

Licensing Sub-Committee

Tuesday, 16th January, 2024

PRESENT: Councillor I Wilson in the Chair

Councillors N Buckley and S Holroyd-Case

1 Election of the Chair

RESOLVED – That Councillor I Wilson be elected as Chair for the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

There were no late items. Supplementary information had been published in relation to the following items.

Agenda Item 6, Certification of a Film – Lily Topples the World

Agenda Item 7, Review of the Premises Licence for Mama Rose Food and Wine, 23 Compton Road, Burmantofts, Leeds, LS9 7BJ

Agenda Item 9, Application to Transfer a Premises Licence for Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

Agenda Item 10, Application to vary a Premises Licence held by Papa Johns, 54 Austhorpe Road, Cross Gates, Leeds, LS15 8DX

5 Declaration of Interests

There were no declarations.

6 Certification of a Film – Lily Topples The World

The report of the Chief Officer, Elections and Regulatory presented an application for the certification of a film, Lily Topples the World which is to be screened at Headingley Heart on 27 January 2024.

Members of the Sub-Committee had opportunity to view the film prior to the meeting and a synopsis of the film was detailed in supplementary information to the agenda.

A PG Certificate had been requested.

RESOLVED – That the film, Lily Topples the World be granted a PG certification.

7 Review of the Premises Licence for Mama Rose Food And Wine, 23 Compton Road, Burmantofts, Leeds, LS9 7BJ.

The report of the Chief Officer, Elections and Regulatory informed the Sub-Committee that West Yorkshire Police had served an application under Section 51 of the Licensing Act 2003 for a review of a premises licence in respect of Mama Rose Food and Wine, 23 Compton Road, Burmantofts, LS9 7BJ.

The following were in attendance:

- PC Andy Clifford, West Yorkshire Police
- PC Neil Haywood, West Yorkshire Police
- Carmel Brennand, Entertainment Licensing
- Chetna Patel, Public Health
- Councillor Asgar Ali, Local Ward Councillor
- Chris Rees-Gay, Woods Whur
- Hekmat Redini, Mama Rose Food & Wine
- Blind Naamani, Mama Rose Food & Wine
- Nicola Raper, Entertainment Licensing (Observing)
- Victoria Radford, Entertainment Licensing (Observing)

Prior to the start of the hearing, the applicant's representative requested an adjournment under Regulation 20 of the Licensing Act as an application to transfer the Licence had been submitted and there was also a formal sale agreement for the business. It was felt that should similar representations be made following the transfer and sale then an additional hearing would have to be held and an adjournment would avoid any duplication. Following discussion with the Sub-Committee's legal adviser, it was confirmed that the request would be made under Regulation 12.

West Yorkshire Police, Entertainment Licensing, Public Health and the Ward Councillor requested that the hearing should be held and there were concerns regarding the change of the licence holder and Designated Premises Supervisor, and the sale of the business. There was concerns that information in the documentation regarding the sale of the business was contradictory. The applicant's representative concluded that there was an error in this documentation and that it would be amended.

The Sub-Committee adjourned to consider the request for an adjournment.

RESOLVED – That the request to adjourn the hearing be granted. The Sub-Committee to reconvene on Thursday, 8 February 2024.

8 Application to vary a premises licence held by Mama Rose Food And Wine, 23 Compton Road, Burmantofts, Leeds, LS9 7BJ, to specify an individual as designated premises supervisor

The application was withdrawn prior to the hearing.

9 Application to Transfer a Premises Licence for Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

The report of the Chief Officer, Elections and Regulatory presented an application to transfer a premises licence for Biedronka, 225 Roundhay Road, Leeds, LS8 4HS.

The following were in attendance:

- PC Neil Haywood, West Yorkshire Police
- Carmel Brennand, Entertainment Licensing (Observing)

- Councillor Asgar Ali, Local Ward Councillor (Observing)
- Nicola Raper, Entertainment Licensing (Observing)
- Victoria Radford, Entertainment Licensing (Observing)

The application had been made to transfer the Premises Licence to specify Aziz Mohamed Ahmed as the licence holder. A representation had been made by West Yorkshire Police objecting to the transfer due to a pending review of the Premises Licence and the sale of illicit tobacco and counterfeit goods from the premises.

The applicant was not in attendance.

The West Yorkshire Police representative addressed the Sub-Committee. Issues highlighted included the following:

- There was a history of sales of counterfeit and illicit goods from the premises. These goods had not been subject to the necessary safety regulations and presented a risk to public safety as well as the involvement of criminal activity.
- There had been recent operations by West Yorkshire Trading Standards that had resulted in the seizure of illicit cigarettes and tobacco. On one occasion a packet of cigarettes had been sold for the price of £4 which should not be possible in the UK due to duty costs. Illicit cigarettes had been stored in a car outside the premises in an attempt to avoid detection.
- The application to transfer had been submitted on 30 November 2023 and had been requested with immediate effect. The most recent operation by Trading Standards had been carried out on 12 December 2023 which indicates the applicant's involvement in the running of the premises.
- There had been an application in 2019 which stated the applicant as a partner, indicating he was linked with the business when other illegal activities had occurred.
- It was felt that the applicant was not a fit and proper person to be a licence holder and it was requested that the application be refused.
- There had been a pattern of criminal behaviour at this and other stores in the area. This had led to lots of transfer applications and it was felt that this was being done to frustrate the review process.

The Sub-Committee carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and made at the hearing and also the Statement of Licensing Policy.

RESOLVED – That the application be refused.

10 Application to vary a premises licence held by Papa Johns 54 Austhorpe Road, Cross Gates, Leeds, LS15 8DX

The application was withdrawn prior to the hearing.