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LICENSING SUB COMMITTEE

2ND MAY 2023

**SUPPLEMENTARY INFORMATION (2)
AGENDA ITEM 6 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE FOR MAXI FOODS, 22 HAREHILLS ROAD,
HAREHILLS, LEEDS, LS8 5PB**

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Maxi Foods Case Summary

-This is a Licensing Act 2003 application for an off sales premises licence from 0800-2300hrs daily, for a mini-market at 22 Harehills Road, Leeds, LS8 5PB.

-The application is within the Harehills CIA, as set out in the LCC Statement of Licensing Policy and the Cumulative Impact Assessment Report 2023-25.

-As per the Brewdog judgement, a CIA does not lead to an automatic ban on the grant of new premises licences.

-That this application be considered on its merits and on a case-by-case basis.

For the following reasons this application promotes the licensing objectives and will not add to the cumulative impact and should be granted:

a. Mr Dylan Safy is an experienced and diligent operator, most importantly he has real knowledge of the area. Successfully operating without incident two existing premises in the most difficult part of the Harehills CIA, as evidenced by the FOI responses.

b. Given the proximity of the stores to his other stores, Dylan will have full management control of this premises he himself being the DPS and a personal licence holder.

c. The sale of alcohol is something that has been requested by his customers to allow them to do a one-stop shop in this mini-market. This is supported by over 200 signatories on a petition. The application itself only being made after the store had traded and Dillon could be certain it was what his customers wanted and after writing to local residents.

d. Pre-application liaison took place with both Responsible Authorities and local residents with a letter drop and an on-site meeting. As per the S182 Guidance and LCC Statement of Licensing Policy.

e. As soon as representations were received from the Council, a further meeting was offered to discuss concerns with those that submitted representations. This is an operator that knows and wants to engage with the local population.

f. An expert witness was employed to look in detail at the representations made and comment on the application area in detail. His report confirmed that street drinking did not take place in the location of the application premises, but street drinking was witnessed in other areas of Harehills. The report summarised that with the appropriate conditions that the premises would be capable to operate whilst still supporting the licensing objectives. The revised offering goes beyond the conditions suggested in his report.

g. There is a comprehensive Operating Schedule that deals with the issues raised in relation to the concerns about Street Drinkers. This includes:

- The display of spirits shall be in an area accessible only by staff.

- No spirits less than 70cl shall be stored or sold from the premises.
- Alcoholic products will be limited to no more than 10% of the available floorspace.
- Comprehensive Staff Training conditions are offered.

h. Most importantly, as per the amended application: "Sales of alcohol will be limited to wines and spirits only. There will be no sale of beers, lagers or ciders." This condition sets this application aside from other applications.

i. This application is specific to the North Harehills MSOA only and is rated as medium. This application site should not be considered under the South Harehills MSOA.

j. In terms of the representations, they are generic to the CIA and not to this specific location, the operator, the premises, or the offering.

k. Should there be issues, we say there will not be any, local residents and responsible authorities alike have the ability to review the premises licence if granted.

Revised Operating Schedule

Please see below a full list of conditions now offered:

1. A suitable closed circuit Television (CCTV) system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will record images to cover all areas of the premises to which the public have access (save for toilets), including any external areas of the premises such as car parks and beer gardens. The CCTV system will 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. At least one member of staff will be on duty at the premises who is capable of operating the system and downloading images recorded by it. These images will be downloaded and provided, on request, to an officer of a responsible authority.
2. 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.
3. The display of spirits shall be in an area accessible only by staff.
4. The display of alcohol will be in a designated area of the premises which is capable of being supervised from the counter area.
5. All areas of the premises to be used for the display of alcohol are marked on the plan. The display of alcohol will not change without the consent of the Licensing Authority by way of a minor variation application to the licence.

