



Gipton & Harehills Ward
Labour Councillors
Councillor Arif Hussain
Councillor Salma Arif
Councillor Ashgar Ali
Civic Hall
Leeds, LS1 1UR

FAO: Leeds City Council's
Entertainment Licensing Team

Civic Tel [REDACTED]

11.12.23

Dear To Whom It May Concern

**Subject: Licence Review, Bucharest Off Licence, 56 Harehills Road,
PREM/01395/004**

As ward Councillors we are writing to **support** the licence review of Bucharest Off Licence on Harehills Road.

Harehills Road is one of the main arteries of Harehills which, along with neighbouring Harehills Lane, is already saturated with retail outlets legally selling tobacco products and alcohol.

To put this into context, along Harehills Lane and Harehills Road, approximately 70% of shops are selling alcohol. These alcohol outlets sit – quite literally – adjacent to people's homes, children's schools as well as places of worship. Harehills is a densely populated neighborhood; a place where what happens on the street has a huge impact on the local community.

According to the 2019 Index of Multiple Deprivation, Gipton & Harehills Ward has 17 Lower Super Output Areas (LSOAs) that are amongst the 10% most deprived in the country. That is more than any other Ward in Leeds. Coupled with this cumulative deprivation is the fact that Gipton & Harehills Ward is:

- Gipton and Harehills is second most populated Ward in Leeds with 33,645 residents living in 12,400 properties; nearly 10% of homes are classed as overcrowded.
- The Ward is both young and dynamic; 29.5% of residents are children and young people aged 14 or under. 53% of the population is aged 29 or under.
- 4,303 children and young people aged 0-15 in Gipton & Harehills live in the most income deprived households in England.
- Whilst 62.4% of the population is economically active; long term unemployment is double the Leeds average and those that have never worked is at 15.2%, which is

nearly four times the Leeds average. Women from the Ward active in the job market is also notably lower than the Leeds average.

- 33.3% of working age people are receiving universal credit.
- Gipton and Harehills Ward is very diverse, with 63% of the population identifying as being from an ethnic minority; 72% of households reported that English was a first language.
- As a migration hub, the Ward has hundreds of languages spoken and numerous faiths live in close proximity (75% of households identify as being religious against a Leeds average of 65%).
- Nearly 56% of households don't have access to a car or van.
- Fuel poverty for the Ward stands at 29.9%, 8.4% of households don't have central heating.
- Crime is higher than the Leeds average with violence and sexual assault, public order, ASB and criminal damage presenting as the main issues

Source: <https://observatory.leeds.gov.uk/deprivation>

Numerous residents, both young and old and of all faiths and backgrounds, have talked to all three of us about their experiences of drink related abuse and violence on their doorstep. This behaviour as led to damage to property, broken glass, urine and worse left on the pavements outside of people's homes.

Against this backdrop, the idea that a business in the heart of Harehills could be not only operating illegally but compounding these issues by selling illegal alcohol, as well as illicit tobacco products, is simply staggering.

Such is the scale of alcohol related issues in Harehills, a Cumulative Impact Assessment (CIA) was introduced by the council in early 2019 and has been re-drafted and enlarged in November 2022; this enlarged area now includes the site of Bucharest Off Licence :

<https://democracy.leeds.gov.uk/documents/g11973/Public%20reports%20pack%2029th-Nov-2022%2010.00%20Licensing%20Committee.pdf?T=10> The response from Harehills residents to the CIA consultation was both compelling and shocking, but sadly not surprising.

Indeed, we feel passionately that this licence should be reviewed in light of the compelling evidence presented by the Police, as letting this business trade illegally would be seriously damaging to the health of the people of Harehills; from local residents, parents and children who have to witness anti-social behaviour on their doorstep as the result of alcohol abuse to the vulnerable residents who may be exposed to alcohol and tobacco products that they otherwise wouldn't have access to.

