



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/03522/009

Your Ref:

Contact: Carmel Brennand

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Date: 18<sup>th</sup> January 2024

Dear Sirs/Madam,

**REVIEW APPLICATION UNDER THE LICENSING ACT 2003**  
**PREMISES: BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

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 have been licensed to sell alcohol between 7 am and midnight since October 2014 with Mr Shonesh Hatal Mohammed as the Premises Licence Holder (PLH) and Mr Kardo Unit Abdullah as the Designated Premises Supervisor (DPS).

In July 2015 a complaint was received at the Entertainment Licensing Section alleging that the premises were operating past their permitted hours. An enforcement officer attended at the premises on the 9<sup>th</sup> July 2015 and spoke to the then PLH about the allegation and hand delivered a warning letter reminding him of the permitted hours on the Licence.

Mr Alan Amiri became the Premises Licence Holder (PLH) and specified [REDACTED] as the Designated Premises Supervisor with effect from the 19<sup>th</sup> August 2015.

I attended at the shop on the 3<sup>rd</sup> September 2015 to hand deliver the newly issued Premises Licence to Mr Alan Amiri. We discussed the complaint of after hours which Mr Amiri refuted. When I asked to look at the cctv he admitted that it was not recording but that he had already called a cctv engineer to come out as he wanted more cameras. I was able to show him the specific conditions on the Licence and explained that every sale of alcohol when the cctv is not recording is an offence under Section 136 of the Licensing Act, namely:-



## 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.

Despite 7 visits to the shop by myself and PC [REDACTED] Dobson, with the Neighbourhood Policing Team as well as the Imaging Officer from West Yorkshire Police and 4 strongly worded warning letters to both the PLH and the DPS over the next 5 months, no remedial action was taken. Therefore I had no other option other than to submit a review the Premises Licence on the 5<sup>th</sup> February 2016.

On the 12<sup>th</sup> February 2016 Mr Amiri as the PLH specified himself as the new DPS.

It appeared that the possible sanction of suspending the Premises Licence finally motivated Mr Amiri to rectify matters. Although it was only after advice given during another 2 visits to the shop and 2 conversations at the Entertainment Licensing offices before he could satisfy all the CCTV conditions. On the 7<sup>th</sup> March 2016 Mr Amiri was able to evidence that the cctv was recording for the requisite 31 days.

However the review hearing had already been set for the 5<sup>th</sup> April 2016. The following has been taken from the decision letter:-

*The application was for the review of a Premise Licence under section 51 of the Licensing Act 2003 sought by the Licensing Authority in respect of Biedronka, 225 Roundhay Road, Leeds, LS8 4HS.*

*In attendance was Carmel Brennand from the Licensing Authority, supported by [REDACTED] from West Yorkshire Police. Mr Alan Amiri, the premise licence holder attended.*

*The committee heard all the representations from the parties both written and oral in reaching its decision. The committee were deeply unimpressed that the operator had taken so long to comply with the advice and also warnings provided to it.*

*The committee were of the view is not acceptable for the operator to require so much prompting from the responsible authorities to comply with its licence.*

*However, the committee noted the issue with the CCTV had now been addressed from the further evidence filed from Carmel Brennand.*

*The committee wish to implore to the operator the severity of this situation and are providing a warning to it that such behaviour will not be tolerated in the future,*

*The committee were of the view that the Licencing Authority and West Yorkshire Police will need to continue to closely monitor the premise.*

*If there are breaches conditions of licence, the committee will expect this matter to be brought back to it. This committee will where possible consider this matter in the event there should be a further review.*

In January 2017 Mr Amiri applied to extend his licence to sell alcohol for 24 hours a day. Due to representations, the application was heard before the Licensing Sub Committee in March 2017 and refused.

On the 5<sup>th</sup> March 2018 I was working in company with officers from Trading Standards when we attended at Biedronka. Mr Amiri was not on site when we arrived but he arrived shortly afterwards. Officers found 100's of packets of cigarettes and rolling tobacco under the counter and determined they were illicit. It was confirmed that Mr Amiri knew they were illegal and he was warned about continuing their sale.

