, Kippax, Leeds, LS25 7ET trading as Sainsburys Supermarkets Ltd.

A Premises Licence Variation application has been received to extend the opening hours of the Premises 06:00 to 00:00 everyday with the Supply of Alcohol during the said hours and to add the provision of Late Night Refreshment everyday 23:00 to 00:00.

The application is to also remove all embedded restrictions referred to in the Premises Licence under the heading Embedded Restrictions in respect of Justices's off Licence attached at Appendix A and to add to Annex 2 the conditions noted in section P of the application form attached at Appendix C

Purpose of this Report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary a Premises Licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt to representations.

2.0 History of Premises

- 2.1 An application for the conversion and variation of the former Licences into a Premises Licence was submitted in June 2005 by Jacksons Stores Limited under the Licensing Act 2003. Representations were received from West Yorkshire Police and Members of the Public to the conversion and variation. The variation application was subsequently withdrawn and a Premise Licence was granted for the existing hours.

A Licence transfer was received on the 12th December 2007 to change the Licence holder from Jackson Stores Limited to Sainsburys Supermarkets Limited

- 2.2 A copy of the existing licence (including all conditions) is attached at Appendix A.

3.0 The Application

- 3.1 The applicant is Sainsburys Supermarkets Ltd,
- 3.2 The location of the premises can be found on the map attached as Appendix B.
- 3.3 A copy of the application and operating schedule are attached as Appendix C to this report. For the assistance of members, the Operating Schedule shows:

3.4 Proposed licensable activities

Sale by retail of alcohol

3.5 Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Sale by retail of alcohol
Every Day

06:00 - 00:00

3.6 Proposed times when the premises is open to the public

The premises propose to open to the public between the following hours

Everyday

06:00 - 00:00

3.7 Steps to promote the licensing objectives

The applicant proposes to take the steps identified in section "P" of the application form to promote the licensing objectives.

3.8 Designated Premises Supervisor

Gail Patricia Clark is nominated as the Designated Premises Supervisor.

4.0 **Relevant Representations**

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

4.2 Representations have been received from the following Responsible Authorities:

Environmental Protection Team

Members are invited to consider Appendix D of this report.

4.3 Representations have been received from interested parties. Members are invited to consider Appendix E of this report.

Councillor James Lewis has made a representation on behalf of the Kippax and Methley Ward Councillors. Members are invited to consider Appendix F of this report

Councillor Walter Morley of Kippax Parish Council has made a representation. Members are invited to consider Appendix G of this report

5.0 **Matters Relevant to the Application**

5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

5.2 In the making of their decision Members are obliged to have regard to the national guidance and the council's licensing policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

6.0 Options available to members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the variation application as requested.
- Grant the variation application whilst modifying the conditions of the licence.
- Reject the whole or part of the variation application.

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy



Premises Licence Leeds City Council

Licence Issued By:

On: 13th July 2005

N
25

Jackson

ewh 28.7.09
EWhite

Nicole Jackson

Assistant Chief Executive (Corporate Governance)

Premises Licence Number

PREM/00266

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Sainsburys Supermarkets Ltd
157 Moorgate Road
Kippax
Leeds
LS25 7ET

Telephone number 0113 286 0026

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Sale by retail of alcohol

Times the licence authorises the carrying out of licensable activities**Sale by retail of alcohol**

Monday to Saturday	08:00 - 23:00
Sunday	10:00 - 22:30

The opening hours of the premises

Monday	07:00 - 23:00
Tuesday	07:00 - 23:00
Wednesday	07:00 - 23:00
Thursday	07:00 - 23:00
Friday	07:00 - 23:00
Saturday	07:00 - 23:00
Sunday	07:00 - 23:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption off the Premises

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

Sainsburys Supermarkets Ltd
33 Holborn
London
EC1N 2HT

Premises Licence Holder Telephone Number 0207 695 4000

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 03261722

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

Gall Patricia Clark
4 Ridings Gardens
Lofthouse Gate
Wakefield
WF3 3SN

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: PA0721

Licensing Authority: -Wakefield Metropolitan District Council

Annex 1 – Mandatory conditions

No supply of alcohol may be made under this licence

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

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

Embedded Restrictions in respect of Justices' off licence

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

In this condition, permitted hours means:

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

The above restrictions do not prohibit:

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

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

Annex 2 – Conditions consistent with the Operating Schedule

N/A

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

N/A

Annex 4 – Plans

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

Premises Licence Leeds City Council

Licence Issued By:	On: 13th July 2005
<i>N 25 Jackson</i>	<i>Ewhite 28.7.09</i>
Nicole Jackson	<i>Ewhite</i>
Assistant Chief Executive (Corporate Governance)	