~~6. No single cans of beers, lagers or ciders with an ABV of 6.5% or above will be stored or sold from the premises. Signage notifying customers will be displayed at the entrance to the premises and at the point of sale.~~

~~7. All alcoholic products sold from the premises other than wine and spirits, will be marked in a way that can be used to identify that the product has been purchased from the shop.~~

~~8. There will be no sale of cider and lager of 7.5% alcohol by volume (abv) in 1, 2 or 3 litre plastic bottles.~~

9. No spirits less than 70cl shall be stored or sold from the premises.

10. Alcohol products will not accommodate any more than 10% available floor space.

11. The premises licence holder and/or designated premises supervisor will ensure that a written Incident Report register is kept. Any incident which impacts on any of the four licensing objectives shall be recorded in the Incident Log at the premises. The name of the person recording the incident and those members of staff who deal with any incident shall also be recorded. This shall be made available for inspection by a Police Officer or any authorised officer of the Council.

12. The premises licence holder and/or designated premises supervisor will ensure that a written refusals register is kept. All staff involved in the sale of alcohol shall be trained in how to use and maintain the log. The log will contain the following information:

- a) Description of person attempting to purchase alcohol;
- b) Time of attempted purchase;
- c) Reason for refusal;
- d) Name of member of staff dealing with refusal.

13. The log shall be signed off weekly by the Designated Premises Supervisor or nominated representative and shall be made available for inspection to a Police Officer or any authorised officer of the Council.

14. Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:

- Understanding of the four licensing objectives
- The premises age verification policy and operating scheme (Challenge 25)
- Dealing with refusal of sales
- Proxy purchasing
- Identifying attempts by intoxicated persons to purchase alcohol
- Identifying signs of intoxication
- Basics of conflict management

15. Such training sessions are to be documented and refreshed every six months. All training sessions are to be documented in English. Records of training shall be kept for a minimum of one year and be made available to an authorised officer of West Yorkshire Police and Leeds City Council upon request.

16. There premises will have adequate lighting throughout.

17. Noise from plant or machinery operating at the licensed premises, shall be inaudible at the nearest noise sensitive premises.

18. The premises licence holder and/or designated premises supervisor will ensure that litter, including cigarette ends, arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

19. Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents.

20. All deliveries and waste collection services will be between 07:00 hours and 23:00 hours so not to cause disturbance from nearby residents.

21. The age verification policy adopted by the premises, in respect of the sale or supply of alcohol will be Challenge 25, which means that those seeking to purchase alcohol at the premises who appear to be under the age of 25 will be required to provide acceptable evidence (as approved by West Yorkshire Police) that they are 18 years of age (or older) before any alcohol is sold or supplied to them.

Additional Conditions Offered

-Sales of alcohol will be limited to wines and spirits only. There will be no sale of beers, lagers or ciders.