When I asked Mr Amiri if he could show me footage from the 2<sup>nd</sup> February on the cctv system he could only show that it started recording at 0625 on the 5<sup>th</sup> February. When I told him that this was 28 days, he argued with me that it was 29 ½ days. I reminded him that the condition clearly states, 'The cctv system will have sufficient storage retention capacity for a minimum of 31 days continuous footage'.

On the 2<sup>nd</sup> November 2023 I took part in a multi-agency operation visiting shops in the Harehills area. At 10:35 I attended at Biedronka with an officer from Trading Standards. We introduced ourselves to the male behind the counter and explained the reason for the visit. The male identified himself as [REDACTED]. The Trading Standards officer seized packets of cigarettes and rolling tobacco that were in carrier bags and boxes underneath the counter. Mr Amiri arrived as we were itemizing the seizure and told us that he knew nothing about these cigarettes and pointed the blame at [REDACTED].

I conducted an inspection under the Licensing Act. The Part B of the Premises Licence was displayed behind the counter to the right but Mr Amiri could not produce the Part A of the Licence. I explained that 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 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 turned to the cctv monitor which faces the counter and noted that the time was 9 minutes out. I asked Mr Amiri if he could show me footage from 31 days previous but he admitted he could not operate the system. I reminded him that he should be able to operate his own cctv system or else how do we know that it is recording and compliant with his Licence conditions. He said his son can work it so I asked that his son send me a screenshot of the cctv showing 31 days recording on the calendar.

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. Mr Amiri never pays the annual fee on time so that day I reminded him that the annual fee for his Licence had been due on the 16<sup>th</sup> October and that if this wasn't paid the Licence would be suspended.

I produce a printout from the Uniform system showing that an annual fee reminder letter had been emailed to Mr Amiri at 01:44 on the 1<sup>st</sup> September. I produce a copy of the printout as my exhibit CB 1.

I produce a copy of my inspection sheet dated the 2<sup>nd</sup> November 2023 which Mr Amiri signed as my exhibit CB 2.

As we were leaving the shop [REDACTED] opened the door for me and said, 'I have nothing to do with the stock in this shop. I just work here'.

I can confirm that the annual fee was paid on the 3<sup>rd</sup> November.

On the 27<sup>th</sup> November I wrote a warning letter to Mr Amiri detailing my findings on the joint visit of the 2<sup>nd</sup> November and the offences found. 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 27<sup>th</sup> November 2023 as my exhibit CB 3 and the warning letter attached as my exhibit CB 4.

On the 13<sup>th</sup> December 2023 I was working in company with PC Neil Haywood. At 12:15 we visited the subject premises. We introduced ourselves and explained we were conducting an inspection further to a recent visit. The female behind the counter introduced herself as [REDACTED]. When I asked if she could operate the cctv she rang a male who she said was her boss. He said that it was all in order so I asked who he was as I had been waiting for Alan's son to send me a screenshot of the cctv. The male said he was Alan's son. The cctv was at the correct time with 8 cameras. He instructed [REDACTED] over the phone how to access the system and she was able to show us footage from the 24<sup>th</sup> October, so the cctv was compliant. [REDACTED] was unable to locate the Part A of the Premises Licence and I explained it should be on site as it has all the terms and conditions by which to sell alcohol. Again this is an offence under Section 57 of the Licensing Act.

Alan's son said it was at home so he would bring to the shop tomorrow. I asked to see the Incident/Supervisors Register. There was a diary for 2023 but nothing written in English. There was also a new diary for 2024. I explained to [REDACTED] that anytime she refuses someone because they look young and have no ID, this should be recorded, as many details as possible. Or if I staggered in and asked for a bottle of vodka, she should refuse and write the time and brief

description as this shows good practice. They also should be recording who is working when, i.e. if she works during the day, what hours and then whoever is working in the evening should do the same. I said ideally this should be in English so that if an officer comes in and asks for it, they can check it. I gave her a new Check 21 poster before leaving.

