

Licensing Sub-Committee

Tuesday, 7th May, 2024

PRESENT: Councillor J Gibson in the Chair

Councillors E Carlisle and A Smart

1 Election of the Chair

RESOLVED – That Councillor James Gibson be elected as Chair for the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

There were no late items.

5 Declaration of Interests

There were no declarations.

6 Review of the Premises Licence for Bucovina, 225 Harehills Lane, Harehills, Leeds, LS8 3QH

The report of the Chief Officer, Elections and Regulatory informed the Sub-Committee that West Yorkshire Police had submitted an application under Section 51 of the Licensing Act 2003 for a review of a premises licence in respect of Bucovina, 225 Harehills Lane, Harehills, Leeds, LS8 3QH.

The following were in attendance:

- PC Neil Haywood, West Yorkshire Police
- Victoria Radford, Entertainment Licensing
- Emilia Slezak, Public Health
- Jason Bethell, West Yorkshire Trading Standards

The Legal Adviser to the Sub-Committee outlined the procedures for the meeting and the Licensing Officer presented the application.

It was reported that an application had been served on the Licensing Authority by West Yorkshire Police for a review of the Premises Licence on the grounds of the prevention of crime & disorder, public safety and the protection of children from harm. Representations had also been made by Entertainment Licensing, Public Health and Local Ward Councillors.

The premises reside within the Harehills Cumulative Impact Area.

The Premises Licence Holder was not in attendance. The Sub-Committee agreed to proceed with the meeting as it was not in the public interest to adjourn. All efforts had been made to contact the Licence Holder prior to the meeting.

The West Yorkshire Police representative was invited to address the Sub-Committee and was supported by the West Yorkshire Trading Standards Officer. The following was highlighted:

- The area had very high rates of alcohol related crime, anti-social behaviour, ambulance call outs and hospital admissions.
- There had been a widespread failure to adhere to licensing regulations and the law across premises in the Harehills Area and this was not an isolated case. There had been 15 reviews in the past year and there was an opinion that this was linked to organised crime.
- There had been a history of the sale of illicit tobacco and cigarettes at the premises. There had been seizures of counterfeit cigarettes in 2021 and a further seizure of counterfeit and illicit goods in January 2024.
- Smuggled and counterfeit goods were sold well below market value and there was a loss of revenue to the treasury. There was also a risk to public health as the materials used were unknown.
- The Licence Holder had deliberately continued to act outside the law in the pursuit of profit and at the expense of public safety. It was requested that the licence be revoked.

The Entertainment Licensing representative was invited to address the Sub-Committee. The following was highlighted:

- The premises had benefitted from a licence since 2017 and the current licence holder had held the licence since 2021.
- On 24 January 2024, a multi-agency operation was conducted which included a licensing inspection. There were several breaches and non-compliance which included the following:
 - CCTV not operating correctly
 - The display of high strength alcohol at locations within the store where it should not have been
 - No refusal register available
 - Part A of the licence was not available for inspection
 - West Yorkshire Trading Standards had seized illicit vapes, tobacco and smuggled goods.
- A further visit took place in February 2024. The CCTV was still not operating correctly, Part A of the Licence was still unavailable and the high strength alcohol was still on display in the wrong place.
- The high strength alcohol was still on display in a place breaching the relevant licence condition when the premises were visited in March 2024.
- The licence holder had repeatedly undermined the licensing objectives. It was requested that the licence be revoked.

The Public Health representative was invited to address the sub-committee. The following was highlighted:

- The area had a high number of looked after children and young people who were not in education. There were 10 childcare facilities within a mile of the

premises, including the Gipsil Academy which was a centre for vulnerable young people.

- There were a high number of people who suffered from alcohol problems in the area and also a high number of smokers. This influenced children.
- There were high levels of street drinkers in the area.
- The area had a high level of young people in care and also not in education, employment or training.
- Public Health had concerns regarding the sale of illicit and counterfeit goods as it was not known what substances were contained within these products.
- Concerns regarding litter and the harmful effects, especially on children.
- There had been a continued practice of committing offences and the licence should be revoked.