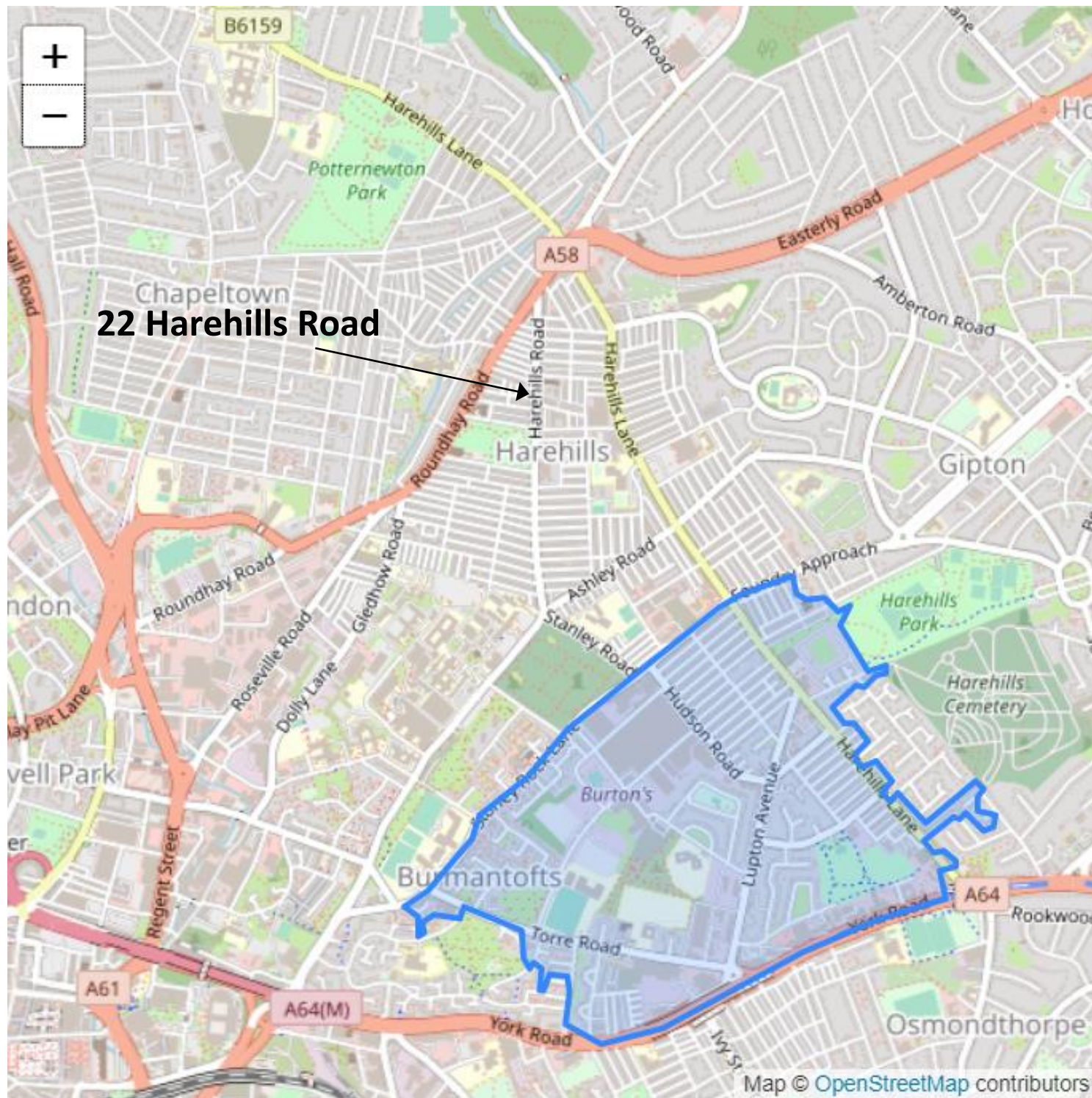
-A daily litter pick will be undertaken on the pavement along the frontage and side of the premises prior to opening.

E02002377 Harehills North



E02002382 Harehills South





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Summary

Reference	PREM/01481/001
Application Type	New
Licence Type:	Premises Licence - New Application
Status	Current Licence
Licence Holder	Mrs Ranjanben Patel
Premises Name	Harehills Post Office And Newsagents
Address	275 Roundhay Road Leeds LS8 4HS
Issue Date	Wed 09 Nov 2005
Received Date	Thu 14 Jul 2005
Case Officer	Mr Anthony Feather

Important Dates

Date Application Received	Thu 14 Jul 2005
Date Application Validated	Tue 11 Oct 2005
Expiry Date for Consultations	
Hearing Date	
Date Issued	Wed 09 Nov 2005
Representation Expiry Date	

No Committee dates are on record.

Opening Hours

Time Period	From	To
Monday	08:00 AM	11:00 PM
Tuesday	08:00 AM	11:00 PM

Wednesday	08:00 AM	11:00 PM
Thursday	08:00 AM	11:00 PM
Friday	08:00 AM	11:00 PM
Saturday	08:00 AM	11:00 PM
Sunday	10:00 AM	10:30 PM

Activities

Activity	Location	Indoors/Outdoors	Alcohol Consumed	Capacity	Time Period	From	To
Sale by Retail of Alcohol		Indoors	Off Premises		Monday to Saturday	08:00 AM	11:00 PM
Sale by Retail of Alcohol		Indoors	Off Premises		Sunday	10:00 AM	10:30 PM

Conditions

Condition	Description
S19 (1) & (2) Licensing Act 2003	<p>No supply of alcohol may be made under this licence</p> <p>a. At a time when there is no designated premises supervisor in respect of the premises licence, or</p> <p>b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</p> <p>Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.</p>
S164 Licensing Act 1964	Alcohol shall not be sold in an open container or be consumed in, the licensed premises.
S60, 63, 86, Licensing Act 1964	Embedded Restrictions in respect of Justices' off licence