On Thursday the 11<sup>th</sup> January 2024 I was working in company with my colleague Mrs Victoria Radford, also a Senior Liaison & Enforcement Officer. At 13:40 we attended at the subject premises. Mr Amiri was sitting down behind the counter and [REDACTED] was sorting stock down an aisle. When I asked if he had Part A of the Premises Licence a younger male came into the shop and said someone has been in already to check the cctv. I said, 'That was me'. Mr Amiri introduced the young male as his son. I said, 'You told me you would bring the Part A of the Licence from home the next day and you still haven't'. The young male appeared confused and [REDACTED] had to translate some of the conversation and told him that he needed to bring it to the shop. Mr Amiri retrieved some paperwork out of an envelope which I recognised as a review application. He said he had ticked the boxes about the hearing and sent it back to Licensing. At 13:48 we resumed.

On the 30<sup>th</sup> November 2023 Entertainment Licensing received an application in respect of Biedronka. The application was to transfer the PLH from Mr Alan Amiri to Mr Aziz Mohamed Ahmed. Due to an objection by West Yorkshire Police the application was listed before the Licensing Sub Committee on the 16<sup>th</sup> January 2024. Neither the applicant nor a representative from the business attended at the hearing and the Committee heard it in their absence and determined to refuse the transfer application.

It is clear that since taking over this shop in August 2015 Mr Amiri has given little importance to complying with his Premises Licence or the Licensing Act 2003, to the extent that his business is now subject to a 2<sup>nd</sup> review application. There have been several occasions when illicit cigarettes have been purchased at the shop which have resulted in 4 multi agency operations where significant seizures of counterfeit/illicit cigarettes and tobacco, perfumes, cosmetics and condoms have been seized; this is despite advice being to him by officers. I believe this shows that Mr Amiri 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. He has repeatedly failed to operate responsibly in upholding the objectives and I therefore support the review being brought by West Yorkshire Police.

Yours faithfully

[REDACTED]

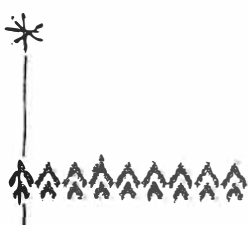
Mrs Carmel Brennand  
Senior Liaison & Enforcement Officer  
Entertainment Licensing

CB 1

Document	User Name	Purpose	Printed	Copies	Image	Notes
PRAAFR	Ent	Annual fee first remind	01.09.2023 01:44		<input type="checkbox"/>	Emailed to
PRAAFR	Ent	Annual fee first remind	01.09.2022 01:28		<input type="checkbox"/>	Emailed to
PRAAFR	Ent	Annual fee first remind	01.09.2021 00:57		<input type="checkbox"/>	Emailed to
PRAAFR	Ent	Annual fee first remind	25.11.2020 16:23		<input type="checkbox"/>	Emailed to
CPRANFEEACK	Ent	Ann Fee Acknowledge	27.11.2019 16:24		<input type="checkbox"/>	Emailed to Mr Alan Amiri
PRAAFR	white-e	Annual fee first remind	06.11.2019 08:47	0	<input type="checkbox"/>	E-Mailed
CPRANFEEACK	white-e	Ann Fee Acknowledge	07.11.2018 11:53	0	<input type="checkbox"/>	E-Mailed
GEN_APP_WITHDR	white-e	Annual fee suspension	06.11.2018 08:21	1	<input type="checkbox"/>	E-Mailed
PRAAFR	white-e	Annual fee first remind	31.10.2018 08:49	0	<input type="checkbox"/>	E-Mailed

OK Cancel

View Document



£180 ANNUAL FEE DUE 16.10.23

# Licensing Act 2003

Record of Inspection

NEUF102793



<sup>CB 2</sup>  
**Leeds**  
CITY COUNCIL

<b>Premises Details</b>	<b>Inspection Details</b>
Licence Number: Prem/03522/005	Date: 2.11.23 Time In: 1035 Time Out:
Name: BIEDRONKA	Authorised Officer: CB
Address: 225 ROUNDHAY ROAD LS8 4HS.	Other officers:
	In company with WYP/BTP/TS
	Other Agency: TS

