



Leeds

CITY COUNCIL

Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/SJL/LIC/PREM/04262/001

Your Ref:

Contact: Samantha Longfellow-Peniket

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Date: 21st November 2018

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Dear Sirs

Application for the Grant of a Premises Licence: Juicy Gossip, 5 Briggate, Leeds LS1 4AF.

Please find below a representation to the application for a Premises Licence for the above mentioned premises under the Licensing Act 2003 on behalf of the Licensing Authority.

The area in which the subject premises is located is within a cumulative impact area. It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in this area for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Specifically your application falls within the red area of the City Centre CIP. As stated at 7.20 of the Statement of Licensing Policy 2014 to 2018 the council will seek to refuse all applications in these red areas on the basis that the impact on the licensing objectives are at such a level that the area cannot support any more premises opening or extending their operation no matter how impressive the concept or application is.

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 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.

I note that the application is for late night refreshment to 5am, 7 days a week.

You have provided a number of measures in Section M of the application that you believe address the issues operating a late night establishment in this area may experience. These are:

- CCTV
- 2 door supervisors Friday's & Saturday's
- BACIL Radio
- Staff training on Environmental Health requirements
- Signs at exits asking customers to discard rubbish responsibly
- Staff to be instructed to periodically clear litter from the street around the premises

Late night refreshment applications are considered within scope of the CIP as they add to the cumulative impact of licensed premises in the area. Instead of dispersing away from the area, late night takeaways hold people in areas where there is already an accumulation of people. This area already suffers from an accumulation of people, most of whom are in drink, and who already have a significantly negative impact on the licensing objectives. Providing a takeaway in this location would not reduce the cumulative impact of licensed premises in the area but increase it.

Bearing in mind the severity of the problems being experienced in the area with this area suffering from the highest levels of violent crime and disorder incidences in the city centre, with an increase in the last 12 months of over 17% in this area, the Licensing Authority is of the opinion that despite your application offering a number of measures it still does not contain sufficient information about how your proposed business would not add to the impact already being experienced in the area.

The licensing authority requires good quality applications for any part of the city centre, as per the Statement of Licensing Policy (paragraphs 7.20 to 7.22), and to assist prospective applicants the licensing authority provides a cumulative impact assessment and a risk assessment proforma to guide them in proposing measures that mitigate against the issues being experienced in the area. Although this application includes some measures it does not adequately address the issues of how an area which is already suffering from the number of people using it, between 11pm and 5am, would not be impacted by a new premises whose customer base are those very people.

Further to complaints received from members of the public, Licensing Enforcement Officers, through enquiries made, found the premises to be providing unauthorised late night refreshment beyond 23:00hrs on a number of occasions. Despite warning letters having been sent to the premises by the Licensing Authority, further licensing breaches have been witnessed. On Saturday, 13th October 2018 at 1.30am officers attended at the venue and found the premises open and operating. Licensing Enforcement Officers witnessed the sale and supply of hot food at the time of the visit. It was busy with customers at the time of our visit. The applicant, Mr Ahmed, was found to be both rude and obstructive towards Licensing Enforcement officers and police officers during the visit. The applicant has continued to operate *selling hot food* without the benefit of a licence authorisation as recently as the early hours of the Sunday, 4th November 2018. This is after the applicant submitted their application for a new premises licence.

The applicant has persistently and blatantly operated beyond 11pm without the appropriate authority being in place despite compliance visits by Licensing Enforcement Officers and giving both verbal and written advice. This casts serious doubts with the confidence in management in

upholding the Licensing Objectives, should they be successful in their application for a premises licence.

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

Yours faithfully

Mrs Samantha Longfellow-Peniket
Senior Liaison & Enforcement Officer
Entertainment Licensing