For over three years, a dedicated partnership made up of local Cllrs, council officers, the Police and representatives from the community and voluntary sector have sought

to address the issue of problem drinking in Harehills. Problem street drinking is a tragic but inevitable bi-product of the availability of cheap alcohol, sold from numerous outlets, at all hours.

This latest development around the sale of illegal alcohol is a major concern. The following paragraphs outline the arduous journey that has been undertaken to help tackle problem drinking in adults in Harehills. To think that potentially another generation of our children could be embarking on this path because of access to illegal alcohol is frankly terrifying and cannot be allowed to happen.

To expand, the multi-agency partnership is taking-up this complex challenge is on several fronts. Focus is being given to disruption, which includes enforcing the existing Public Space Protection Order (PSPO: <https://www.leeds.gov.uk/antisocial-behaviour-and-crime/public-spaces-protection-orders/harehills-pspo>) and serving injunctions on the more troublesome street drinkers.

In tandem to this approach, there is also a concerted effort to engage with this cohort of drinkers to address their needs around addiction. This work has proven challenging for the partnership given the obvious tension between balancing the imperative to support individuals who are addicted to alcohol and the concerns of the wider community who are suffering because of their actions. A constant pressure for the partnership is allowing the space and time for the outreach work to pay dividends whilst demonstrating to residents that this issue is being taken seriously via enforcement activity that reduces unacceptable levels of anti-social behaviour.

Genuine relationships are being forged under difficult circumstances by Touchstone's dedicated outreach worker who has conducted numerous visits to the Harehills area to date. Allied to this, alcohol supply has sought to have been addressed through the continued defence of the council's Cumulative Impact Assessment (CIA) and the opposition of any new off licenses; four applications have been declined in recent times, but tens of off-licences remain in a less than two-mile square radius. A prominent derelict site on Compton Road has also been target hardened following work by Cleaner Neighbourhoods Team colleagues, as it was a magnet for street drinkers.

Ward Members from both Gipton and Harehills and Burmantofts and Richmond Hill have committed funding for the Touchstone outreach worker, with group sessions for this cohort taking place at a local café on Harehills Lane. Encouragingly, around 12-15 people now regularly attend and engage with support services at these sessions, with over 129 individuals with alcohol dependency issues attending since October 2021.

Incremental progress is being made with two attendees in rehab; one individual is not attending due to "now working" and some of those who attended on a regular basis are now staying at home, in a relationship or visiting family i.e. positive lifestyle changes. Most refrain from drinking to attend the session then go home afterwards. Furthermore, some clients changed their drinking behaviour and reported increased

confidence and self-worth. In addition, there was a take up of new registrations with Forward Leeds, who supported the drop in sessions.

Allied to this, colleagues in Leeds Anti-Social Behaviour Team, along with the Police and the Safer, Stronger Communities Team are constantly working in partnership using all the available legislation including the Anti-Social Behaviour Crime and Policing Act 2014 to address the issue of problem street drinking and associated community concerns.

The innovative use of 'Closure Orders', granted under anti-social behaviour legislation further bolstered the existing PSPO in the area for a time. The Closure Order, which denied access to a specific area if people are in possession of an open container of alcohol, also gave officers additional powers to ensure there was the necessary balanced approach that allowed officers to support the needs of the community as well as the needs of a group of individuals with very serious challenges around addiction.

East Leeds Neighbourhood Policing Team undertook the following action in relation to the Closure Order, which ran from December 2021 until June 2022:

- 92 x individuals issued with warnings
- 36 x individuals reported for summons to court, for breaching the order and previous warnings issued
- 7 x individuals arrested for offences including breach of the closure order, breach of bail and drunk and disorderly.
- 3 x individuals prosecuted and fined in court, for breaching the partial closure order

Closure Order: <https://www.westyorkshire.police.uk/news-appeals/new-powers-tackle-street-drinking-harehills-leeds>

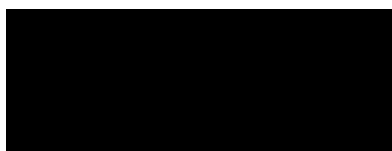
As a community, along with the council, statutory services and local community and voluntary sector groups we are exhaustively trying to redress the current imbalance in an area where alcohol misuse is having a detrimental effect on the lives of residents.

