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APPLYING FOR A SUMMARY LICENCE REVIEW

Application for the review of a Premises Licence under
Section 53a of the Licensing Act 2003

(Premises associated with serious crime or serious disorder or both)

Insert name and address of relevant Licensing Authority and its reference number (optional):

Leeds City Council, Entertainment Licensing Section, Civic Hall, Leeds. LS1 1UR

Please read the following instructions first

Before completing this form, please read the guidance notes at the end of the form. If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I, PC [REDACTED] Neil Haywood

(on behalf of) the Chief Officer of Police for the West Yorkshire Police area apply for the review of a premises licence under Section 53a of the Licensing Act 2003.

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description:

Gusto 12-14 Strathmore Drive

Town/City: Leeds

Postcode: LS9 6AB

Part 2 – Premises licence details

Name of premises licence holder (if known):

Gusto Market Mini Ltd

Number of premises licence (if known): PREM/01387/008

Part 3 – Certificate under Section 53a(1)(b) of the Licensing Act 2003 (please read Guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above, that in his/her opinion the above premises associated with serious crime or serious disorder or both, and the certificate accompanies this application. (Please 'check' the box to confirm)



Part 4 – Details of association of the above premises with serious crime, serious disorder or both (please read Guidance note 2)

This is an application for a summary review on the grounds of involvement in serious crime with both substantial financial gain and conduct by a large number of persons in pursuit of a common purpose.

The background to this is that Gusto formerly traded as Baba Jaga 2.

On the 16th June 2023, quantities of non duty paid alcohol, an illegal vapes, tobacco and cigarettes were seized from the premises after a joint operation by West Yorkshire Police, Leeds City Council Licensing, Trading Standards and HMRC.

On the 10th July 2023, Trading Standards conducted a test purchase at the store and were sold cigarettes at £4, well below a price possible to account for the correct UK tax duty to be paid.

Previous test purchases of illicit cigarettes were made by trading standards on the 20th September 2021, 28th September 2021 and the 24th April 2023.

On the 13th September 2023, West Yorkshire Police carried out a test purchase operation. A child was sold alcohol on the shop.

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As a result of the above, West Yorkshire Police submitted an application to review the licence for Baba Jaga 2 due to the licensing objectives not being upheld. The required notices for the review application were posted outside the shop on the 18th October 2023.

The next day on the 19th October 2023, Gusto Mini Market Ltd was incorporated and registered to the shop address at 12-14 Strathmore Drive. An application to change the premises licence holder and designated premises supervisor was then submitted on the licensing on the 24th October 2023.

West Yorkshire Police objected to the transfer on the basis that it was believed this was not a genuine transfer, but an exploitation of a loop hole, to negate the licence review to allow it to continue to trade and continue its serious illegal activity. West Yorkshire Police were concerned this was just a paper exercise and that the premises would operate in the same manner.

A Hearing took place on the 5th December 2023 to decide on the transfer application. The transfer was approved by the committee. The premises licence review for Baba Jaga 2 subsequently took place and the licence was allowed to continue in Gusto Mini Market Ltd's name.

On the 18th April 2024, a joint operation was carried out at Gusto Market with trading standards and other agencies. During the visit, 2 males were seen to jump out of the flat windows located above Gusto. Officers gained entry to the flat and recovered a substantial amount of illicit and illegal vapes and cigarettes from the flat along with large amounts of cash. Evidence located in the flat showed that the goods were believed to have been stored for Gusto, and to be sold in Gusto. Walkie Talkies were present in both the store and the flat suggesting levels of sophistication and organisation to carry out this operation.


This is exactly the same criminal behaviour seen when the premises was Baba Jaga 2, and confirms the concerns of West Yorkshire Police that the transfer was not genuine and there would be a continuation of criminality at the premises.

The sale of illicit tobacco and vapes occurs in a number of shops in the area. This activity requires large amounts of goods to be smuggled from Eastern Europe and beyond requiring a number of people to be involved in pursuit of a common purpose. This is believed to be organised crime that results in substantial financial gain.

The standard review process has not been either effective or of sufficient deterrent and therefore necessitates a summary review as part of a stepped approach. The premises is failing to uphold the licensing objectives and this review is necessary to protect public safety, prevent serious crime and disorder and to protect children from harm. West Yorkshire Police respectfully ask the committee to consider an immediate suspension as an interim step.

Signature of applicant:  Date: 22-5-24.....
Capacity: West Yorkshire Police Licensing Officer

Contact details for matters concerning this application:

Address: Licensing Dept, Elland Road Police Station, Elland Road, Leeds, LS11 8BU
Telephone numbers: 

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E-mail address: [REDACTED]

Notes for Guidance

1. A certificate of the kind mentioned in the form, must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder, or both.

Serious crime is defined by reference to Section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- 'Conduct that amounts to one or more criminal offences for which a person who has attained the age of 18 and has no previous convictions, could reasonably be expected to be sentenced to imprisonment for a term of three years or more'; or
- 'Conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose;
- Serious disorder is not defined in legislation and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.