Premises Licence Holder/DPS: ALAN AMIRI Present? Yes  No

X	Matters arising (Advice given marked with "X" in left-hand column)	Timescale
X	CCTV 9 MINUTES OUT	1 WEEK
X	STAFF UNABLE TO OPERATE CCTV	
	SO UNABLE TO PROVIDE 31 DAYS FOOTAGE.	
X	PAY ANNUAL FEE. TODAY.	
	RING 0113 3785029.	
	EMAIL [REDACTED]	
	SCREENSHOT OF CCTV CALENDAR SHOWING 31 DAYS RECORDING.	

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

**Signatures**  
 Authorised Officer's signature: [REDACTED] Date: 2.11.23.  
 Time: 1145.

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).



**Brennand, Carmel**

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**From:** Brennand, Carmel  
**Sent:** 27 November 2023 14:13  
**To:** [REDACTED]  
**Subject:** Biedrinka, 225 Roundhay Road, LS8 4HS  
**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 \(Leeds City Council\)](#)



CB 4  
**Leeds**  
CITY COUNCIL

**Elections and Regulatory Services**

Civic Hall  
Leeds LS1 1UR

Our Ref: A80/CB/LIC/GE/004141

Your Ref:

Contact: Carmel Brennand

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Date: 27 November 2023

**Private & Confidential**

Mr Alan Amiri  
Biedronka  
225 Roundhay Road  
Leeds  
LS8 4HS

Dear Sir

**INVESTIGATION OF POSSIBLE OFFENCES UNDER THE LICENSING ACT 2003  
PREMISES: BIEDRONKA, 225 ROUNDHAY ROAD, LEEDS, LS8 4HS**

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 2<sup>nd</sup> 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:-

5. A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises .
6. The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WCs and changing rooms).
7. The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
8. The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.
9. The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority
10. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.
11. The CCTV system will contain the correct time and date stamp information.
12. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
13. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.



14. A designated member / members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.

15. The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images caught on cameras on the premises will, on the lawful request of an authorised officer of a Responsible Authority (under the Licensing Act 2003), be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that it is secured to prevent any overwriting

**At the time of the visit neither you nor staff were able to operate the cctv system so unable to confirm that the system was recording for 31 days.  
Also, the time on the cctv system was 9 minutes out.**

20. 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.

21. 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.

22. 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, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

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

**At the time of the visit neither you nor staff were able to produce the Supervisor's or Incident Register.**

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.

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

# Interested Party Representation (Form IPR1)



## Section 1 – Licence application details

Please indicate as appropriate :

I wish to object to the following application:

I wish to support the following application:

Applicant premises name and address: Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

## Section 2 – Your personal details

NB: If you are acting as a representative, please go to Section 3.

Title

Mr  Mrs  Miss  Other \_\_\_\_\_

Surname

Patel

First name(s)

Chetna

Address (incl postcode):

Leeds City Council, Public Health (Alcohol and Drugs Team), 5<sup>th</sup> Floor West, 110 Merrion House, Leeds, LS2 8BB.

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

## Section 3 – Representative details

If you are representing someone else, please complete details below

Name of Representative/  
Organisation

N/A

Full postal address  
(Incl postcode)

N/A

Please indicate capacity:

Representative of Residents Association

Ward Councillor

Parish Council

MP

Trade Association

Other (please

specify) \_\_\_\_\_

## Section 4 – Representation grounds

<p><b>The representation is relevant to one or more of the following licensing objectives:</b></p> <p><b>Please tick relevant box(es)</b></p>	<table> <tr> <td>Prevention of crime and disorder</td> <td>X <input type="checkbox"/></td> </tr> <tr> <td>Prevention of public nuisance</td> <td>X <input type="checkbox"/></td> </tr> <tr> <td>Protection of children from harm</td> <td>X <input type="checkbox"/></td> </tr> <tr> <td>Public safety</td> <td>X <input type="checkbox"/></td> </tr> </table>	Prevention of crime and disorder	X <input type="checkbox"/>	Prevention of public nuisance	X <input type="checkbox"/>	Protection of children from harm	X <input type="checkbox"/>	Public safety	X <input type="checkbox"/>
Prevention of crime and disorder	X <input type="checkbox"/>								
Prevention of public nuisance	X <input type="checkbox"/>								
Protection of children from harm	X <input type="checkbox"/>								
Public safety	X <input type="checkbox"/>								
<p>Please select:</p> <p><input type="checkbox"/> I object to the application being granted at all.</p> <p><input type="checkbox"/> I object to the application being granted in its current form*</p> <p>*If you choose this option, remember to tell us in the next section what changes you would prefer to see.</p>									
<p><b>The grounds of the representation is based on the following:</b></p>									
<p>I would like to make a public health objection to the application of Biedronka, 225 Roundhay Road LS8 4HS.</p> <p>Regarding the above application, I would like to bring to your attention the negative impact this premises has. There are concerns regarding the potential harm to children, crime and disorder and public safety.</p> <p>I would like to strongly object for the continuation of this license on the following grounds.</p> <p>After two years of the coronavirus pandemic, levels of alcohol consumption and alcohol harms have increased across Leeds, and they have disproportionately affected areas of multiple deprivation such as Burmantofts/Richmond Hill and Harehills. Much work has successfully been undertaken by Ward Councillors, the Police, and the Council's Safer Stronger Communities Team to make Harehills a more attractive and safer (retail) area. Their success in reducing street drinking and crime levels will be significantly undermined.</p> <p>Following visits from West Yorkshire Trading standards and West Yorkshire Police, large quantities of illicit and counterfeit cigarettes and tobacco were seized on numerous occasions. Also on a number of occasions test purchases were conducted and cigarettes were sold without the proper excise duty. Selling cheap tobacco products can deter those who are wanting to give up smoking and in this situation was sold to under age children which could encourage children and young people to take up smoking. There is also a risk to public safety selling products that are not compliant with legal requirements. This clearly indicates the licensee is not promoting the licencing objectives. I am objecting to the continuation of this licence for the protection of children from harm. In the ward area we already have significantly higher rates of smoking compared to Leeds.</p> <p>Leeds City Council has produced a matrix to estimate alcohol harm for each Middle Super Output Area (MSOA) in Leeds. Each MSOA is given an overall score which places the MSOA into a comparative city-wide risk rating. There are 107 MSOA's in Leeds. LS8 4HS was awarded an overall harm from alcohol related risk as <b>25 out of 107 MSOAs</b>, putting it within the medium risk of alcohol-related harm category.</p> <p>It also has a deprivation score of <b>15 out of 107</b>, with a risk rating of <b>high</b>.</p> <p>Analysis of the individual scores on the matrix contribute to creating a fuller picture of the local community and will be highlighted forthwith with reference to the criteria.</p> <p><b>Protection of children from harm -</b></p> <p>This area has a <b>very high count</b> of off licenses in Leeds and is <b>risk rated as high with a rank rating of 16</b>. By allowing this off-licence premises to continue to sell alcohol, this will jeopardize the protection of children and young people from harm. This area has the rank rating of <b>very high</b>; it has the <b>highest number of children</b> under the age of 16 in Leeds District (ranked <b>2</b>). The increased number of establishments selling alcohol and the subsequent proliferation of street drinkers and residents suffering from alcohol addiction normalizes the situation for children and as they grow older it sets the benchmark of what is normal in their area. It can also encourage young people to start smoking if cheap illicit tobacco and cigarettes are readily available. We know from much</p>									

peer reviewed evidence such an environment can have a strong influence on impressionable children in low-income neighborhoods and can create low aspiration amongst this peer group. **Vulnerability to alcohol-related problems: a policy brief with implications for the regulation of alcohol marketing** (TF. Babor et al, 2017). Due to the high numbers of children in the area there are many schools and childcare providers some of which are listed below and are within one mile of the premises, which is located on a busy route for primary aged school children and their parents.