Ignoring the very real and serious concerns raised by the Police in this licence review, will be slap on the faces of everyone who has campaigned for the CIA, the PSPO, the closure order as well as those working hard to support people with alcohol addiction and those wanting a safer future for themselves and their children.

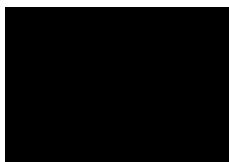
As Ward Councillors, we hope you will consider the concerns raised above and come to the decision that Harehills does not need, want or deserve an off license selling illegal alcohol and tobacco.

We say with a united voice, please consider the impact on our children, they deserve so much better than this.

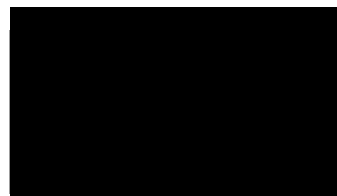
Yours sincerely



Councillor Arif Hussain



Councillor Salma Arif



Councillor Asghar Ali

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/CB/LIC/PREM/01395/004

Your Ref:

Contact: Carmel Brennand

Tel: 0113 3785029

Fax: 0113 3367124

Email: [REDACTED]

Date: 21 December 2023

Dear Sirs/Madam,

**REVIEW APPLICATION UNDER THE LICENSING ACT 2003
PREMISES: BUCHAREST, 56 HAREHILLS ROAD, LS8 5LE**

Please accept this formal representation by an officer on behalf of the Licensing Authority. I am employed as a Senior Liaison & Enforcement Officer within Leeds City Council's Entertainment Licensing Section.

My duties include investigating complaints for licensed/unlicensed premises contrary to the Licensing Act 2003 as well as 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. I have delegated authority under the said Act.

The subject premises were previously licenced under the previous 1964 Licensing Act and the operator converted the Justices Off Licence to a new Premises Licence under the new regime, the Licensing Act 2003. PREM/01395 granted with effect from the 23rd August 2005 permitted off sales between 8 am and 11 pm Monday to Saturday and 10 am to 10:30 pm on Sundays.

Mrs Denisa – Ionela Christian became the Premises Licence Holder (PLH) on the 26th March 2019 and the Designated Premises Supervisor (DPS) on the 12th June 2019. The Premises Licence PREM/01395/003 is the Licence in force today.

On the 15th August 2023 I was working with PC Haywood visiting shops in the Harehills area. We attended at Bucharest at 12:35 and spoke to [REDACTED] who I believe is the partner of the PLH and DPS. I conducted an inspection under the Licensing Act 2003. Part A of the Premises Licence was not available, and Part B was not displayed.

The Part A of a Premises Licence can be several pages and includes the same information as the Part B but also the terms and conditions which must be complied with to sell alcohol or carry on any other licensable activities. If it is not available to staff on site, how can they ensure that they are complying with all the conditions on the Licence?

Section 57 of the Licensing Act 2003 states:-

(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.

(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of—

(a) the holder of the licence, or

(b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection.

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

(a) the summary of the licence or a certified copy of that summary and 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).

The shop has a 13 camera cctv system although not a condition on the Licence. I noted the monitor was 9 minutes out and advised [REDACTED] the importance of having it at the correct time.

[REDACTED] signed the inspection sheet before I gave him a copy.

I produce a copy of the inspection sheet dated the 15th August as my exhibit CB 1.

On the 30th August 2023 I took part in a multi-agency operation visiting shops in the Harehills area. At 10:30 am I visited Bucharest in company with colleagues from West Yorkshire Police. Officers from His Majesty's Revenue & Customs (HMRC) and Trading Standards were already on site.