In summary, West Yorkshire Police reminded the Sub-Committee of the instances of test purchases when illicit goods had been sold and subsequent seizures of goods from the premises. There had been multiple breaches of the licence and it was requested that the licence be revoked.

The Sub-Committee carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and made at the hearing and also the Statement of Licensing Policy.

RESOLVED – That the licence be revoked.

7 Review of the Premises Licence for K & B Stores, 31C Harehills Road, Harehills, Leeds, LS8 5HR

The report of the Chief Officer, Elections and Regulatory informed the Sub-Committee that West Yorkshire Police had submitted an application under Section 51 of the Licensing Act 2003 for a review of a premises licence in respect of K & B Stores, 31c Harehills Road, Harehills, Leeds, LS8 5HR.

The following were in attendance:

- PC Neil Haywood, West Yorkshire Police
- Victoria Radford, Entertainment Licensing
- Emilia Slezak, Public Health
- Jason Bethell, West Yorkshire Trading Standards

The Legal Adviser to the Sub-Committee outlined the procedures for the meeting and the Licensing Officer presented the application.

It was reported that an application had been served on the Licensing Authority by West Yorkshire Police for a review of the Premises Licence on the grounds of the prevention of crime & disorder, public safety and protection of children from harm. Representations had also been made by Entertainment Licensing , Public Health and Local Ward Councillors.

The premises reside within the Harehills Cumulative Impact Area.

The Premises Licence Holder was not in attendance. The Sub-Committee agreed to proceed with the meeting as it was not in the public interest to adjourn. All efforts had been made to contact the Licence Holder prior to the meeting including the provision of an interpreter.

The West Yorkshire Police representative was invited to address the Sub-Committee and was supported by West Yorkshire Trading Standards. The following was highlighted:

- The area had very high rates of alcohol related crime, anti-social behaviour, ambulance call outs and hospital admissions.
- There had been a widespread failure to adhere to licensing regulations and the law across premises in the Harehills Area and this was not an isolated case. There had been 15 reviews in the past year and there was an opinion that this was linked to organised crime.
- Intelligence had been received that illegal tobacco was being sold at the premises.
- Illegal tobacco had been discovered in a hidden location by a detection dog.
- The illicit tobacco had been hidden in a professionally constructed hiding place behind a door frame.
- Whilst West Yorkshire Police had been in attendance, a customer entered the premises and was ushered out after asking for cigarettes.
- The illicit goods that were seized were potentially dangerous and sold at a much lower price. These were aimed at the poorest and most vulnerable in society and would be affordable to children.
- It was requested that the licence be revoked.
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The Entertainment Licensing representative was invited to address the Sub-Committee. The following was highlighted:

- The premises had benefitted from a licence since 2014 and the current licence holder had held the licence since 2015.
- There had been breaches in the operation of the licence when the premises had been inspected. The licence holder had been unable to provide Part A of the Licence and the CCTV system was not operating correctly.
- It had not been possible to prove that a Personal Licence Holder had been present during sales of alcohol at the premises.
- There had been a lack of co-operation and willingness from the Licence Holder with regard to the licensing requirements and conditions, and it was requested that the Licence be revoked.

The Public Health representative was invited to address the sub-committee. The following was highlighted:

- The area had a high number of looked after children and young people who were not in education. There were 13 childcare facilities within a mile of the premises, including the Gipsil Academy which was a centre for vulnerable young people.

- There were a high number of people who suffered from alcohol problems in the area and also a high number of smokers. This influenced children.
- There were high levels of street drinkers in the area which was harmful to children.
- The area had a high level of young people in care and also not in education, employment or training.
- Public Health had concerns regarding the sale of illicit and counterfeit goods as it was not known what substances were contained within these products.
- Concerns regarding litter and the harmful effects especially on children.
- There had been a continued practice of committing offences and the licence should be revoked.

In summary, the West Yorkshire Police representative made reference to the efforts that had been made to conceal the illicit tobacco at the premises demonstrating the licence holder had full knowledge that they were acting illegally. It was requested that the Licence be revoked.

The Sub-Committee carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and made at the hearing and also the Statement of Licensing Policy.

RESOLVED – That the licence be revoked.