



Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/CB/LIC/PREM/02753/009

Your Ref:

Contact: Carmel Brennand

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Date: 14th January 2024

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Dear Sirs/Madam,

REVIEW APPLICATION UNDER THE LICENSING ACT 2003 PREMISES: BOOZE 4 U, 220 ROUNDHAY ROAD, LS8 5AA

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.

These premises previously known as Muzic Asia was granted a Premises Licence in August 2009 for the retail sale of alcohol for consumption off the premises. The operator in January 2015 applied for and was granted a 24 hour licence.

The current operator Mr Yasin Eliasy became the Premises Licence Holder (PLH) and Designated Premises Supervisor with effect from 5th November 2021 with PREM/02753/008 being posted out to him on the 23rd November 2021.

An annual fee for a Premises Licence is due every year on the anniversary of the grant. Reminders are sent out a month before the due date and the Licensing Act 2003 allows a grace period of 21 days before the Licence is suspended. As the annual fee had not been paid by the 8th September 2022, the Licence had become suspended and a colleague rang Mr Eliasy's agent on the 15th December 2022 to advise him that the Licence was suspended. The agent said he would make Mr Eliasy aware so he could pay online.

On the 30th January 2023 I attended at the premises and spoke to a male member of staff and explained the Licence in place for selling alcohol had been suspended since September as the annual fee had not been paid. The male rang Mr Eliasy and repeated what I had said. Mr Eliasy



said he would pay in 2 days. I advised that it should be as soon as possible as offences were being committed under Section 136 of the Licensing Act at every sale of alcohol.

Section 136 states:-

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 a fine, or to both.
- (5) In this Part "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 98(2) to (4) are satisfied.

I had to visit the shop again on the 1st March 2023 as the annual fee was still shown as outstanding. I attended at the shop at 11:10 and spoke to a male who identified himself as [REDACTED]; Mr Eliasy's brother. I explained that this was now my second visit and that Mr Eliasy had promised to pay back in January. This Licence had been suspended since September and not only were offences being committed at every sale of a can of lager or a bottle of vodka, it was also an offence to display and store alcohol that can not be lawfully sold, under Sections 136, 137 and 138 of the Licensing Act, namely;-

Section 137 Exposing alcohol for unauthorised sale

- (1) A person commits an offence if, on any premises, he exposes for sale by retail any alcohol in circumstances where the sale by retail of that alcohol on those premises would be an unauthorised licensable activity.
- (2) For that purpose a licensable activity is unauthorised unless it is under and in accordance with an authorisation.
- (3) 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 a fine, or to both.
- (4) The court by which a person is convicted of an offence under this section may order the alcohol in question, and any container for it, to be forfeited and either destroyed or dealt with in such other manner as the court may order.

Section 138 Keeping alcohol on premises for unauthorised sale etc.

- (1) A person commits an offence if he has in his possession or under his control alcohol which he intends to sell by retail or supply in circumstances where that activity would be an unauthorised licensable activity.

(2) For that purpose a licensable activity is unauthorised unless it is under and in accordance with an authorisation.

(3) In subsection (1) the reference to the supply of alcohol is a reference to the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

(4) 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.

(5) The court by which a person is convicted of an offence under this section may order the alcohol in question, and any container for it, to be forfeited and either destroyed or dealt with in such other manner as the court may order.

I explained the seriousness of the offences to [REDACTED] and that if the annual fee was not paid that day, I would return tomorrow and make him remove all the alcohol. [REDACTED] promised that the £180 would be paid.

When I checked our systems, the annual fee was finally paid on the 6th March 2023.

On the 1st July 2023 an email was sent to Mr Eliasy reminding him that the annual fee was due again on the 18th August 2023.

I produce a copy of the printout from Uniform that shows the email was sent out 01:55 on the 1st July 2023 as my exhibit CB 1.

I produce a copy of the email to Mr Eliasy with instructions on how to pay as my exhibit CB 2.

