

Leeds District Licensing**Department****Leeds District Licensing Department**West Yorkshire Police,
Leeds district Headquarters,
Elland Road,
Leeds
LS118BUTel: [REDACTED]
Email: [REDACTED]Your ref - **PREM/03914/006**

Our ref:

30th of May 2023**Entertainment Licensing Section,
Leeds City Council,
Civic Hall,
Leeds. LS1 1UR****cc. PREM/03914/006 - 259 BEESTON ROAD, LEEDS LS11 7LR****RE: PREM/03914/006 - 259 BEESTON ROAD, LEEDS LS11 7LR****APPLICATION FOR A PREMISES LICENCE – LICENSING ACT 2003:****POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

West Yorkshire Police are of the opinion that the application contains insufficient information about how the applicant intends to meet the licensing objectives.

We therefore confirm that we are submitting a formal representation against the application on the grounds of:-

1. the prevention of crime & disorder
2. public safety
3. the prevention of public nuisance

However, we are of the opinion that the licensing objectives could be met should the applicant be prepared to incorporate certain identified measures within their operating schedule as conditions.

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of the application.

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Should the applicant be in agreement with the suggested measures then they should signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible.

Upon receipt of their consent at **Part 2**, it will be taken that the applicant signifies their wishes for the licensing authority to amend their operating schedule to incorporate the proposed measures as conditions.

Alternatively, should the applicant disagree with the proposed measures, then they should complete **Part 3** and again return the complete document to this office as soon as possible.

PART 1 - to be completed by the Responsible Authority:

West Yorkshire Police propose the following control measures / conditions under the Licensing Act 2003 (in **addition** to those that the applicant may have already offered), for the premises:

**PREM/03914/006
259 BEESTON ROAD,
BEESTON,
LEEDS
LS11 7LR**

Having considered the application under the Licensing Act 2003 for the above premises, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives:-

- the prevention of crime & disorder
- public safety
- the prevention of public nuisance.

Additional measures proposed:

- A register shall be maintained on the premises to record all incidents and accidents. Records should include matters such as anti-social behaviour, admission refusals, ejections, seizure of prohibited items, casualties/unwell customers, welfare and safeguarding matters, accidents, and safety incidents. The records shall include the date, time, and location of the incident; nature of the incident; personal details and contact information for all people involved including any witnesses, SIA and Personal Licence numbers, any crime number and details of police officers attending. A note of the action taken, and where relevant a note of the actions to prevent any reoccurrence should also be included. The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months after the last entry.
- Persons under 18 years of age will not be allowed on the premises on any day between 2200hrs and 0700hrs.
- A 'Check 21' scheme shall be used to prevent the sale of alcohol to people under 18 years of age.
- All staff deployed in the serving of alcohol and for managing admission to age restricted premises shall be trained on the correct procedures for age verification, the prevention of proxy sales, the prevention of sales to those who appear intoxicated and for dealing with false and any surrendered identification documents.

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- There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated. Details to be recorded shall include the date, time, name if known, physical description of the person, the reasons, and staff involved and whether CCTV of the incident is available. Any identification document coming into the possession of a member of staff including security staff shall be recorded in the register, including the name of the person/name on the identification document. The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry. The licence holder shall provide secure storage for identification documents and a system for safe disposal, which may include returning to the originating organisation, e.g. DVLA/HM passport office.
- A suitable closed-circuit television (CCTV) system shall be in operation whilst members of the public are in attendance. The CCTV system shall record images to cover all areas of the licensed site to which the public have access (save for toilets/showers/changing areas). The CCTV system shall record images to cover external areas used by customers. At least one member of staff shall be on duty at the premises who can operate the system and download recorded images. These images will be downloaded and provided immediately, or where this is not possible as soon as practicable, on request to an officer of a Responsible Authority. The CCTV system shall be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.
- The display of alcohol shall be in a designated area of the premises which is capable of being supervised from the counter area.

With regards the sale of alcohol by means of a delivery service the following will apply:

1. The licence holder/DPS shall adopt a 'Check 21' age verification policy that shall be applied at the point of order, sale and on delivery.
2. All persons involved in the delivery of alcohol, be this the licence holder/DPS, employees or third party courier, shall at the point of delivery be satisfied that the person to who the alcohol is being delivered is 18yrs and over. If at any point of the process acceptable photographic age verification documents cannot be produced, the delivery shall be refused and alcohol returned to the licensed premises.
3. Deliveries shall only be made to the address indicated on the order.
4. Deliveries shall only to be made to bona fide business/commercial addresses or private residences and not to any public/open spaces (e.g. car parks, street corners, bus stops, public parks).
5. Deliveries shall be refused to any person who is, or who appears to be under the influence of alcohol or drugs.
6. The licence holder/DPS shall ensure that only the alcohol items specified on orders processed for despatch are loaded onto delivery vehicles, and no surplus stock shall be carried on vehicles.
7. With regards to all third-party couriers used to provide the delivery of alcohol, the premises licence holder/designated premises supervisor shall have a contractual arrangement with each third party to be satisfied that the promotion of the licensing objectives and terms of the premises licence are complied with at all times, with particular attention to the point of delivery.

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8. Hackney Carriages or Private Hire vehicles shall not be used for deliveries under any circumstances.
9. The licence holder/DPS shall keep records of, or have access to all alcohol orders.
Records shall include for each order:
 - (a) the full name and address of who made the order;
 - (b) age verification at the point of order (including details of any refusals made at the point of order);
 - (c) the items ordered;
 - (d) the date and time of the despatch;
 - (e) details of the delivery provider/driver;
 - (f) the date and time of delivery;
 - (g) the full postal delivery address;
 - (h) the name and date of birth of the person receiving the order;
 - (i) detail of identification/proof of age documents received;
 - (j) details of any refusals at the point of delivery including reasons.Records shall be retained at the licensed premises for a period of 12 months and be produced on request for inspection by a police officer or an authorised person of the licensing authority.

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures as conditions within the Operating Schedule for the said premises.

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

CE [REDACTED] David Parker,
Leeds District Licensing Officer

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PART 2 – to be completed by the applicant or applicant’s representative:

Consent for all proposed control measures / conditions under the Licensing Act 2003.

Name & Address of Premises:

**PREM/03914/006
259 BEESTON ROAD,
BEESTON,
LEEDS
LS11 7LR**

I / We

confirm that I am / we are the applicant / the applicant’s representative (delete as appropriate) for the premises as stated above.

In signing this document-:

- I / we agree with the measures proposed by West Yorkshire Police,
- I / we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises as conditions, and furthermore,
- I / we confirm the premises will then operate in accordance with those conditions agreed to.

Signed:

Dated:

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PART 3 – to be completed by the applicant or applicant’s representative:

Proposed control measures / conditions under the Licensing Act 2003

Name & Address of Premises:

**PREM/03914/006
259 BEESTON ROAD,
BEESTON,
LEEDS
LS11 7LR**

I / We

confirm that I am / we are the applicant / the applicant’s representative (delete as appropriate) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by the West Yorkshire Police.

In this instance we understand that West Yorkshire Police will maintain their representation to my /our application, which will now proceed to a hearing before the Licensing Sub-Committee, at which I / we will be required to attend.

Signed:

Dated: