

## **Premises Licence**

### **Part A Schedule 12 Licensing Act 2003**

#### **Part 1 – Premises Details**

##### **Postal address of premises, or if none, ordnance survey map reference or description**

M&S 24/7 Off License Shop, 128 Roundhay Road, Leeds, LS8 5NA

##### **Licensable activities authorised by this licence**

Sale by retail of alcohol,

##### **Times the licence authorises the carrying out of licensable activities**

*Sale by retail of alcohol*

Every Day 00:00 - 23:59

##### **Opening hours of the premises**

Everyday 00:00 - 23:59

Alcohol is sold for consumption off the premises

#### **Part 2**

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

Mr Merhawi Yowhanse  
39 Marlborough Towers  
Park Lane  
Woodhouse  
Leeds  
LS1 4PG

Current Email Address:

[REDACTED]

Mobile Telephone Number:

[REDACTED]

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

Merhawi Yowhanse  
39 Marlborough Towers  
Park Lane  
Woodhouse  
Leeds  
LS1 4PG

##### **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: LEEDS/PERL/10236/19

Licensing authority: Leeds City Council

Licence issued under the authority of Leeds City Council



Mrs Emma White  
Licensing Officer  
Entertainment Licensing  
Elections, Licensing and Registration

## Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
  - a. unauthorised access or occupation (e.g. through door supervision), or
  - b. outbreaks of disorder, or
  - c. damage
2. 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.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- a. a holographic mark, or
  - b. an ultraviolet feature.
5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

- a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b. "permitted price" is the price found by applying the formula  $P = D + (D \times V)$  where -
  - i. P is the permitted price,
  - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
  - i. the holder of the premises licence,
  - ii. the designated premises supervisor (if any) in respect of such a licence, or
  - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises

in a capacity which enables the member or officer to prevent the supply in question;  
and

- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

1. Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
2. The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the operating schedule**

### **The prevention of crime and disorder**

6. A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out.
7. Security footage will be made secure and retained for a period of time to the satisfaction of WYP.
8. 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.
9. 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.
10. Security staff/ designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.
11. 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.
12. 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.
13. The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.
14. The Licensee will adopt a proof of age scheme which is approved by WYP and West Yorkshire Trading Standards (WYTS).
15. The Licensee's staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.

16. The Licensee's staff will ask for evidence from any person appearing to be under the age of 18 who attempts to purchase alcohol at the premises.
17. The premises licence holder, designated premises supervisor and any other person who is responsible for the supply of alcohol at the licensed premises, shall at all times that the premises licence has effect adopt the 'Check 21' or a similar proof of age scheme, but only one which is recognised by West Yorkshire Police.
18. All refusals of sales of alcohol will be recorded in a refusals register. The register will contain the following details:
  - The time, day and date the refusal was made,
  - The name of the staff member refusing the sale
  - The name and address of the person attempting to buy the alcohol (where supplied),
  - Full description of said person, and
  - Full details of the alcohol they attempt to purchase.
19. The refusals register retained at the licensed premises, must be produced upon request to the Police or an authorised officer of the licensing authority.
20. All sales staff responsible for making sales to members of the public will undergo relevant and appropriate training with regards to 'Check 21' and the refusals register.
21. A training register will be maintained at the premises.
22. The register will contain training records which include the following:
  - The time, day and date the training was given
  - Details of the training given
  - The signature of the person supplying and the person receiving said training
23. The training register must be produced upon request to the Police or an authorised officer of the licensing authority.
24. Whenever this premises licence has effect:
  - Members of the public will be allowed to access the licensed premises for the sale of alcohol, only between the hours of 07:00 to 23:00 on any Monday to Sunday.
  - At all other times, the licensed premises will remain closed to members of the public for the sale of alcohol.
  - All sales outside these times, so between 23:00 hours and 07:00 hours each day, will be made through a professionally installed 'hatch' at the front of the premises. Between these times there will be no access to the premises and the shutters will be down.
25. This premises licence offers a delivery service 24 hours a day 7 days a week, which covers:
  - The delivery of alcohol supplied for consumption off the licensed premises during the shop hours indicated above but strictly in accordance with the conditions specified below, or alternatively
  - The delivery of alcohol supplied for consumption off the licensed premises, outside of the shop hours indicated above when the premises are closed to the public, but also strictly in accordance with the same conditions specified below.
26. Any computer website or any other form of advertising promoting this delivery service shall AT ALL TIMES clearly indicate:

The name of the delivery service, valid telephone numbers, email address, the premises licence number which authorizes the sale/supply of alcohol and the relevant licensing authority which issued the premises licence:

  - The ordering by, sale/supply of any alcohol product to anybody under the age of 18, or delivery of any alcohol products to anybody under the age of 18 is strictly forbidden;

- Every person placing an order, MUST provide a date of birth otherwise the order will be refused outright;
  - On delivery when asked to do so, refusal or failure to provide only valid and accredited proof of age cards/documents will result in the delivery of an alcohol order being refused outright;
  - This company adopts a 'Check 21' policy at all times.
27. In terms of identifying any vehicles used for alcohol delivery in accordance with this premises licence, the information to be displayed on any vehicles will be at the discretion of the premise licence holder, but must at the very least indicate the name of the operator/company and that the vehicle is being used as an alcohol delivery service.
  28. All sales assistants taking orders for any alcohol products to be delivered under the terms of this premise licence, shall be employed by the premise licence holder.
  29. All sales assistants taking orders for alcohol products must always ask to be provided with a date of birth by the person placing the order, otherwise the order will be refused outright.
  30. Sale assistants taking orders for alcohol products to be delivered over the telephone, will also refuse the order outright to someone who in their opinion is already drunk on the telephone.
  31. If a sales assistant refuses any order for EITHER underage or drunken purchasers, where known, the details of the person, their date of birth, their address and the date and time of the order will be entered in the refusal register, to be retained at the licensed premises, for possible inspection at anytime by a police constable or an authorised officer of the licensing authority.
  32. On EVERY occasion an order for any alcohol product for delivery is processed under the terms of this premise licence, then an invoice will be produced by sales assistants.
  33. Every invoice MUST at the very least contain the following information:
    - Personal details of the person/company placing the order which the proprietor thinks appropriate, but which MUST include the name, DATE OF BIRTH, telephone number of the person placing the order, and the full postal address to which the order will be delivered.
    - Confirmation that the sales assistant is satisfied that the person placing the order is over 18 by being provided with a date of birth which is then recorded on the invoice.
    - The quantity, description and price of the alcohol products ordered.
    - The date and time that the order took place.
    - How the invoice total is to be paid for, with the order or by payment on delivery and the method of payment in either case.
    - The date and time that the delivery commenced from the licensed premises to the address given at (1).
  34. A copy of all invoice orders shall AT ALL TIMES be retained at the licensed premises for possible inspection at any time by a police constable or an authorised officer of the licensing authority.
  35. Delivery of any alcohol products under the terms of this premises licence, shall only take place where an order for those products has previously taken place, in a manner described previously.
  36. ALL alcohol products previously ordered, will be stored only at this address identified on the premises licence as that of the 'licensed' premises and no other premises.
  37. Delivery of any alcohol products previously ordered shall only be dispatched from this address identified on the premises licence as that of the licensed premises and no other premises.
  38. All deliveries from the licensed premises will only be made by the premises licence holder or other drivers employed by and then authorised to make deliveries by the premises licence holder.