As no payment had been received by the 17th October 2023, the Premises Licence was suspended and a letter informing Mr Eliasy that the premises were no longer authorised to sell alcohol and the penalty of carrying on licensable activities could lead to an unlimited fine and/or 6 months imprisonment.

I produce a copy of the letter dated 17th October 2023 as my exhibit CB 3.

On the 2nd November 2023 I took part in a multi-agency operation visiting shops in the Harehills area. At 11:58 I attended at Booze 4 U with an officer from Trading Standards. The PLH & DPS Mr Yasin Eliasy was on site and I explained that I would be conducting a Licensing inspection. I first advised that yet again he had failed to pay the annual fee in August which had resulted in the Licence being suspended and that since then every sale of alcohol was an offence under Section 136 of the Act. I reminded him that there had been phone calls and visits at the beginning of the year for exactly the same reason. I advised that the annual fee had to be paid today and he said he would.

The Part B of the Premises Licence was displayed at the side of the till. Mr Eliasy could not produce the Part A of the Premises Licence. The Part A has all the terms and conditions that must be complied with to sell alcohol.

Section 57 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

(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).

I noted a CCTV monitor facing the counter, however Mr Eliasy was not able to access the system via the monitor. He could access via his mobile phone but was only able to show me footage from the 13th October, which was only 20 days. I explained that the system should be able to store 31 days of footage. He stated that it did record for 31 days but he could not show me on his phone. I gave him my email address and told him to email me a screenshot of the calendar showing 31 days previous.

When I mentioned the condition about the serving hatch being used after 2200, Mr Eliasy did not appear to be aware of it. I reminded him that this was 24 hour licence with a condition that the hatch should be used after 2200. When I asked to see the Supervisors and Incident Register he could not provide them. I again advised that these were specific conditions on his Premises Licence.

Whilst I was conducting the inspection, the Trading Standards officer seized a mixture of counterfeit and smuggled cigarettes and rolling tobacco as well as illegal vapes.

I produce a copy of my inspection sheet dated the 2nd November 2023 which Mr Eliasy signed as my exhibit CB 4.

When I checked our system on the 27th November 2023, I noted that the annual fee had still not been paid. I wrote a warning letter to Mr Eliasy detailing my findings on the joint visit of the 2nd November and the offences found. More importantly I advised him that the annual fee was still shown as outstanding and the Licence was suspended. I also advised that I would be returning in the next few weeks to check that all the issues had been rectified. I sent the email with 'High Importance'.

I attach a copy of my email dated the 27th November 2023 as my exhibit CB 5 and the warning letter attached as my exhibit CB 6.

On the 12th December 2023 I was working in company with PC Neil Haywood. At 12:20 we visited the subject premises. Mr Eliasy the PLH & DPS was not on site. We waited to speak to the male behind the counter whilst he served a female customer who had bought 13 bottles of Stella. When she had left we introduced ourselves and the male behind the counter stated that he was a friend of Mr Eliasy and that he had just left. I explained to the male that the annual fee for the Premises Licence had not been paid back in August and that the Licence had been suspended since September, therefore no alcohol should be sold from the shop. I told him that all the alcohol will have to be removed. The male asked how much the annual fee was and when I said £180, he was surprised saying that he thought it would be £000's. I pointed to the small shelf above him and said, 'There is more than £180 worth of stock on that shelf'. He rang

the PLH who said he would pay straight away. I looked at the cctv monitor and noted that it was 50 minutes out. When I asked if he could operate the system, he said no. Neither could he produce Part A of the Premises Licence or the Supervisors or Incident Registers. Mr Eliasy rang back and said he could not get through to the office. PC Haywood tried to help the male staff pay the annual fee online but it would not go through as there was a problem with his banking app. The male reassured us that he would try another card and pay online that day.

I produce a copy of my inspection sheet dated the 12th December 2023 which the male member of staff signed before receiving a carbonated copy, as my exhibit CB 7.

I can confirm that the annual fee was paid later that day which unsuspended the Premises Licence.

On Thursday the 11th January 2024 I was working in company with my colleague Mrs Victoria Radford, also a Senior Liaison & Enforcement Officer. At 13:50 we attended at Booze 4 U. There were 2 males in the shop with 1 behind the counter. We introduced ourselves and the male behind the counter identified himself as [REDACTED]. As I had not met him before, I asked how long he had worked at the shop. At first he said 6 months, then reduced it to 4 to 5 months. I noted that the time on the cctv monitor was still 50 minutes out. When I asked [REDACTED] if he could operate the system and show us footage from the 11th December, he stated he did not know how to operate it. I pointed to the Part B of the Premises Licence and asked him if he knew where the Part A was, possibly under the counter. He looked under the counter and could not find it. I then asked the same for the Supervisors and Incident Register and explained what should be recorded therein. He could not find any such books but stated that they do not have any underage or drunk persons trying to buy alcohol anyway so nothing to record. I asked him if he worked nights and he stated that he did not work after midnight. I then asked so do you use the hatch after 10 pm? He said he wasn't aware they should.

Whilst I was talking to him I noticed 4 boxes of vapes behind him on the shelf and that they were 5000 puffs. I looked closely at the packaging and noted that they had 12 ml of E liquid. I was aware through working closely with Trading Standards that the legal limit for nicotine E liquids in UK disposable vapes is 2 ml and that this can generally provide up to 600 puffs per device so anything above this is likely to be an illegal vape. I explained to [REDACTED] that officers had seized similar products on a previous visit. [REDACTED] stated that they were not for sale but that the boss had said that staff could take 1 when they worked. I explained that they are clearly on display to members of the public so can only presume they are for sale. Before Mr [REDACTED]'s friend took the boxes off the shelf I took photos of them in situ and a photograph of a singular box.

It is clear from the periods on months in 2022 and 2023 when Mr Eliasy has traded unlawfully and the continuous breaches of the conditions on his Premises Licence that he gives little importance to complying with the Licensing Act 2003. There have been 2 occasions when counterfeit/illicit cigarettes and tobacco have been seized as well as illegal vapes, this is despite advice being to him by officers. I believe this shows that Mr Eliasy is not a responsible retailer. He has failed to comply with a variety of legislation and is unconcerned about the impact his business has on the immediate community. It is clear that he has failed to operate responsibly in upholding the objectives; the prevention of crime and disorder and public safety and I therefore support the review being brought by West Yorkshire Police.

Yours faithfully

[REDACTED]

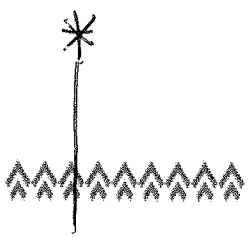
Mrs Carmel Brennand
Senior Liaison & Enforcement Officer, Entertainment Licensing

View Document

Document	User Name	Purpose	Printed	Copies	Image	Notes
PREMLICREQ	musso-m	PREM Licence - issue -	12.12.2023 13:11	0	<input type="checkbox"/>	E-Mailed
GEN_APP_WITHDR	musso-m	Annual fee suspension	17.10.2023 09:45	1	<input type="checkbox"/>	
PRAAFR	Ent	Annual fee first remind	01.07.2023 01:55	1	<input type="checkbox"/>	Emailed to
GEN_APP_WITHDR	musso-m	Annual fee suspension	15.12.2022 15:01	1	<input type="checkbox"/>	
PRAAFR	Ent	Annual fee first remind	01.07.2022 01:22	1	<input type="checkbox"/>	Annual fee letter sent by enterpr
PRALICL	nelso-m	Licence covering letter	23.11.2021 10:13	1	<input type="checkbox"/>	
PRALICB	nelso-m	Licence Part B	23.11.2021 10:12	1	<input type="checkbox"/>	
PRALICA	nelso-m	Licence Part A	23.11.2021 10:12	1	<input type="checkbox"/>	
PRALICL	musso-m	Licence covering letter	17.11.2021 08:39	1	<input type="checkbox"/>	

OK

Cancel



CB2



To: [Redacted]

From: entertainment.licensing@leeds.gov.uk

CC:

BCC:

Subject: Licensing Act 2003 Annual Fee Reminder

Attached:

Zoom

Dear Yasin,

This email is a reminder that the annual fee for your premises licence is due to be paid shortly.