HMRC were seizing alcohol which they believed duty had not been paid and Trading Standards were seizing illicit cigarettes and illegal vapes. [REDACTED] was again on site. On checking the cctv I noted the time was still incorrect.

At 12:20 pm on the 11th October PC Haywood and I revisited the shop. [REDACTED] alone in the shop. He initially said he wasn't working but then said he was training. When I asked how could he be training when he was on his own, he admitted he worked for Denisa [REDACTED]. He initially said CB & NH revisited. Again Part B of the Premises Licence was not displayed and he could not find the Part A. When I looked at the cctv I noted it was 13 minutes out. I explained the importance of the cctv being at the correct time, not only for customers health & safety but staff as well. I left my business card with issues re the cctv and the Premises Licence written on the back.

Later that same day I received an email from the PLH advising that the cctv was now at the correct time and the Premises Licence was in order at the shop. She also mentioned that she had moved house so needed to change her Personal Licence. I advised her the cost and passed the request to a licensing officer.

It is clear from the continuous breaches of the Licensing Act 2003 and the seizures of illicit alcohol and tobacco as well as illegal vapes that Denisa – Ionela Christian is not a responsible retailer. She has failed to comply with a variety of legislation and is unconcerned about the impact her business has on the immediate community. It is clear that she has failed to operate responsibly in upholding the objective; the prevention of crime and disorder and I therefore support the review being brought by West Yorkshire Police.

Yours faithfully



Mrs Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing

Licensing Act 2003
Record of Inspection

LENF101849



Leeds
 CITY COUNCIL

<p>Premises Details</p> <p>Licence Number: <i>FRAN/01395/003</i></p> <p>Name: <i>BUCHAREST</i></p> <p>Address: <i>56 HAREHILL ROAD</i> <i>LS8 5LE</i></p>	<p>Inspection Details</p> <p>Date: <i>15.8.23</i> Time In: <i>1235</i> Time Out:</p> <p>Authorised Officer: <i>[Signature]</i></p> <p>Other officers: <i>[Signature]</i></p> <p>In company with WYP/BTP/TS</p> <p>Other Agency:</p>
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Premises Licence Holder/DPS: *MRS DENSA-IONELA CRISTIAN* Present? Yes No

	X	Matters arising (Advice given marked with "X" in left-hand column)	Timescale
	X	PART B NOT DISPLAYED	} 2 WEEKS
	X	PART A NOT AVAILABLE	
	X	CCTV 9 MINS OUT	

No action required Action required; contravention(s)/breach of condition(s) as above

Signatures

Authorised Officer's signature: *[Redacted]* Date: *15.8.23*

[Redacted] Time: *1250*

Appropriate person at premises

I certify that the issue(s) identified have been brought to my attention and I undertake to rectify any breaches by the agreed timescale(s) set out above. I have been advised that a revisit will be made to ensure that the breaches have been rectified. I will ensure that the Premises Licence Holder and Designated Premises Supervisor is informed of this inspection and the findings at the earliest opportunity.

Print Name: *[Redacted]* Date:

Signed: *[Redacted]* Time:

Position: *Manger*

Enforcement Powers and Offences - Licensing Act 2003

Section 136 – Unauthorised licensable activities

- (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 imprisonment for a term not exceeding six months or to an unlimited fine, or to both.
- (5) ... "authorisation" means –
 - (a) a premises licence,
 - (b) a club premises certificate, or
 - (c) a temporary event notice in respect of which the conditions of section 92(2) to (4) are satisfied.

Summary of other offences (Licensing Act 2003) (not exhaustive):

Unauthorised licensable activities

- section 137 Exposing alcohol for unauthorised sale
- section 138 Keeping alcohol on premises for unauthorised sale etc.

Drunkenness and disorderly conduct

- section 140 Allowing disorderly conduct on licensed premises etc.
- section 141 Sale of alcohol to a person who is drunk
- section 142 Obtaining alcohol for a person who is drunk
- section 143 Failure to leave licensed premises etc.