- Harehills Family Early Years Centre, Cowper Terrace, Harehills, Leeds LS9 7BA (0.8 miles away)
- Little Owls Nursery Harehills, Cowper Terrace, Harehills, Leeds LS9 7BA (0.7 miles away)
- Sunshine Community Nursery, 97 Harehills Rd, Harehills, Leeds LS8 5HS (0.4 miles away)
- Shepherds Lane Children's Centre, Shepherds Ln, Harehills, Leeds LS8 5AW (0.2 miles away)
- Harehills Primary School, Darfield Rd, Harehills, Leeds LS8 5DQ (0.6 miles away)
- Co-op Academy Nightingale, 9 Stanley Rd, Harehills, Leeds LS9 7AX (0.7 miles away)
- Co-op Academy Woodlands, Foundry Pl, Harehills, Leeds LS9 6DA (0.8 miles away)
- Hovingham Primary School, Hovingham Ave, Harehills, Leeds LS8 3QY (0.4 miles away)
- Bankside Primary School, Shepherds Ln, Harehills, Leeds LS8 5AW (0.3 miles away)

The GIPSIL - Archway Resource Centre 95 Roundhay Rd, Harehills, Leeds LS8 5AQ is also only **0.5 miles away**. GIPSIL, work with vulnerable young people and have provided statements previously on the impact of off license on young people they work with.

The abundant presence of alcohol outlets, and associated marketing in children's environments may normalise alcohol as an every-day product, shift social norms in acceptability and use, and shape children's knowledge, attitudes, and beliefs. **Children's home and school neighbourhood exposure to alcohol marketing** (T Chambers et al.,2018).

This area has a **very high** number of young people not in education or training; it is ranked – **4 out of 107 MSOA's**. There is also a low level of educational attainment with **high** rate of pupils not achieving a strong pass in English and Maths and is **ranked 20 out of 107 MSOA's**. Viewed alongside this the area has the high number of looked after children and young people, which is **ranked high – 13 out of 107 MSOAs**, which is highly concerning as they are more vulnerable to harm. These children and young people will have experienced trauma within the family home severe enough to warrant their removal from that family home. Their life experience will undoubtedly be skewed from the norm which often results in the young person engaging in harmful behaviours, one of which is alcohol drinking. 'Children living in the most deprived areas were almost five times more likely to be exposed to off-sales alcohol outlets than children in the least deprived areas' **Inequalities in children's exposure to alcohol outlets in Scotland: a GPS study – (Fiona M. Caryl et al.,2022)**.

The table below gives data provided by West Yorkshire Trading standards for Gipton and Harehills ward. The rows in grey are the totals for the years stated and then below those are the counts for Underage sales (UAS) or Counterfeit (tobacco and vapes) and along the top is the breakdown in complaints/visits for tobacco/vapes. When comparing 2022/23 to 2023/24 (even with this year being incomplete) total tobacco complaints/tobacco visits and vape visits have increased from the previous years, indicating that communities are worried about underage selling or counterfeit (tobacco or vapes). West Yorkshire Trading standards are familiar with this licensed premises due to complaints of selling illegal tobacco.

<b>Gipton &amp; Harehills</b>	<b>Tobacco complaints</b>	<b>Tobacco visits</b>	<b>Vapes complaints</b>	<b>Vapes visits</b>
<b>All years</b>	102	75	18	23
UAS	10	41	18	12
Counterfeit	92	34	0	11
<b>2020-21</b>	26	11	0	0

UAS	3	8	0	0
Counterfeit	23	3	0	0
<b>2021-22</b>	<b>24</b>	<b>31</b>	<b>5</b>	<b>1</b>
UAS	3	15	5	1
Counterfeit	21	16	0	0
<b>2022-23</b>	<b>24</b>	<b>14</b>	<b>8</b>	<b>4</b>
UAS	3	3	8	1
Counterfeit	21	11	0	3
<b>2023-24 (incomplete)</b>	<b>28</b>	<b>19</b>	<b>5</b>	<b>18</b>
UAS	1	4	5	10
Counterfeit	27	15	0	8

#### Prevention of public nuisance -

Alcohol related harm hospital stays (narrow, age std. rate) are **medium** in the area – risk ranked as **53 out of 107 MSOA's** and ambulance callouts related to alcohol are also **medium- 43 out of 107 MSOAs**. These are avoidable pressures to the NHS and illustrate the harm caused by easy access to cheap alcohol with un an area.