Premises Licence Number

PREM/00266

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Sainsburys Supermarkets Ltd 157 Moorgate Road Kippax Leeds LS25 7ET	
Telephone number	0113 286 0026

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Sale by retail of alcohol

Times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Monday to Saturday 08:00 - 23:00
Sunday 10:00 - 22:30

The opening hours of the premises

Monday 07:00 - 23:00
Tuesday 07:00 - 23:00
Wednesday 07:00 - 23:00
Thursday 07:00 - 23:00
Friday 07:00 - 23:00
Saturday 07:00 - 23:00
Sunday 07:00 - 23:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption off the Premises

Name, (registered) address of holder of premises licence

Sainsburys Supermarkets Ltd
33 Holborn
London
EC1N 2HT

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 03261722

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Gall Patricia Clark

State whether access to the premises by children is restricted or prohibited

N/A



Leeds
CITY COUNCIL

Appendix B

Leeds City Council
Entertainment Licensing

PREM/0266/V01 Sainsburys Supermarkets Ltd

157 Moorgate Road, Kippax ,LS25 7ET



Km 0.02 0.04 0.06 0.08 0.1 0.12 0.14 0.16 0.18 0.2 0.22

This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

© Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Leeds City Council O.S. Licence No 100019567
© Crown Copyright all rights reserved

Date:	08 December 2010
Scale:	1:1498

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Sainsbury's Supermarkets Limited
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PREM/00266
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Sainsbury's 157 Moorgate Road Kippax			
Post town	Leeds	Post code	LS25 7ET

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£17,250

Part 2 – Applicant details

Daytime contact telephone number	020 7695 6000		
E-mail address (optional)			
Current postal address if different from premises address	33 Holborn All correspondence to: Winckworth Sherwood LLP (Ref: EMF/26508/975/RPB) Minerva House 5 Montague Close London SE1 9BB		
Post Town	London	Postcode	EC1N 2HT



Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
A supermarket selling a broad range of groceries, household products and alcohol. Situated at 157 Moorgate Road, Kippax, Leeds, LS25 7ET.

1. Extension of the hours for the sale of alcohol to 06.00 to 24.00 daily.
2. Provision of late night refreshment between the hours of 23.00 and 24.00 daily.
3. To remove all of the embedded restrictions referred to in the licence under the heading 'Embedded Restrictions in respect of Justices' off licence'.
4. To include in Annex 2 the conditions in boxes b to e of Section P of the operating schedule.
5. To extend the opening to 06.00 to 24.00 daily.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- 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) performances 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)			
Thur						
Fri			<u>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</u> (please read guidance note 5)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Sat					
Sun					
			<u>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</u> (please read guidance note 5)		

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	2300	2400	The provision will take place inside the premises but customers may leave the premises with items purchased.		
Tue	2300	2400			
Wed	2300	2400	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	2300	2400	<u>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</u> (please read guidance note 5)		
Fri	2300	2400			
Sat	2300	2400			
Sun	2300	2400			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (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	0600	2400			
Tue	0600	2400			
Wed	0600	2400			
Thur	0600	2400			
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400			
			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)		

N

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)

The premises sell alcohol and other age restricted products.

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0600	2400	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	0600	2400	
Wed	0600	2400	
Thur	0600	2400	
Fri	0600	2400	
Sat	0600	2400	
Sun	0600	2400	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

- The conditions set out in Annex 2.
- The embedded restrictions set out in the licence.
- The hours for the sale of alcohol are currently restricted to:

Monday to Saturday (other than Christmas Day):	0800 to 2300
Sunday (other than Christmas Day)	1000 to 2230
Christmas Day	1200 to 1500 and 1900 to 2230.
- The opening hours are currently restricted to:

Monday to Sunday:	0700 to 2300
-------------------	--------------

The above restrictions would be removed as a consequence of the proposed variation.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

b) The prevention of crime and disorder

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The system will incorporate a camera covering each of the entrance doors and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
3. The system will incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The system will display on any recording the correct time and date of the recording.
5. A system will be in place to maintain the quality of the recorded image.

c) Public safety

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police on request.

d) The prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

e) The protection of children from harm

The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

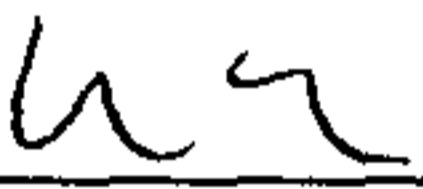
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	4 November 2010
Capacity	Solicitors duly authorised on behalf of the Applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

EMF/26508/975/RPB
Winckworth Sherwood LLP
Minerva House
5 Montague Close

Post town	London	Post code	SE1 9BB
-----------	--------	-----------	---------

Telephone number (if any)	020 7593 5155
---------------------------	---------------

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
efinlay@wslaw.co.uk

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could 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 will be 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 state 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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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.



