

Licensing and Registration

Civic Hall
Leeds LS1 1UR

Private & Confidential

Rezan Osman
2 – 4 Town Street
Armley
Leeds
LS12 3AB

Contact: Susan Holden
Tel: 0113 378 5331
Fax: 0113 336 7124
Email: susan.holden@leeds.gov.uk
Your ref:

9th March 2018

Dear Mr Ozman

Krol Mini Market, 2 – 4 Town Street, Armley, Leeds, LS12 3AB
Application for a premises licence under the Licensing Act 2003
Licensing Authority Letter of Representation

Thank you for submitting your application for a premises licence for the above premises.

The area in which the subject premises is located is within a cumulative impact area. Specifically your application falls within Area 6 – Armley. In this area it is the council's policy, on receipt of relevant representations, to refuse all applications (new and variation) for premises licences which authorise the sale of alcohol for consumption off the premises in the CIP area unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

I refer you to 7.67 to 7.70 of the Policy which describes how, when considering the presumption against grant in a CIP area, the council will need to be satisfied that the grant of this variation will not impact on the cumulative impact of existing licensed premises in the area. It will be for you to advise the council how your application would allow Members to make an exception to the policy.

I note that your application is for a convenience store selling continental food and the sale of alcohol from 9am to 10pm every day. Your opening hours will be 8am to 12pm every day. You have offered CCTV, a challenge 25 scheme and you have stated you will not sell alcohol to people under the influence of alcohol.

Your application does not refer to how you will address the problems being experienced on Armley Town Street which are clearly described in the Statement of Licensing Policy. I refer you to paragraphs 7.52 to 7.66. These 14 paragraphs explain the problems being experienced in the area and they are the reason why this area is included in the cumulative impact policy.

I also refer you to 7.69 of the Policy which describes examples of factors the licensing authority will not consider as meeting the standard of rebuttal include:

- That the premises will be well managed and run as all licensed premises should meet this standard.
- That the premises will be constructed to a high standard.
- That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint.

Bearing in mind the severity of the problems being experienced in the area, with this area suffering from issues with people drinking on the street and causing disorder and anti-social behaviour issues, the Licensing Authority is of the opinion that your application does not contain sufficient information about how granting your licence would not add to the impact already being experienced in the area.

Therefore the licensing authority submits a formal representation to your application on the grounds of the prevention of crime and disorder, public safety and public nuisance and will recommend to the licensing sub-committee that this application is refused.

Should you have any questions, please contact us.

Yours faithfully

Susan Holden
Principal Licensing Officer
Entertainment Licensing

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Leeds District Licensing Department

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9th March 2018

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

cc. Rezan Osman - Krol Mini Market 2-4 Town Street, Armley, Leeds LS12 3AB

RE: KROL MINI MARKET – 2-4 TOWN STREET ARMLEY LEEDS LS12 3AB.
NEW PREMISES LICENCE – LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘FULL’ OBJECTION – ARMLEY CIP:

Thank you for submitting your application for a new premises licence to the address above, which we received originally by post on 17th January 2018.

West Yorkshire Police make representations to your application for a new premises licence, to promote the licensing objectives and based on the cumulative impact policy (CIP) for Armley.

The full details of the Armley CIP, can be found within the current ‘2014-2018 Statement of Licensing Policy’ of Leeds City Council, from paragraphs 7.52 to 7.66.

Looking at this application under normal circumstances on its individual merits, with the exception of a few uncertainties and having to make one or two further enquiries, which shouldn’t actually inhibit its progress, what is applied for here in terms of licensable activities, the hours they will be conducted, and how the licensing objectives will be promoted, isn’t unfamiliar with any other application of its type.

However, in terms of a CIP and in this case Armley specifically, there lies the problem.

This application and how it has been presented to all concerned, is essentially no different in terms of conducting licensable activities and proposed measures to promote the licensing objectives, compared to any of the other existing licensed premises, upon which the Armley CIP was founded.

This application mirrors in most respects, what is already allowed with existing licensed premises in the area concerned, which brought about the problems associated with the Armley area initially, and then instigated the necessary process, which in the end produced the Armley CIP.

In other words, an application-

- To supply alcohol for consumption ‘off’ the premises only,

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- For the hours applied for – every day 0900-2200, but to open every day 0800-0000,
- Offering an array of CCTV conditions – (notwithstanding some of which are irrelevant in this case), and,
- Other recognisable measures offered as conditions of the licence to promote the licensing objectives,

as is the case with this application, provides nothing fundamentally different to what already applies to licensed premises in this area, which are essentially responsible for the problems of disorder and anti-social behaviour associated within the area of the Armley CIP.

Further and probably most importantly in a case like this, the applicant has hardly, if at all, addressed what is required in making an application in an area of this nature, and as required by some of the identified paragraphs of the current 'Statement of Licensing Policy', specifically in relation to the Armley CIP.

For instance-

- Paragraph 7.62 of the policy – refers to street drinkers causing problems of disorder and anti-social behaviour from strong and cheap alcohol purchased from mainly smaller independently owned premises.
The plan submitted with this application implies a premises within this category, but the applicant has failed to address this particular issue in the application.
- Paragraph 7.63 of the policy – nothing has been done with this application, to challenge the "common sense" view of adding another licensed premises to this area in the same terms, a view still supported by West Yorkshire Police, and lastly
- Paragraph 7.65 (& 7.67) of the policy – the applicant has done nothing here to address these paragraphs either!
No measures have been proposed, which will be of benefit to, or improve the immediate area.
Put another way, nothing is included in this application, to dispel the view that the premises will do nothing more, than add to the problems which already exist on Armley Town Street, if the application is granted.

Therefore in these circumstances, West Yorkshire Police has no alternative but to ask a presiding sub-committee at a forthcoming hearing with regards to this application, to refer to paragraph 7.64 of the same 'Statement of Licensing Policy', and refuse it outright.

Bob Patterson
Leeds District Licensing Officer
West Yorkshire Police

Date: 9th March 2018

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