The total amount due is £180.00.

This amount is due by 18/08/2023.

Your premises licence will be suspended on 08/09/2023 if you do not pay this fee.

The best way to pay this fee is through Leeds City Council's online payment facility which you can find here: <https://forms.leeds.gov.uk/EntertainmentLicenseRenewalPayment>.

Your premises licence number is PREM/02753/008. You will need this to hand when paying online or over the phone.

Paying online is quick to do and your premises licence record will be updated instantly.

You can also pay over the phone by calling us on our main number provided at the end of this email.

Alternatively we accept payment by cheque and by BACs.

Payments may be made by cheque or postal order. Please make your cheque payable to Leeds City Council and write your premises licence details on the reverse of any cheque or postal orders.

Please contact us for our account details to pay by BACs. Please remember to add your premises licence number as the reference on any BACs payment.

Alternatively you may call in to the public office which is situated at the City Centre Hub, Merrion House, Woodhouse Lane, Leeds, LS2 8BB where you can pay by cash, cheque or postal order. The office is open Monday to Friday, 7am until 7pm.

There can sometimes be a delay in payments by cheque or by BACs reaching us. Therefore we recommend you pay online, by telephone or in person at the City Centre Hub.

Please do not hesitate to contact us at entertainment.licensing@leeds.gov.uk or by telephone on 0113 378 5029 should you require any assistance.

Kind Regards,
 Matthew Nelson
 Principal Licensing Officer
 Entertainment Licensing

Cancel



CB 3



Elections & Regulatory Services

Entertainment Licensing

Civic Hall

Leeds LS1 1UR

Mr Yasin Eliasy

Contact: Entertainment Licensing

Tel: 0113 378 5029

Email: entertainment.licensing@leeds.gov.uk

Our Ref: A80/PREM/02753/008

17th October 2023

Dear Mr Eliasy

LICENSING ACT 2003 ANNUAL FEE

PREMISES: BOOZE 4 U, 220 ROUNDHAY ROAD, LEEDS, LS8 5AA

LICENCE NUMBER: PREM/02753/008

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

We have written to you to remind you to pay the annual fee for the above premises. This fee was due prior to 18th August 2023. Our records indicate that we have not received the annual fee to date.

The outstanding amount is **£180.00**.

As you have failed to pay the fee by the due date and by the end of the grace period your premises licence has now been suspended under Section 55A of the Licensing Act 2003.

Your premises is no longer authorised to carry on licensable activities under the Licensing Act 2003. If you continue to provide these activities you will be doing so without authorisation. The penalty for providing licensable activities otherwise in accordance with an authorisation is, on summary conviction, an unlimited fine and/or 6 months imprisonment.

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

How to pay

The best way to pay this fee is through Leeds City Council's online payment facility which you can find here: <https://forms.leeds.gov.uk/EntertainmentLicenseRenewalPayment>.

Paying online is quick to do and your premises licence will be unsuspended instantly.

You can also pay over the phone by calling us on our main number provided at the top of this letter.

Please have your premises licence number to hand as you will need it to make payment online or over the phone.

Alternatively we accept payment by cheque and by BACs.

Payments may be made by cheque or postal order. Please make your cheque payable to Leeds City Council and write your premises licence details on the reverse of any cheque or postal orders.

Please contact us for our account details to pay by BACs. Please remember to add your premises licence number as the reference on any BACs payment.

Alternatively you may call in to the public office which is situated at the City Centre Hub, Merrion House, Woodhouse Lane, Leeds, LS2 8BB where you can pay by cash, cheque or postal order. The office is open Monday to Friday, 7am until 7pm.

There can sometimes be a delay in payments by cheque or by BACs reaching us. Therefore we recommend you pay online, by telephone or in person at the City Centre Hub.

Please do not hesitate to contact us at entertainment.licensing@leeds.gov.uk or by telephone on 0113 378 5029 should you require any assistance.

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

Yours sincerely



Mr Matthew Nelson
Principal Licensing Officer
Entertainment Licensing

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).

CB 5

Brennand, Carmel

From: Brennand, Carmel
Sent: 27 November 2023 14:48
To: [REDACTED]
Subject: Booze 4 U, 220 Roundhay Road, LS8 5AA
Attachments: Warning letter to PLH DPS 27.11.23.doc
Importance: High

Dear Sir

Please see attached letter which is self- explanatory.

Yours faithfully

Carmel Brennand | Senior Liaison & Enforcement Officer
Entertainment Licensing | Leeds City Council

T: [REDACTED]

E: [REDACTED]

W:[Alcohol and entertainment \(leeds.gov.uk\)](https://www.leeds.gov.uk/alcohol-and-entertainment)

To make a payment for a Premises Licence online visit: [Premises Licence Annual Fee Payment](#) | To apply for a Temporary Event Notice visit: [Temporary event notices \(leeds.gov.uk\)](#) | To apply, vary or make changes to a Premises Licence visit: [Premises licence \(Leeds City Council\)](#)



Leeds^{CB 6}
CITY COUNCIL

Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/CB/LIC/GE/004142

Your Ref:

Contact: Carmel Brennand

Tel:

Fax:

Email:

Date: 27 November 2023

Private & Confidential

Mr Yasin Eliasy
Booze 4 U
220 Roundhay Road
Leeds
LS8 5AA

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003
PREMISES: BOOZE 4 U, 220 ROUNDHAY ROAD, LEEDS, LS8 5AA**

I am writing to you in your capacity as the Premises Licence Holder and Designated Premises Supervisor of the above mentioned premises.

As you are aware I visited your shop with colleagues from West Yorkshire Police and Trading Standards on the 2nd November 2023 where several issues were highlighted during an inspection under the Licensing Act 2003.

May I draw your attention to the specific conditions on your Premises Licence, namely:-

8. A CCTV system will be installed operated and maintained to standards acceptable to West Yorkshire Police to cover BOTH the inside and outside of the licensed premises. and any consultation on the installation operation and maintenance of such a system will take place with the local crime prevention officer employed by West Yorkshire Police.
10. A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out.
11. Security footage will be made secure and retained for a period of time to the satisfaction of WYP.
12. 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.
13. 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.
14. The Licensee will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, and ejections from the premises.
15. 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, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

16. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.

20. We are installing a service hatch to serve customers after 22:00 hrs.

At the time of the visit you were able to operate the cctv system so unable to confirm that the system was recording for 31 days.

There was no Supervisor's or Incident Register on site.

I had to remind you that customers can only be served by way of the hatch after 2200 hrs.

May I remind you that to operate whilst in breach of conditions on your Premises Licence is an offence under Section 136 of the Licensing Act, in that:-

(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 a unlimited fine, or to both.

(5) In this Part "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 98(2) to (4) are satisfied.**

Although the Part B of the Premises Licence was displayed, the Part A of the Premises Licence was not available on site.

Please be aware that this is an offence under Section 57 of the Licensing Act 2003, namely:-

(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).

(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.

More importantly I advised you that the annual fee of £180 that was due on the 18th August 2023 was still outstanding as a result your premises licence has been suspended under Section 55A of the Licensing Act 2003.

Your premises is no longer authorised to carry on licensable activities under the Licensing Act 2003. If you continue to provide these activities you will be doing so without authorisation. The penalty for providing licensable activities otherwise in accordance with an authorisation is, on summary conviction, an unlimited fine and/or 6 months imprisonment. This means that you and/or your staff commit an offence at every sale of alcohol whilst the Premises Licence is suspended.

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

The best way to pay this fee is through Leeds City Council's online payment facility which you can find here:

<https://forms.leeds.gov.uk/EntertainmentLicenseRenewalPayment>.

Please quote PREM/02753/008. Paying online is quick to do and your premises licence will be unsuspended instantly.