Winckworth Sherwood
Minerva House
5 Montague Close
London
SE1 9BB

Environmental protection team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN



Contact: Mrs Rachael Teale
Tel: 0113 214 6247
Fax: 0113 214 6250
rachael.teale@leeds.gov.uk
Our reference: PREM/00828A/01
25 November 2010 00266/VO1

Dear Sir/Madam

**LICENSING ACT 2003
APPLICATION TO VARY A PREMISES LICENCE
SAINSBURY'S, 157 MOORGATE ROAD, KIPPAX, LEEDS, LS25 7ET**

I refer to your application dated 4th November 2010 in respect of the above premises. I write to inform you this department shall be fully objecting to your application and a copy of this letter will be sent to the licensing section of the Authority.

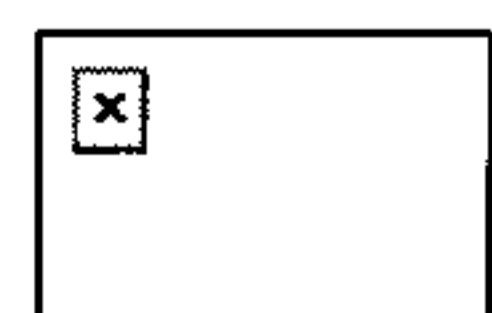
The application premises is situated on the corner of Moorgate Road where it meets Leeds Road in Kippax. This is a predominantly residential area with houses in very close proximity. This department has received complaints about the premises concerning deliveries and noise from air handling units.

The current licence allows the sale of alcohol from 0700 until 2300. The application is to extend the hours to 0600 until 2400 for the sale of alcohol and late night refreshment. It is felt there is likely to be an increase in noise disturbance from patrons coming and going outside the premises, raised voices, vehicle movements and slamming car doors. With the proposed hours, this will also occur at more anti social times of day than at present. Therefore this Department fully objects to the application being granted on the grounds of prevention of public nuisance.

Should you have any questions regarding this letter please do not hesitate to contact me on the above telephone number.

Yours faithfully

Mrs Rachael Teale
Senior environmental health officer



Glover, Barry

From: Teale, Rachael
Sent: 25 November 2010 13:21
To: Entertainment Licensing
Cc: White, Emma; Bilsborough, Richard
Subject: RE: PREM/00266/V01

Attachments: Full Obj Moorgate Rd 25.11.10.doc

A full objection letter for the Sainsbury's local in Kippax



Full Obj Moorgate
Rd 25.11.10....

Regards,
Mrs Rachael Teale
Senior Environmental Health Officer
Environmental Protection Team
Kent Road
Pudsey
LS28 9BN

Tel: 0113 2146247



Appendix E**Glover, Barry**

From: B Harwood [sgtpepper1@sky.com]
Sent: 18 November 2010 19:50
To: Entertainment Licensing
Cc: Lewis, Cllr James; Wakefield, Cllr Keith; Parker, Cllr Keith
Subject: licence appliction:sainsburys,157 Moorgate Road,kippax,LS25 7ET

Hi

We would like to oppose the proposed application for Sainsburys to change the retail of alcohol licence.

The reasons for our opposition is :

We live facing the premises and already have trouble with noise from underage youths hanging about asking adults to buy alcohol which they quite often do. We have complained about this many times.

Noise from cars banging doors and playing loud music visiting the shop.

Litter.

Lights left on in the store which shine into our house and keep our daughter awake.

Councillor Wakefield and Councillor Lewis can verify these problems because they have helped us out in the past with these on going problems caused by Sainsburys.

This is a small village and I think the the 16 hours it is open every day is sufficient.

The people that own run and work at sainsburys can walk away from these problems every day back to their nice quiet homes ----we cannot and have to deal with these issues constantly.