#### Prevention of crime and disorder -

Increasing the availability of cheap strong alcohol is strongly correlated with a higher prevalence of alcohol-related crime and disorder. This is backed up by statistics from Safer Leeds, which record the number of incidents of ASB, drunk and disorderly and violent crime stats.

Anti-social behaviour where alcohol was flagged (excluding violent crime) was **high risk** ranked as **12 out of 107 MSOA's**, and violent crime was **medium** and ranked **34 out of 107 MSOAs**. Statistics relating to drunk and disorderly is **very high** and ranked as being **7 out of 107 MSOA's**. These indicators both suggest a risk to public safety as well as high levels of crime and disorder in existence in the community. This will be exacerbated by the increased accessibility of alcohol.

Healthwatch and other third sector organisations prepared a report focusing on Covid 19 and issues facing the communities in Gipton and Harehills. A survey was completed by 80 people of which a third of the respondents' said crime was something they wanted to see changed in Gipton and Harehills. The issues most often referenced were street drinking and drug dealing, as well as violence and not feeling safe in streets and parks.

One participant stated, *"She didn't want to live in the area when her children grow up due to the amount of gang crime, anti-social behaviour, street drinkers, domestic violence and litter."*

Currently in public health we are conducting Health Needs Assessment for Gipton and Harehills and Burmantofts and Richmond Hill, many local people have talked about their worries around alcohol, noise nuisance, environmental concerns, crime, and fear of crime.

I am part of the Harehills CommUNITY partnership meetings led by West Yorkshire Police and Leeds City Council, many local organisations are committed to the Clear Hold Build initiative to make Harehills a better place for communities to live, work and grow. Off license premises like Mama Rose undermine all the hard work and commitment that is taking place to improve the area.

Below is a statement provided by the lead GP partner at Chapeltown Family surgery which is situated less than a mile away from the premises.

*I am writing to express my deep concern about the sale of alcohol/tobacco to underage individuals within our community. As the children and families lead for the Burmantofts, Harehills and Richmond Hill PCN I*



*have been made aware of this by the public health team but while the health implications are clear, I would like to highlight other critical reasons why I am so concerned.*

- 1. **Social Responsibility:** Fundamentally we have an obligation to protect our young people. Selling alcohol/tobacco to minors undermines this responsibility. By allowing access to alcohol/tobacco we inadvertently contribute to potential harm and negative consequences for these young people.*
- 2. **Risk of Dependency:** Early exposure to alcohol/tobacco can lead to dependency issues later in life. Adolescents' brains are still developing, and alcohol consumption during this crucial phase can alter brain chemistry and increase the likelihood of addiction. When looking at childhood trauma the negative consequences of alcohol misuse whilst growing up is a clearly recognised risk factor for problems throughout the life course.*
- 3. **Social Behavior and Safety:** In my experience a number of my younger patients have ended up in trouble with the police because of alcohol consumption. When minors gain access to alcohol, it can lead to risky behaviors, accidents, and even criminal activities. It is our cities ambition to create safer communities for children and young people to grow up in. Clearly curbing underage sales, we contribute to safer communities and protect both young individuals and the public.*

*Thank you for considering my concerns.*

*Dr Hasantha Jayasinghe (Senior Partner)*

The intelligence provided above relates to the potential harm caused by alcohol/tobacco within an area and viewed together creates an understanding of why this area was ranked as being an area of Leeds at high risk of alcohol related harm. Furthermore, this application also falls within a cumulative impact assessment (CIA) area. This means as a Local Authority (LA) licensing authority we have a responsibility to help limit the number or type of licence applications granted in areas where there is evidence to indicate that the number or density of licensed premises in the area is having a cumulative negative impact.

