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**Elections, Licensing & Registration**  
Civic Hall  
Leeds LS1 1UR

Our Ref: A80/MW/LIC/PREM/03724/002

Your Ref:

Contact: Michael Waters

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Fax: [REDACTED]

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Date: 1<sup>st</sup> March 2018

Dear Sir,

**RE: BEST KEBAB 48-50 WESTGATE OTLEY LS21 3AS.**

**APPLICATION FOR A VARIATION OF A PREMISES LICENCE – LICENSING ACT 2003:**

**LICENSING AUTHORITY LETTER OF REPRESENTATION – OBJECTION:**

Thank you for submitting your application for the above premises, received at the address above on the 22<sup>nd</sup> February 2018.

The Licensing Authority is of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives. We therefore confirm that we are submitting a formal representation against your application on the grounds of:

- 1.The prevention of crime and disorder
- 2.The prevention of public nuisance
- 3 Public Safety

The current Premises Licence PREM/03724/001 authorises Best Kebab to provide Late Night Refreshment on the following days:  
Sunday to Thursday: 23:00 to Midnight  
Friday & Saturday: 23:00 to 00:30

Further to complaints received from members of the public and Elected Members, Licensing Enforcement Officers, through enquiries made, found the premises to be providing unauthorised late night refreshment beyond the current permitted licensed hours on a number of occasions. Despite warning letters having being sent and meetings held with the operator, further licensing breaches have been witnessed.

Also, the premises operator failed to comply with the requirements of the Licensing Act in respect of two recent Temporary Event Notices (TEN) notified by them in that one of the TEN's, a 'late' TEN was issued a Counter Notice following a formal representation made by the West Yorkshire Police. Despite the Counter Notice being issued the premises exceeded their permitted licensed hours on both 23<sup>rd</sup> & 24<sup>th</sup> December 2017 by providing late night refreshment after 0030 on the 23<sup>rd</sup> December 2017 and after Midnight on 24<sup>th</sup> December 2017.

They again exceeded their permitted licensed hours on 1<sup>st</sup> January 2018 by providing late night refreshment after midnight on 1<sup>st</sup> January 2018 after withdrawing a TEN for that day.

In addition, the Premises Licence Holder, Sajid Khan has failed to comply with conditions 1-3 (CCTV) of their existing Premises Licence. Mr Khan had agreed to install a Closed Circuit Television System (CCTV) in accordance with West Yorkshire Police Guidelines at the hearing in March 2016. Following an incident of disorder outside the premises at 2am on 5<sup>th</sup> November 2017 it was found that the CCTV system had not been installed. The system was to be provided for the protection of customers and staff. The effect of not having the CCTV system meant that persons involved in the incident could not be quickly identified.

The premises were last visited by Licensing Enforcement Officers on 16<sup>th</sup> February 2018 and the CCTV system that was initially agreed in March 2016 was still not operational.

The Licensing Authority feels that any increase in the permitted hours for Late Night Refreshment would compromise the above objectives and subject properties in the area to nuisance over an extended period. The Premises Licence Holder's inability to comply with the permitted hours on the existing licence is unlikely to result in them complying with the proposed extended hours.

We respectfully request that the Licensing Sub-Committee considers our representation prior to coming to a decision on the application.

Yours faithfully

Michael Waters  
Senior Liaison & Enforcement Officer  
Entertainment Licensing