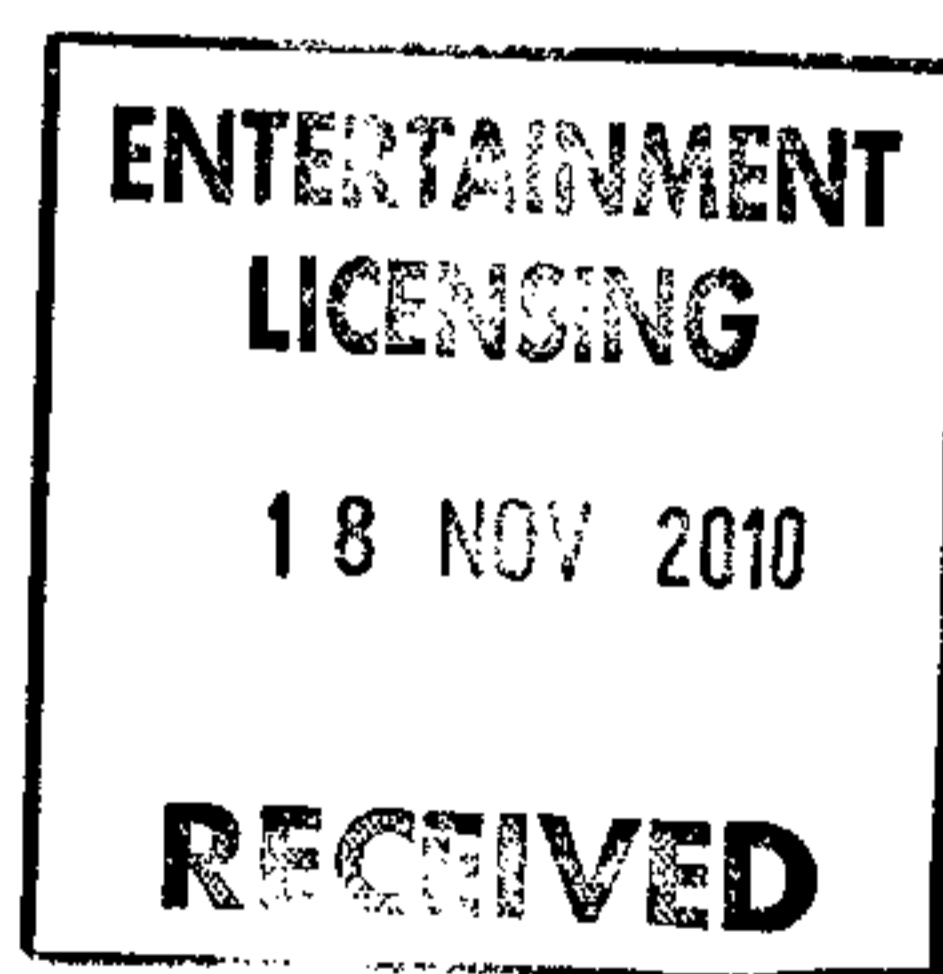
Can you please let us know the outcome of the application.

Thank you.

Beverley & Kevin Harwood

163 Leeds Road

Kippax LS25 7DZ



Glover, Barry

From: SureSignuk [office@cfasuresign.co.uk]
Sent: 19 November 2010 14:02
To: Entertainment Licensing
Subject: Licence Application objection

Dear Sirs,

I write to object to the licence application being made by Sainsburys in regard to their premises at 157 Moorgate Road, Kippax, LS25 7ET.

You will see from my address that I live very close to this shop.

I do not object in principle to their opening in the morning to sell newspapers, milk and bread, etc. I do however object to their wish to sell alcohol from 06:00 hours until Midnight. There is no need for such sales at those times and I feel it will merely attract unwanted attention around the shop late at night. They have a store nearby at Colton which provides these services 24 hours a day.

In addition to the alcohol sales, I presume from their Late Night Refreshment Licence application they wish to sell hot food and drinks from these premises. We do not want a late night cafe in a residential area such as this. Residents do not want it and I feel it would only be attracting people from elsewhere. There would be noise, drinking and more litter than there is at present.

If Sainsbury wish to provide thses services they should do so at Colton and not where we live.

Yours

Ian Hirst
5, Roach Grange Avenue, Kippax, LS25 7ER



19/11/2010

Glover, Barry

From: SureSignuk [office@cfasuresign.co.uk]
Sent: 19 November 2010 14:03
To: Entertainment Licensing
Subject: Licence Application Objection

Dear Sirs,

I write to object to the licence application being made by Sainsburys in regard to their premises at 157 Moorgate Road, Kippax, LS25 7ET.

You will see from my address that I live very close to this shop.

I do not object in principle to their opening in the morning to sell newspapers, milk and bread, etc. I do however object to their wish to sell alcohol from 06:00 hours until Midnight. There is no need for such sales at those times and I feel it will merely attract unwanted attention around the shop late at night. They have a store nearby at Colton which provides these services 24 hours a day.

In addition to the alcohol sales, I presume from their Late Night Refreshment Licence application they wish to sell hot food and drinks from these premises. We do not want a late night cafe in a residential area such as this. Residents do not want it and I feel it would only be attracting people from elsewhere. There would be noise, drinking and more litter than there is at present.

If Sainsbury wish to provide these services they should do so at Colton and not where we live.

