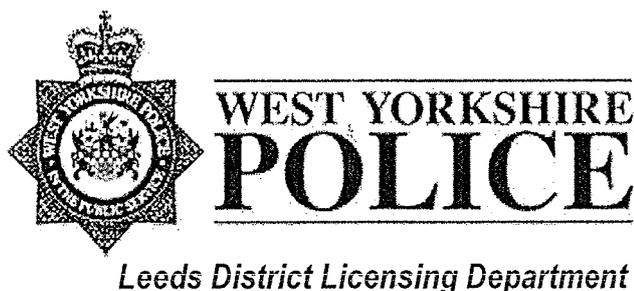


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Leeds District Licensing Department
Leeds District HQ
Elland Road
Leeds
LS11 8BU

T: 0113 – 385 9413
E: bob.patterson@westyorkshire.pnn.police.uk
W: www.westyorkshire.police.uk

23rd August 2018

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

RE: **GROCERY STORE PREMISES @ 223 DEWSBURY ROAD LEEDS LS11 5HZ.
NEW PREMISES LICENCE – LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for a premises licence at the above address, which we received on 27th July 2018.

West Yorkshire Police are 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 & disorder
2. the prevention of public nuisance, and
3. the protection of children from harm.

However, West Yorkshire Police are also of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule, in **addition** to what you may have offered in your application.

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in agreement with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible. Upon receipt of your consent at **Part 2**, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

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Alternatively should you disagree with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible.

PART 1 - to be completed by the Responsible Authority:

West Yorkshire Police propose the following control measures under the Licensing Act 2003 (in addition or as alternative wording to those that you may have already offered), for the premises:-

**GROCERY STORE PREMISES @
223 DEWSBURY ROAD
LEEDS
LS11 5HZ.**

and for the following reasons:-

This application is for premises which will fall within the areas of Leeds covered by Leeds City Council's "Local Licensing Guidance" for South Leeds, which is easily accessible on their website.

This guidance document is based on certain licensable activities, and then the effect of these on the licensing objectives, which are fundamental to Licensing Act 2003.

The document specifically highlights as a real concern, premises with the authority to sell alcohol for consumption off the premises, when such activities are then linked to violent and domestic crime, drunkenness and general anti-social behaviour, in this area of Leeds.

There are already a high concentration of premises in this area, authorised for the same licensable activities as are being applied for here, but, with the exception of only one premises in the same vicinity, none are authorised for twenty four-hour sales.

The concerns highlighted in the 'South Leeds Guidance' are still relevant today, and it therefore continues to be a legitimate document for the licensing authority and responsible authorities to refer to, when dealing with applications and their effects on the licensing objectives, particularly where applications are for similar premises highlighted as being a major source of the problems in this area, as is the case here.

From an applicant's point of view, the 'South Leeds Guidance' should place an additional onus on the applicant to consider the effects of an application in this area of Leeds, over and above making the same application in other areas not experiencing the same problems.

The 'South Leeds Guidance' provides a 'Proforma Risk Assessment' for applicants to include in the operating schedule of their application.

This risk assessment was not included with this application received by the police on this occasion, nor, I am led to believe, with the application made to all others required to be served – (although I do believe the Guidance with the risk assessment has since been forwarded to the applicant by the licensing authority).

With respect, it is the opinion of West Yorkshire Police that the applicant in this case, has given very little consideration to this guidance, if at all, before making this application.

In addition, the application for twenty-four hour sales throughout the week further accentuates this point.

Having now considered this application on the points raised above, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objectives:-

- the prevention of crime & disorder
- the prevention of public nuisance

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- the protection of children from harm.

The final measure requested by the police in this instance, has been openly accepted by shop owners on a number of occasions before as a condition, predominantly with applications for twenty-four hour sales, and including where premises are situated in other areas of Leeds, but which have similar "Local Licensing Guidance" to that in South Leeds.