Leeds City Council's Entertainment Licensing Section, in conjunction with other enforcement agencies, are taking an active role in visiting premises/events. This Department will continue to monitor the situation for compliance of the Licensing Act 2003.

If you could please ensure that all the issues have been rectified as we will be revisiting your premises in the next few weeks.

Yours faithfully



Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing

Licensing Act 2003
Record of Inspection

<p>Premises Details</p> <p>Licence Number: <u>Prem/02753/008</u></p> <p>Name: <u>BOOZE 4 U.</u></p> <p>Address: <u>220 ROUNDHAY RD</u> <u>LS8 5AA.</u></p>	<p>Inspection Details</p> <p>Date: <u>12.12.23</u> Time In: <u>1220</u> Time Out:</p> <p>Authorised Officer: <u>CB</u></p> <p>Other officers:</p> <p>In company with: <u>WYP/BTP/TS</u></p> <p>Other Agency:</p>
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Premises Licence Holder/DPS: YASIN KHASY. Present? Yes No

	X	Matters arising (Advice given marked with "X" in left-hand column)	Timescale
	X	ANNUAL FEE TO BE PAID IMMEDIATELY.	} TODAY.
	X	NO PART A OF PREMISES LICENCE.	
	X	CCTV NOT AT CORRECT TIME - 50 MINS OUT.	
	X	NO SUPERVISORS REG/INCIDENT REGISTER.	
	X	STAFF UNABLE TO OPERATE CCTV	
	X	EMAIL SCREENSHOT OF CCTV FROM 11.11.23 TO	

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

Signatures

Authorised Officer's signature: [REDACTED] Date: 12.12.23.

Time:

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: [REDACTED]

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).

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/02753/009

Your Ref:

Contact: Carmel Brennand

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Date: 18 January 2024

Dear Sirs/Madam,

**REVIEW APPLICATION UNDER THE LICENSING ACT 2003
PREMISES: BOOZE 4 U, 220 ROUNDHAY ROAD, LS8 5AA**

As mentioned in my representation of the 14th January detailing a visit to the shop on the 11th January; illegal vapes were displayed for sale behind the counter.

Please see the attached photographs taken of the illegal vapes before the member of staff removed them from display.