Yours

Eileen Hirst
5, Roach Grange Avenue, Kippax, LS25 7ER



19/11/2010

5

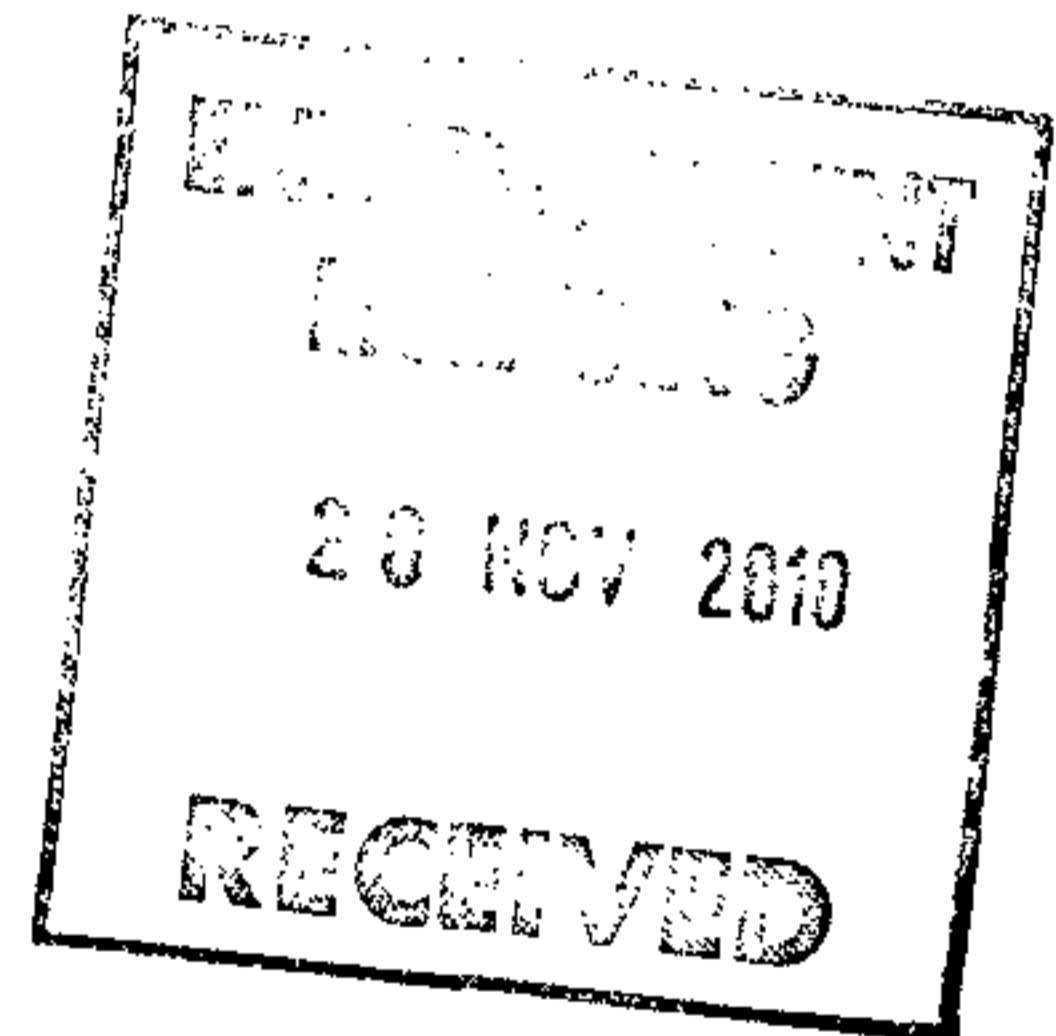
Glover, Barry

From: Julie Taylor [juliet42@o2.co.uk]
Sent: 20 November 2010 16:37
To: Entertainment Licensing
Subject: Licence Application Sainsburys 157 Moorgate Road, Kippax LS25 7ET

Dear Councillors

As a resident of Kippax I was interested to read the letter you sent regarding the above licence application. I strongly oppose granting of this licence. Myself and my husband are already frequently woken up in the early hours of the morning at weekends, due to loud and inebriated people walking past our house. Granting of this alcohol licence for the Sainsbury's shop can only make this even more likely to happen. In addition, I sometimes feel nervous at the thought of entering this shop late at night due to the groups of people that hang around it, and given that increasing the availability of alcohol to them will quite possibly lead to more frequent antisocial behaviour this surely is not in the interests of local residents. A further point I would like to make is the fact that residents' cars (including mine) that are parked on the road have been vandalised by passers-by during the night, for example pulling off wing mirrors and wipers. I've not actually seen this happen so can't definitely say who is responsible, but again it's something that I believe would increase in frequency if availability of alcohol from the shop outside the current hours is increased.