The data above shows that there are significantly higher numbers of children, vulnerable young people and those not in education or training who may seek comfort in tobacco and alcohol. The evidence indicates Biedronka, on numerous occasions provided illicit cigarettes and tobacco which can have a detrimental effect on health not knowing what is contained in illicit tobacco or alcohol. Providing cheap products can encourage those who have turbulent lives and dependent on tobacco to increase their usage. The area already suffers with high rates of violent crime, antisocial crime, ambulance callouts; impacting on emergency services and the NHS which are already strained with limited resources and capacity. The failed test purchases on tobacco as well as the large quantities of illegal tobacco and cigarettes seized; as well as the seizure of counterfeit condoms and perfume demonstrate this retailer is not acting as a responsible retailer and is repeatedly undermining the licensing objectives.

The pandemic has undoubtedly impacted on the communities in this neighbourhood in terms of economic decline adding increased negligent selling of tobacco and alcohol to an already saturated environment to communities who are struggling with daily life, poverty and deprivation, domestic abuse, low mood, anxiety and depression is socially irresponsible and will be detrimental to child development, family life and public order.

I would therefore ask the licensing subcommittee to question what purpose will it serve to allow this premises to continue to operate?

Considering, the evidence of how local people, organisations feel; the failed test purchases and vast amount of illegal tobacco seized I would urge the subcommittee to support the closure of this off license to avoid the potential harm to children, additional crime and disorder offences and maintain public safety.

Signed:



Date: 24/1/2023

**Gipton & Harehills Ward**  
**Labour Councillors**  
**Councillor Arif Hussain**  
**Councillor Salma Arif**  
**Councillor Asgar Ali**

Civic Hall  
Leeds, LS1 1UR  
Civic Tel 0113 37 88811

FAO: Leeds City Council's  
Entertainment Licensing Team



24.01.24

To Whom It May Concern

**Subject: Licence Review- Biedronka, 225 Roundhay Road, PREM/03522/005.**

As ward Councillors we are writing to **support** the licence review of Biedronka on Roundhay Road.

Biedronka is located on one of Harehills' main arteries, Roundhay Road, a busy thoroughfare that cuts through the heart of a densely populated residential area, sitting adjacent to people's homes, schools, and places of worship. Harehills is a densely populated neighbourhood; a place where what happens on the street has a huge impact on the local community.

Roundhay Road is also an area that is already saturated with retail outlets legally selling tobacco products. The idea that a business could be operating illegally, selling products that are potentially dangerous to our residents, is a serious concern to ward Councillors.

There is a clear risk to public safety posed by residents being exposed to unregulated tobacco products. We are all too aware that the use of these types of illicit products could have a detrimental impact on the health of our residents, many of whom are already some of the most disadvantaged in our society.

According to the 2019 Index of Multiple Deprivation, Gipton & Harehills Ward has 17 Lower Super Output Areas (LSOAs) that are among 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:

- The second most populated ward in Leeds with 33,645 residents living in 12,400 properties; nearly 10% of homes are classed as overcrowded.
- 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 the percentage of residents that have never worked

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.

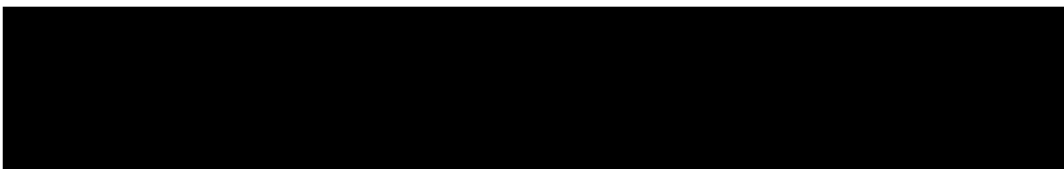
Letting this business trade illegally could be seriously damaging to the health of the people of Harehills, in particular residents who may be exposed to potentially dangerous tobacco products that they otherwise wouldn't have access to.

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 a business 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