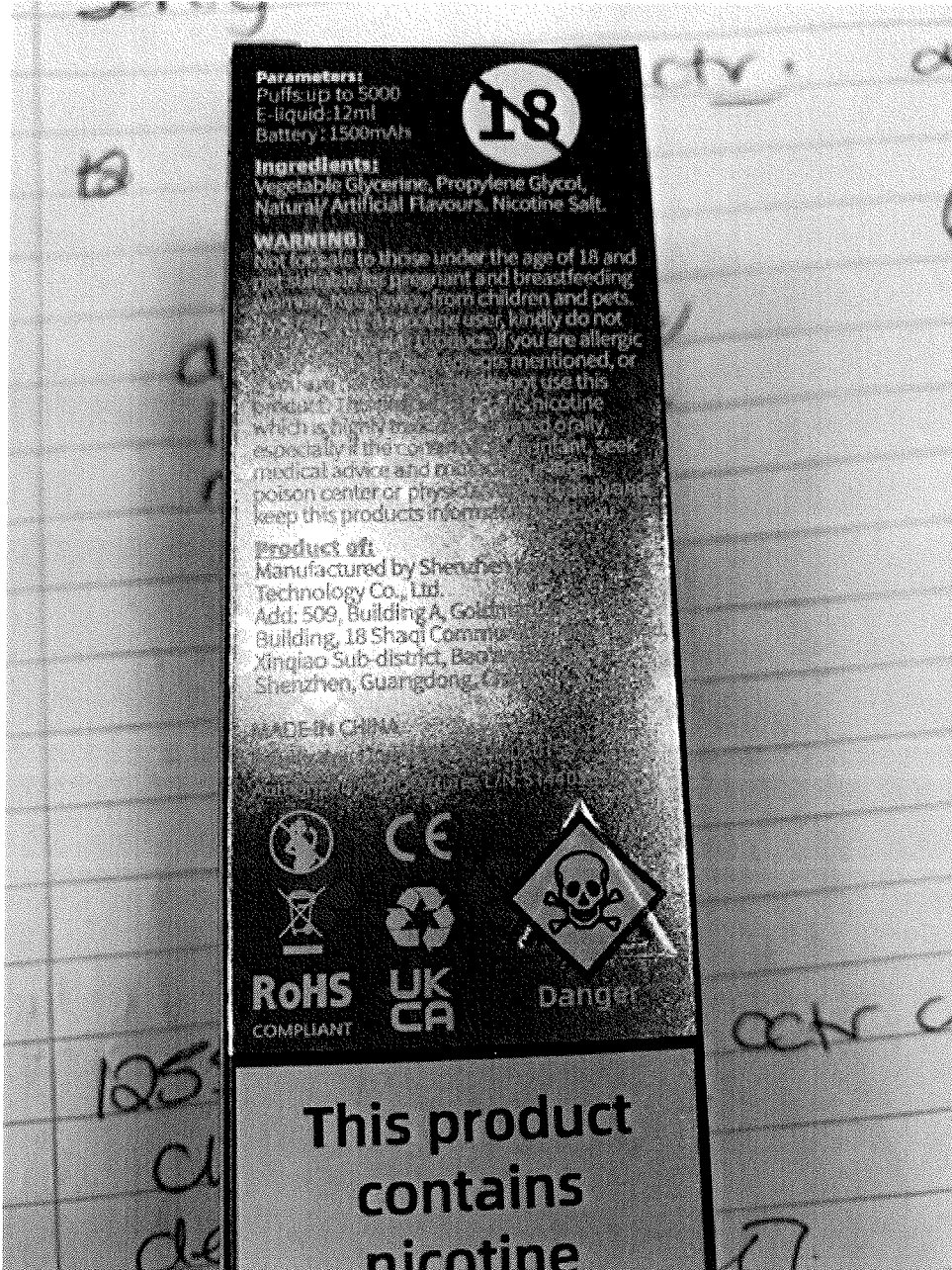
Yours faithfully

[REDACTED]