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.

b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.

c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

The above restrictions do not prohibit:

a) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

b) the sale of alcohol to a trader or club for the purposes of the trade or club;

Contacts

Contact Type	Licensing Applicants
Name	Mrs Ranjanben Patel
Address	14 Ring Road Shadwell Leeds LS17 8NJ

Contact Type	Licensing Applicants
Name	Mr Anilbhai Patel
Address	14 Ring Road Shadwell Leeds LS17 8NJ

Contact Type	Designated Premises Supervisor
Name	Mrs Ranjanben Patel
Address	Private Address

Additional Information

Ratable Value Band	190
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Cumulative Impact Area. (Y/N)	n
Alcohol Prime Use	YESS
Number of outstanding fees	0
Annual fee amount	180

Related Information

There are 0 cases associated with this licence.

There is 1 property associated with this licence.

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Summary

Reference	PREM/O2532/001
Application Type	New
Licence Type:	Premises Licence - New Application
Status	Current Licence
Licence Holder	Vilnius & L M Limited
Premises Name	Off Licence
Address	273 Roundhay Road Leeds LS8 4HS
Issue Date	Mon 18 Feb 2008
Received Date	Mon 12 Nov 2007
Case Officer	Miss Jane Wood

Important Dates

Date Application Received	Mon 12 Nov 2007
Date Application Validated	Tue 13 Nov 2007
Expiry Date for Consultations	Mon 03 Dec 2007
Hearing Date	Mon 18 Feb 2008
Date Issued	Mon 18 Feb 2008
Representation Expiry Date	

Committee	Meeting Date
Licensing Sub Committee	18 Feb 2008

Opening Hours

Time Period	From	To
Monday	10:00 AM	12:00 AM

Tuesday	10:00 AM	12:00 AM
Wednesday	10:00 AM	12:00 AM
Thursday	10:00 AM	12:00 AM
Friday	10:00 AM	12:00 AM
Saturday	10:00 AM	12:00 AM
Sunday	10:00 AM	10:00 PM

Activities

Activity	Location	Indoors/Outdoors	Alcohol Consumed	Capacity	Time Period	From	To
Sale by Retail of Alcohol			Off Premises		Monday to Saturday	10:00 AM	11:00 PM
Sale by Retail of Alcohol			Off Premises		Sunday	10:00 AM	10:00 PM

Conditions

Condition	Description
All cons	<p>Annex 1 – Mandatory conditions</p> <p>Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-</p> <ol style="list-style-type: none"> a. unauthorised access or occupation (e.g. through door supervision), or b. outbreaks of disorder, or c. damage <p>No supply of alcohol may be made under this licence</p> <ol style="list-style-type: none"> 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.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 – Conditions consistent with the Operating Schedule

The prevention of Crime and Disorder

To operate the 'Check 21' scheme

CCTV to be installed

Alcohol to be stored in sealed containers

Broken glass and open containers to be removed from the premises immediately

An alarm system to be connected and installed to West Yorkshire Police

Incident record book to be maintained

Public Safety

Capacity limits will be set

Public Notice will be displayed regarding fire safety, Health & Safety and Drug Awareness

The prevention of Public Nuisance

No sale of explosives

Noise limits will be set with the help of double glazing and concealed concrete or wooden floors

The protection of Children from Harm

No sale of alcohol will be permitted to under

age children

Notices will be displayed and proof of age identification will be demanded in case of doubt.

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

Not Applicable

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.

Contacts

Contact Type	Licensing Applicants
Name	Vilnius & L M Limited
Address	273 Roundhay Road Leeds LS8 4HS

Contact Type	Designated Premises Supervisor
Name	Mr Linas Marciukonis
Address	Private Address

Additional Information

Number of outstanding fees	0
Annual fee amount	180
Ratable Value Band	190
Cumulative Impact Area. (Y/N)	N
Alcohol Prime Use	YESS

Interested Party Expiry Date	
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Related Information

There are 0 cases associated with this licence.

There is 1 property associated with this licence.

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