39. In the case of all deliveries, no person under the age of 18 will be employed by the premises licence holder as the driver of a vehicle to be involved in the operation of this business and to have any responsibility for the delivery of alcohol products from the licensed premises.
40. No other alcohol products shall be carried on any vehicle by any driver at any time, other than products previously ordered, properly invoiced and shown on the delivery note in the drivers possession, dispatched from the licensed premises and on the vehicle being delivered.
41. No further sale/supply of any alcohol product (including any form of payment), shall take place on or from any vehicles at any time, either stationary or in transit, once any vehicle has commenced any journey from the licensed premises; the sole purpose of which is to deliver only those alcohol products previously ordered, properly invoiced and shown on the delivery note in the drivers possession, dispatched from the licensed premise and on the vehicle for delivery.
42. In the case of all deliveries, all drivers of vehicles involved in the delivery of alcohol products as part of the operation of this business, must follow the following procedure when making delivery of an order previously made:
  - Carry a copy of all invoice orders/delivery notes on the vehicle throughout the whole delivery from and back to the licensed premises;
  - The driver of the delivery vehicle, shall telephone or alert the purchaser by some other means when he arrives outside the address entered on the invoice copies, but not by sounding the vehicle horn at any time;
  - If the address on arrival is not the same as the one given at the time of ordering and invoiced, then the delivery will be refused by the driver and the complete alcohol order, will be returned to the licensed premises from where it was dispatched by the driver.
43. All drivers will make sure that the alcohol products are delivered to the person who made the order and who appears on the invoice/delivery note, who will then sign and print their name on the invoice/delivery note.
44. The driver involved in the delivery of the alcohol order will then complete the invoice/delivery note, by signing and printing his name and the date and time that the delivery was made and signed for by the purchaser.
45. The driver who signed and printed his name, will then give a copy of the completed invoice/delivery note to the person who signed for the delivery as proof of purchase.
46. However, where on delivery the driver suspects or is in any doubt that the person who placed the order and is the recipient of the delivery is or maybe under the age of 18 and cannot prove otherwise by way of producing valid and accredited proof of age cards/documents recognised by West Yorkshire Police. Then the delivery must be refused and the complete order returned to the licensed premises with the invoice/delivery note completed accordingly by the driver to show refusal.
47. If the driver involved in the delivery, is still in any doubt even after recognised proof of age has been produced above, then the delivery must be refused and the complete order returned to the licensed premises with the invoice/delivery note completed accordingly by the driver to show the refusal.
48. If a delivery is refused due to a purchaser being under age, or being unable to prove their age, then the driver will also keep a refusal book on the delivery vehicle containing the time and date of the delivery, the name, date of birth and full postal address of the individual/s.
49. The refusal book for under age persons will be updated by drivers involved in the delivery of alcohol products and will be retained on the delivery vehicles for possible inspection at any time by a police constable or an authorised officer of the licensing authority.

50. The copy invoice/delivery note completed by the drivers signature shall be kept on the vehicle until the delivery is complete, for possible inspection at any time by a police constable or an authorised officer of the licensing authority.
51. The copy invoice/delivery note completed by the drivers signature shall be returned on completion of the delivery when it shall then be filed and retained alongside the original invoice order at the licensed premises, for possible inspection at any time by a police constable or an authorised officer of the licensing authority.

### **Public Safety**

52. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
53. All staff will be trained in operating the alarm system and be familiar with the fire and escape routes and action to be taken in the event of fire.
54. The Licensee will ensure that there is a procedure for the safe evacuation of disabled persons.
55. Staff will be trained in the procedure and a record kept of such training.

### **The prevention of public nuisance**

56. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.
57. The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them for their public responsibilities where necessary.
58. A facility will be provided for customers to order taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent location.

### **Protection of children from harm**

59. The Licensee will adopt a proof of age scheme which is approved by WYP and West Yorkshire Trading Standards.
60. The Licensee's staff will ask for evidence of age from any person appearing to be under the age of 18 who is attempting to purchase alcohol at the premises.
61. Signs will be provided informing customers that sales will not be made to under 18s, and that age identification may be required.
62. The Licensee will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.
63. The Licensee will comply with the written guidance for protecting children from harm issued by Leeds City Council, Children's Services.

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

None

### **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.