Best regards
Julie Taylor
148 Leeds Road
Kippax
LS25 7EP

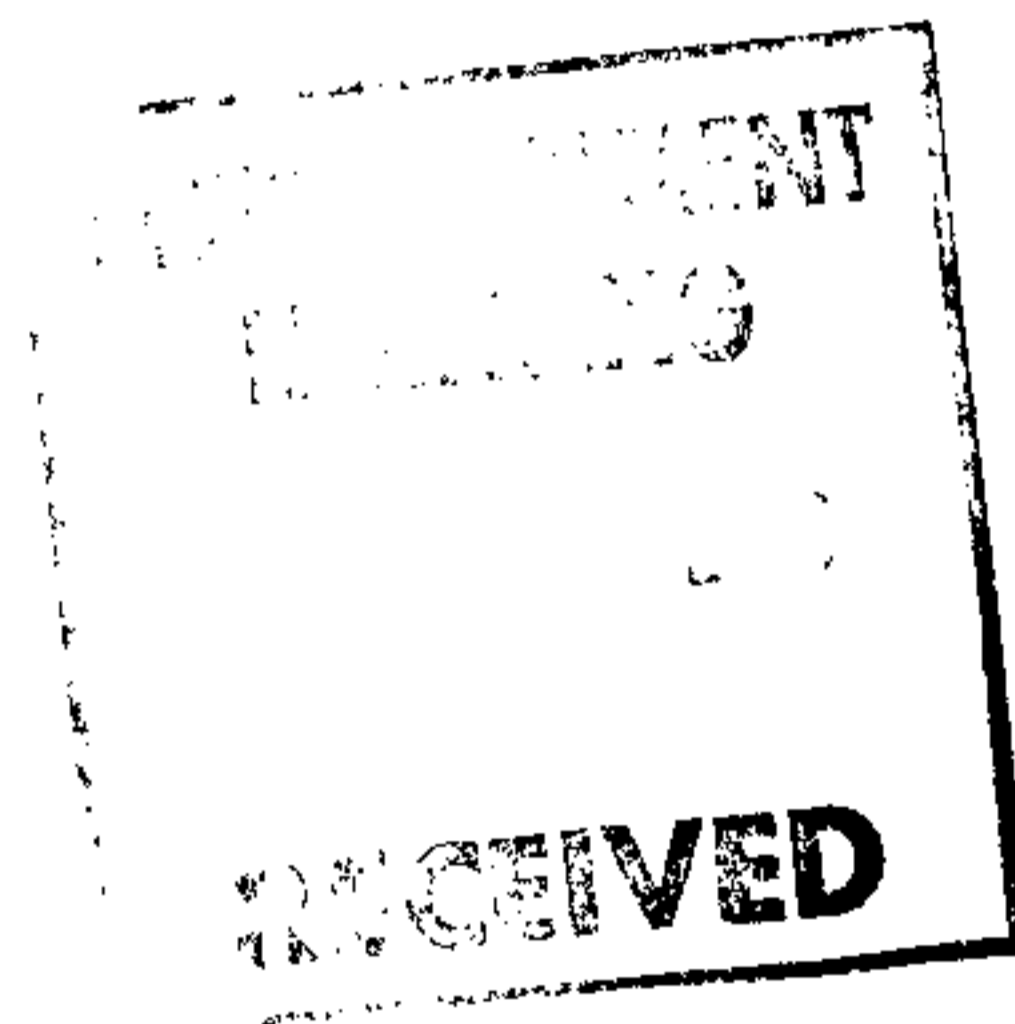


Glover, Barry

From: Sarah Burdall [S.E.Burdall@leeds.ac.uk]
Sent: 22 November 2010 10:32
To: Entertainment Licensing
Subject: Premises Licence
Importance: High

I am opposed to the application for increased times for Sale by retail of alcohol and late night refreshment from Sainsburys 157 Moorgate Road, Kippax, LS25 7ET. This is a residential area and there is already significant noise from traffic stopping at the premises and litter along the hedges on the opposite side of the road that residents have to clear. I don't want more noise or more litter in this area. It also encourages small gangs of youths to congregate outside the shop.

Regards
Sarah Burdall
173 Leeds Road
Kippax
LS25 7DZ





111 MOORGATE ROAD
KIPPAX
LEEDS LS25 7ET

26th November 2010

266/101

Licensing Officer
Entertainment Licensing
Civic Hall
Leeds LS1 1UR

29 NOV 2010

Dear Sir/Madam,

Reference: Licence Application: Sainsbury's, 157 Moorgate Road, Kippax, LS25 7ET

We, the residents of 111 Moorgate Road would like to register an objection to the above application on the following grounds;

- The Moorgate Road area is primarily a residential area
- There is already a problem with litter from the commercial premises and this blows around into garden areas. Any extension of hours will increase this problem for residents.
- Visitors by car to the above premises already create congestion through inconsiderate and illegal parking by parking on pavements, especially at peak hours. Access to and from the residential area is very often difficult at the junction of Moorgate Road and Leeds Road and drivers are forced into the centre of the road when negotiating a 'blind' corner into the estate. There is a very real danger of accidents occurring. Extension to opening hours will potentially increase this problem.
- Delivery lorries serving Sainsbury's often deliver before 8am. They also add to the congestion problem and cause noise and inconvenience to residents. An extension of opening hours will encourage earlier deliveries.
- Kippax has already been designated as an 'alcohol free' area after much lobbying by the local Parish Council. This was in response to the increasing problem caused to residents by teenagers congregating around the Sainsbury's area and drinking alcohol. Most of them are under age and acquire alcohol via older teenagers purchasing it for them. This has been observed and reported to Sainsbury's on several occasions. We fail to understand the logic or social responsibility of Sainsbury's in seeking an extension of the sale of alcohol.

Yours faithfully,

S. Ward

L. Ward

cc Cllr James Lewis

8



124, Leeds Road

· Kippax

LEEDS

LS25 7EP

29th November 2010

Dear Sir or Madam,

Licence Application: Sainsburys, 157 Moorgate Road, Kippax, LS25 7ET.

I am writing to you to oppose the change to the current licence at the Sainsburys listed above because I think the sale of alcohol should not be extended further. As some one who lives very local to the store I think that this will only encourage unsociable behaviour and noise. The current licence means that Sainsburys can sell alcohol for most of the time that they are open and I don't think that it is necessary to prolong this period. The current hours provide plenty of time for the sale of alcohol to any one who wishes to buy it.

Yours faithfully

CWatt

Cathrine Watt (Mrs)



LEEDS
CITY COUNCIL

Councillor James Lewis
Kippax and Methley Ward
41 Leeds Road
Kippax
LS25 7HG

Email james.lewis@leeds.gov.uk

Entertainment Licensing
Civic Hall
Leeds
LS1 1UR

Home tel 0113 286 9647
Civic Hall tel 0113 247 6922

Your Ref

Date 09 December 2010

Sainsbury's 157 Moorgate Road Kippax LS25 7ET

I write on behalf of my colleagues Councillors Keith Parker and Keith Wakefield and myself to object to this application on the following grounds.

- The store is located in a predominately residential area, not a S3A shopping area as identified in the Leeds Unitary Development Plan, and we believe that the extended hours and the noise caused by customers, additional traffic and people exiting cars would create an unacceptable nuisance.
- Kippax has been declared a Designated Public Place Order in light of the problems caused by persistent alcohol related anti-social behaviour. Given that local residents have reported problems around this store, as recorded in numerous objections to this application, we believe that this application risks undoing the good results that has been recently achieved by joint working with the Police, Kippax Parish Council and residents groups, and others to reduce the problems.
- We believe that the two points above would be exacerbated because granting the application would mean that the store would be the only licensed outlet open after 11pm in not just Kippax but the surrounding towns and villages, therefore if the proposed extended hours are granted it is likely to become a wider attraction than the store is during its current hours of operation.
- Residents have also reported problems with parking, litter, deliveries and how these issues affect them in their homes as factors their objections. This highlights the sensitivity of the store's location in a principally residential area.

We ask that the application for extended hours be rejected.

Yours sincerely

Councillor James Lewis
Kippax and Methley Ward

Interested Party Representation
(Form IPR1)



Section 1 – Licence application details

Please indicate as appropriate :

- I wish to object to the following application:
- I wish to support the following application:

Applicant name (if known):

Sainsbury's

Applicant premises name and address:

157 Moorgate Road
KIPPAX LS257ET

Application for a	Premises Licence <input type="checkbox"/>	Club Premises Certificate <input type="checkbox"/>
Application to vary an existing	Premises Licence <input checked="" type="checkbox"/>	Club Premises Certificate <input type="checkbox"/>