Mrs Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing

Brennand, Carmel

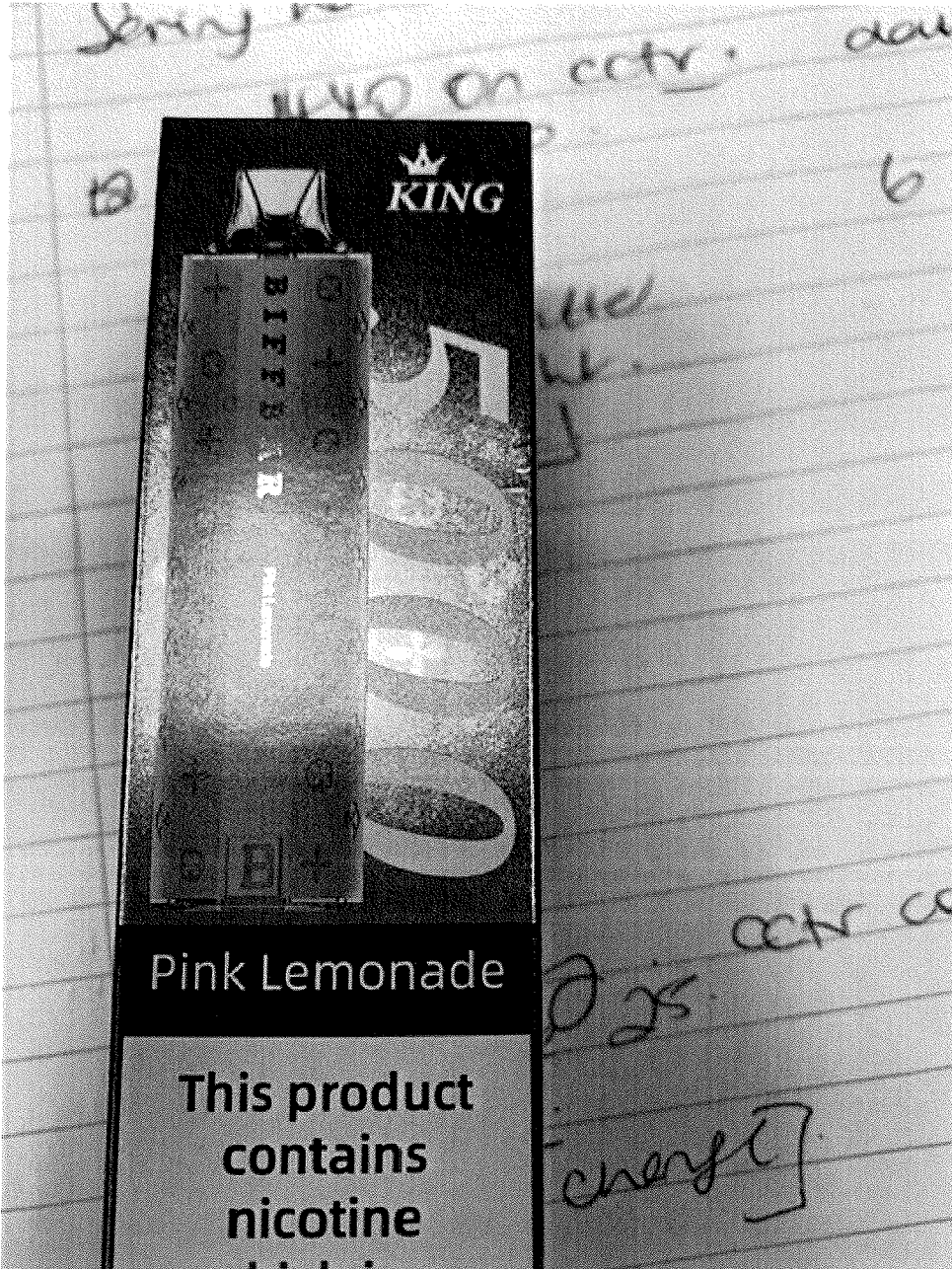
From: carmelb888@gmail.com
Sent: 15 January 2024 16:26
To: Brennand, Carmel
Subject: 1st photo illegal vapes



Sent from my iPhone

Brennand, Carmel

From: [REDACTED]
Sent: 15 January 2024 16:26
To: Brennand, Carmel
Subject: 2nd photo illegal vapes



Sent from my iPhone

Brennand, Carmel

From: [REDACTED]
Sent: 15 January 2024 16:27
To: Brennand, Carmel
Subject: 3rd photo illegal vapes



Sent from my iPhone

is 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>

Against this backdrop, the idea that a business in the heart of a residential area in Harehills could be not only operating illegally but compounding these issues our residents face by selling tobacco products is very worrying.

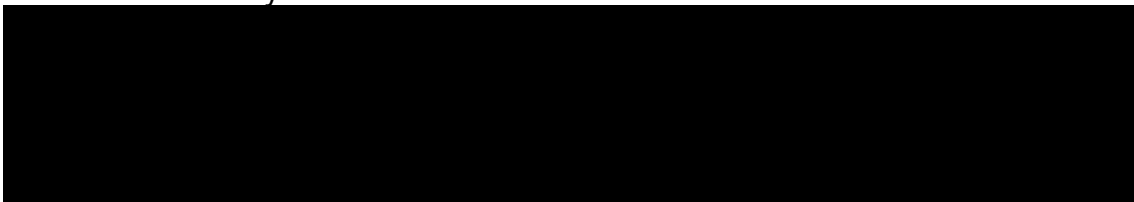
Letting this business trade illegally could be seriously damaging to the health of the people of Harehills, in particular residents who may be exposed to potentially dangerous tobacco products that they otherwise wouldn't have access to.

With that in mind we feel passionately that this licence should be reviewed in light of the compelling evidence presented by the police.

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 licence selling illegal tobacco products.

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

Yours sincerely



Councillor Arif Hussain

Councillor Salma Arif

Councillor Asghar Ali