Smuggled goods

- section 144 Keeping of smuggled goods

Children and alcohol

- section 145 Unaccompanied children prohibited from certain premises
- section 146 Sale of alcohol to children
- section 147 Allowing the sale of alcohol to children
- section 147A Persistently selling alcohol to children
- section 147B Order suspending a licence in respect of offence under section 147A
- section 149 Purchase of alcohol by or on behalf of children
- section 150 Consumption of alcohol by children
- section 151 Delivering alcohol to children
- section 152 Sending a child to obtain alcohol
- section 153 Prohibition of unsupervised sales by children
- section 154 Enforcement role for weights and measures authorities

Confiscation of alcohol

- section 155 Confiscation of sealed containers of alcohol

False statements relating to licensing etc

- section 158 False statements made for the purposes of this Act

Powers of Entry

- section 179 Rights of entry to investigate licensable activities (available to a constable or authorised person).

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B

Statement of:

Age of witness: *(if over 18 enter 'over 18')*

Occupation:

This statement (consisting of 2 pages 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 to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated:

Signature:

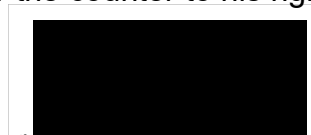


I am a Trading Standards Assistant employed by West Yorkshire Trading Standards Service, Nepshaw Lane South, Morley, Leeds, LS27 7JQ. I am an authorised officer for the purposes of the Trade Marks Act 1994, Tobacco and Related Products Regulations 2016, Standardised Packaging of Tobacco Regulations 2015 and The Consumer Rights Act 2015.

On 29th August 2023 I was wearing plain clothes when I attended the premises of **Bucharest Magazin, 56 Harehills Road, LEEDS LS8 5LE** to carry out a test purchase for illegal tobacco. I approached the counter and asked to purchase a packet of Richmond cigarettes. The Male serving obtained a packet from under the counter to his right. I was

NOTE : *If statements are typed double spacing should be used.
One side only of this paper should be used.*

(Signed)



Dated 29th

of 2

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B

sold them for £4.00. I then picked up the cigarettes and left the store. The cigarettes were sealed in a signed evidence bag and later placed in secure storage.

NOTE : *If statements are typed double spacing should be used.
One side only of this paper should be used.*

B4.0.9a

(Signed)

Dated 29 November 2023 Page 2 of 2

010911

WITNESS STATEMENT

**Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B**

Statement of: Jason Lee BETHELL

Age of witness: (if over 18 enter 'over 18') Over 18

Occupation: Illicit Tobacco officer

This statement (consisting of 4 pages 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 to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: 29/11/2023 **Signature:**

I am an Illicit Tobacco officer employed by West Yorkshire Trading Standards Service (WYTSS). I am an authorised officer for the purposes of the Trade Marks Act 1994, the Tobacco and Related Products Regulations 2016, the Standardised Packaging of Tobacco Regulations 2015 and the Consumer Rights Act 2015.

The Premises that is Bucharest Magazin, 56 Harehills Road, Leeds, LS8 5LE is well known to West Yorkshire Trading Standards due to complaints being received about the sale of illegal tobacco.

On 28/09/2021 an inspection visit was conducted at the store by Trading Standards and Police officers. The male working at the store stated he was just looking after it for the business owners

NOTE : *If statements are typed double spacing should be used. One side only of this paper should be used.* **(Signed)**

Dated.....29/11/2023..... **Page 1 of 4**

To be completed if applicable:being unable to read the above statement I,of....., read it to him/her before he/she signed it. **Signed** **Dated**.....