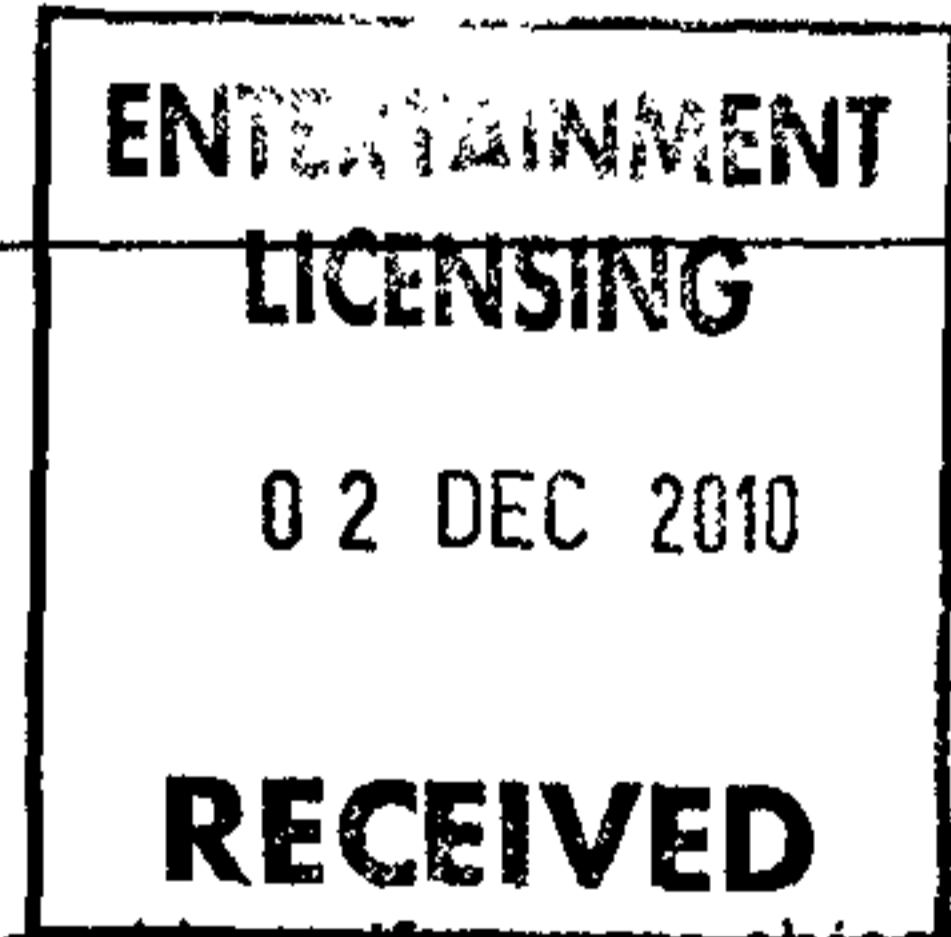
Section 2 – Your personal details

NB : If you are acting as a representative, please go to Section 3.

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other <u>CLLR</u>
Surname	MORLEY
First name(s)	WALTER

Address (incl postcode):

126 VALLEY RIDGE
KIPPAX
LS257DS



It is essential that you provide your full residential address (or business address if you are objecting from a business). The Licensing Authority needs to be satisfied that you live or have business on the vicinity of the premises. Without this information your representation will not be accepted.

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

Section 3 – Representative details

If you represent residents or businesses in the vicinity please complete details below

Name of Representative/
Organisation

KIPPAX PARISH COUNCIL
PLANNING AND LICENCING Committee

Full postal address
(Incl postcode)

Please indicate capacity :

- E.g. Representative of Residents Association
- Ward Councillor
- Parish Council
- MP
- Trade Association

Other (please specify) _____

Section 4 – Representation grounds

The representation is relevant to one or more
of the following licensing objectives:

Please tick relevant box(es)

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

Please select :

- I object to the application being granted at all
- I object to the application being granted in its current form*

*If you choose this option remember to tell us in the next section what changes you would prefer to see.

The grounds of the representation is based on the following:

Antisocial Behaviour in this Area
caused by sale of alcohol from this shop.
No need for further sales of late night refreshment
as there are no entertainment venues in the
area.

Anti Social Behaviour

There is a history of Anti Social behaviour in this area caused by Youths obtaining alcohol from these premises. It is well documented by the Police.

Disturbance of local residents

Youths are regularly congregating near these premises and this intimidates local houseowners. Also there is shouting, etc.

Local Councillors

Bolton Leeds City Elected Members have indicated by letter that they are against this application.
All Parish Councillors have voiced their objections to it.

Not Wanted

We cannot see why this store should be given approval for this application we feel that 8.00 AM is quite early enough to sell alcohol.

There is also no reason to sell refreshment after 11.00 PM.

You need to complete this box as fully as possible. If you do not the Licensing Authority may not be able to assess the relevance of your representation.

Please attach supporting documents/further pages as necessary - please number all additional pages.

Try to be as specific as possible and give examples, e.g. on 1 February I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises open until 2am this will cause a nuisance to me and other residents of the street.

Signed: W. D. Morley

Date: 29.11.10.

PP. Kippax Parish Council