The measure / condition is clearly to promote the licensing objectives anyway, but especially in areas such as South Leeds, and further, there are no reports so far, that the condition has failed to achieve its aim, nor that the business premises it applies to, have been curtailed in any way anywhere in Leeds.

In these circumstances and with this application in this area, West Yorkshire Police do not think it unreasonable to request this as a condition again on this occasion – (also to be covered by CCTV).

Measures / Additional measures proposed:

- 1) - ALL the measures offered by the applicant on page 12 & 13 of the PREM 1 at Section M, but particularly those under the 'prevention of crime and disorder' and the 'protection of children from harm' banners.**
- 2) - ALL the measures contained within the 'Risk Assessment Proforma' of Leeds City Council's "Local Licensing Guidance" for South Leeds, specifically:-**
 - 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.
 - The display of alcohol will be in a designated area of the premises which is capable of being supervised from the counter area.
 - The display of spirits shall be in an area accessible only by staff.
 - The display of high-strength beers, ciders and lagers of 7.5% alcohol by volume (ABV) or higher will be in an area accessible only by staff.
 - There will be no sale of cider and lager of 7.5% alcohol by volume (ABV) in 1, 2 or 3 litre plastic bottles.
 - All areas where alcohol is displayed shall be covered by CCTV.
- 3) – Finally, two additional measure to read as follows-**
 - From 0000 until 0700 every day, the general store will be closed to the public for the sale of all goods, which must then only take place through a serving hatch / window counter, including the sale / supply of alcohol.
 - The serving hatch / window counter will also be covered by the premises CCTV system, whenever it is being used.

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures within the Operating Schedule for the said premises.

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

Bob Patterson
Leeds District Licensing Officer
West Yorkshire Police

Date: 23rd August 2018

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PART 2 – to be completed by the applicant or applicant’s representative:

Consent for all proposed control measures under the Licensing Act 2003.

Name & Address of Premises:
GROCERY STORE PREMISES @
223 DEWSBURY ROAD
LEEDS
LS11 5HZ.

I Ahmad Ibrahim

confirm that I am the applicant for the premises as stated above.

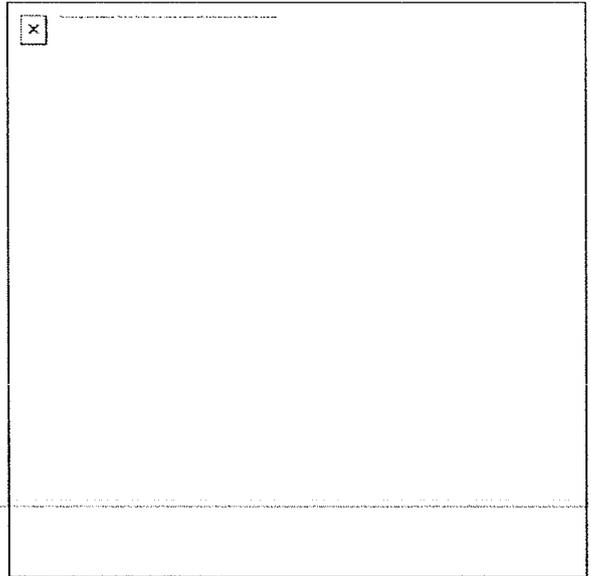
In signing this document:-

- I agree with the measures proposed by West Yorkshire Police,
- I provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises, and furthermore,
- I confirm the premises will then operate in accordance with those measures agreed to.

Signed: *A.Ibrahim*

Dated: 23/08/18

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Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS

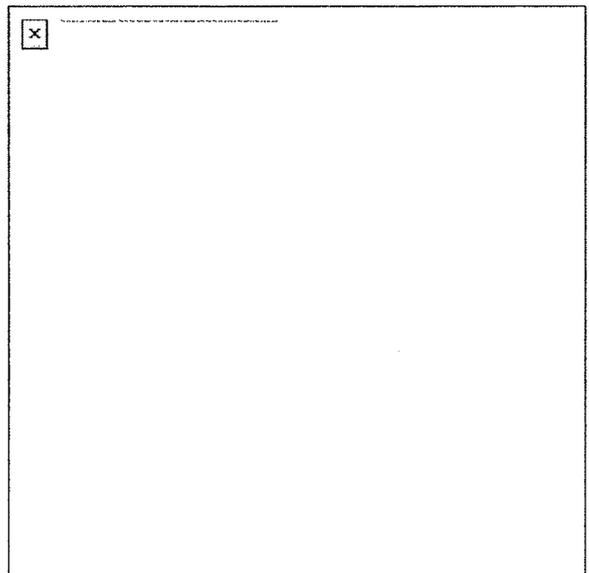
Contact: Ms Jessica Deighton
Tel: 0113 336 7783
jessica.deighton@leeds.gov.uk
Our reference: PREM/04217/001
22 August 2018

Dear Mr Ibrahim

Licensing Act 2003

Name and Address of Premises: 223 Dewsbury Road, Hunslet, Leeds, LS11 5HZ,

We refer to your licensing application for the above premises. We believe you have not given enough information about how you intend to meet a licensing objective, which is to prevent public nuisance. We therefore submit a formal objection to your application that includes information specifically associated with the premises and the area .



www.leeds.gov.uk

general enquiries 0113 222
4444

You could meet the objective by agreeing to certain measures that we suggest are reasonable and relevant to your application. Please see part 1 of the enclosed document.

If you agree with the measures please complete and sign part 2 of the enclosed form and return it to us as soon as possible. Once we receive the form we will take it that you wish the licensing authority to amend your operating schedule to include those measures as conditions on the licence. If you disagree with the suggested measures then please complete part 3 and return it to us as soon as possible.

If you feel we should consider anything else or you have any questions please do not hesitate to contact us.

If the opening hours you propose under this application differ to those on the current planning approval then you should also apply to Planning Services to vary the hours. If you operate without planning permission you may have not met the relevant planning condition. You can contact Planning Services on 0113 222 4409.

Yours sincerely

Environmental Action Officer

PART 1

To be completed by the responsible authority

Leeds City Council's Environmental Action Service

Proposed Controlled Measures under the Licensing Act 2003

Name and Address of Premises: 223 Dewsbury Road, Hunslet, Leeds, LS11 5HZ,

The premises has formerly been a hair dressers, this is the first application for a licence at this address. The premises is along a row of shops in a busy suburb of the city. There are many other convenience stores in the area, the majority of which have opening times between 08.00am and midnight. There is one other store on this stretch of road that has 24 hour opening times, however has restricted times for sale of alcohol.

The premises has a residential premise above the property and above neighbouring businesses, there is also residential properties on the other side of the road approximately 50m away.

Having considered the application under the Licensing Act 2003 for the above premises, we consider that the following measures are relevant and reasonable in order to meet the following aim of the licence:

- Prevention of public nuisance

The applicant has applied for a 24 hour licence however the Environmental Protection has concerns that a 24 hour licence would have a negative impact on the local residents, particularly in the early hours of the morning.

The Environmental Protection Team instead suggests opening times:
07:00 - 00:00 Monday –Thursday

07.00 – 00.30 Friday-Saturday
09.00 – 23.00 Sunday

Noise and Vibration

1. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.

Transport / Pedestrian Movement

2. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

Signed:

Dated: 22/08/2018

PART 2

To be completed by the responsible authority

**Leeds City Council's Environmental Action Service
Proposed Controlled Measures under the Licensing Act 2003
Name and Address of Premises: 223 Dewsbury Road, Hunslet, Leeds, LS11 5HZ,**

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

~~In signing this document I / we agree with the measures proposed by Leeds City Council's Environmental Action Service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.~~

Signed:

Dated:

PART 3

Name and Address of Premises: 223 Dewsbury Road, Hunslet, Leeds, LS11 5HZ,

I / We

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council's Environmental Action Service.

In this instance we understand that Leeds City Council's environmental action service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

Environmental Protection Team
Leeds City Council
Millshaw Park Way
Leeds
LS11 0LS