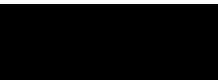
Continuation Statement of: Jason Lee BETHELL

who were away on a trip to London. Rucksacks and boxes full of illegal cigarettes were found behind the sales counter. Further amounts were also recovered from a box in the rear store room. All the illegal cigarettes were seized, the total amount was 575 x 20 packets (11,500)

On 29/08/2023 a test purchase was conducted at Bucharest Magazin and an illegal packet of cigarettes was purchased for £4.00. This is well below the normal retail price of a genuine packet of cigarettes of over £12.00, around £8.00 of which would be excise duty that had clearly not been paid. I have sent this packet of cigarettes to the trade mark holders who have confirmed them to be counterfeit. This store has continued to sell counterfeit, non duty paid cigarettes.

On 30/08/2023 another inspection visit was conducted at Bucharest Magazin by Trading Standards, HMRC and Police officers. The female working at the store stated the business owner was Ms Denisa CRISTIAN. Illegal packets of cigarettes were found stacked up on shelves under the sales counter. These were seized by the HMRC officers present who also seized a substantial quantity of non duty paid alcohol from the store. Behind the sales counter was 399 disposable electronic cigarettes with a tank capacity greater than 2ml, making them illegal, which were also seized.

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(Signed) 

Dated.....29/11/2023..... Page 1 of 4

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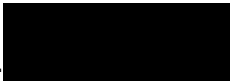
Continuation Statement of: Jason Lee BETHELL

I visually examined the tobacco products that were seized from this store on both occasions. I could see they were not in the standardised format as required by The Standardised Packaging of Tobacco Products Regulations 2015 and were in violation of the Tobacco and Related Products Regulations 2016 as the prescribed health warnings were not present in English. From discrepancies in the packaging on some cigarettes and from the foreign excise stamps present on others it was clear to me the cigarettes were a mix of counterfeit and smuggled items

The sale of Counterfeit/Illicit Tobacco products is not a minor breach of Trading Regulations but is in fact Serious Organised Criminality. These items which cannot be legally sold in the UK are smuggled into the country on a vast scale. The Profits of this illegal trade going to criminals while the treasury is deprived of the Tax/Excise. The current yearly loss in revenue is in excess of £2.5 billion which in turn deprives public services of funding.

Smoking is the leading cause of preventable diseases in the UK and over half of long term smokers will die prematurely from smoking related diseases. Tobacco taxes are a proven strategy to reduce smoking and extend lives. The illegal, cheap sale of this product removes this incentive of helping people to quit and also makes cigarettes more affordable to children, making it more likely they will start.

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(Signed) 

Dated.....29/11/2023..... **Page 1 of 4**

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WITNESS STATEMENT

**Criminal Procedure Rules, r 27.2
Criminal Justice Act 1967, S. 9
Magistrates Courts Act 1980, 5B**

Continuation Statement of: Jason Lee BETHELL

The supply of illegal tobacco not only causes harm to people but also causes genuine businesses to lose income and potentially close. This damages local communities with reduced employment and the loss of essential services.

The owner of this business has persisted in the sale of cheap and illicit cigarettes. This is a clear breach of the licensing objectives, the prevention of crime and disorder & public safety. West Yorkshire Trading Standards therefore fully supports a review of its alcohol licence.

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(Signed) 

Dated.....29/11/2023..... **Page 1 of 4**

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Participă la colectarea selectivă a ambalajelor
 Net weight: **1,08 kg** (36 buc./ pcs. x 30 g)

Smokers' children are more likely to start smoking

Olumcul amfizeme neden olur.
ALO 171 Sigara Birakma Danisma Hattı

Palenie jest przyczyną miażdżycy

Palenie jest przyczyną udarów i niepełnosprawności

Smoking increases the risk of Impotence

Palmar aumenta el riesgo de Impotencia

Marlboro

KENT

KENT

KENT

SORRANTE

TINYPOL

LA CIGARETTE

SIGNATURE

SMOKE KILLS

LOYD

HIP LE

CASTO

KAHVA TEA

MOBILE A

budi

budi

CORE

CORE

UBACCO

