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Entertainment Licensing  
Leeds City Council  
Civic Hall  
LEEDS  
LS1 1UR

**SENT BY EMAIL**

Our Ref: PBC/226  
5 February 2021

Dear Sirs/Madam

**Re: Tesco Store, Unit 1, Portland Crescent, Leeds LS1 1UR – Application for a new Premises Licence –  
OBJECTION Representation by Academy Music Group Ltd**

We are instructed by Academy Music Group Ltd who are the operators and Premises Licence holders of the O2 Academy, 55 Cookridge Street, Leeds LS2 3AW, which is in very close proximity to the proposed Tesco Store.

Our clients wish to object to the application made by Tesco Stores Ltd for a new Premises Licence at Unit 1, Portland Crescent, Leeds LS1 1UR. The grounds of objection are that the application, if granted, will fail to promote the prevention of crime and disorder and public nuisance licensing objectives.

The O2 Academy is a very well-established venue for gigs and club nights and has been trading now for over 12 years. The venue is licensed to operate licensable activities until 04.00 Monday to Thursday and 06.00 Friday to Sunday and the licence includes a comprehensive set of conditions to address matters relevant to the four licensing objectives, including implementation of event risk assessments; stewarding requirements; CCTV provision and customer searches on entry.

The proposed Tesco Store will be situated to the rear of the O2 Academy on Portland Crescent, which is used as an area for customers queuing before entering the O2 Academy venue. The particular concern of our clients is that the addition of a new off-sales outlet in such close proximity to the O2 Academy, licensed from 06.00 to 12 midnight each day, will inevitably cause considerable difficulties to our clients in managing Tesco customers who choose to drink alcohol whilst queuing to enter the O2 Academy venue, or try to secrete alcohol they have purchased from the Tesco Store whilst seeking entry to the club.

As part of their operating policies and risk assessments, our clients employ security staff to manage and control queues and customers wishing to enter the venue. It is submitted that, if the application is granted, the additional burden of identifying and confiscating alcohol; depositing of bottles or cans and the identification of under-age drinkers, which may be via proxy-sales by Tesco customers, will be onerous for our clients and likely to lead to unwelcome crime and disorder incidents.

Furthermore, the proposed opening time in the Tesco application of 06.00 for alcohol sales coincides with the finish time for licensable activities on Thursday to Sunday at the O2 Academy venue. In our submission, the availability of purchasing alcohol from a licensed store in very close proximity in the early hours of the morning will act as a magnet for some and do nothing to assist in the quiet and orderly dispersal of customers away from the venue at the end of the night's entertainment. Our clients would not have any legal responsibility for controlling customers of Tesco who purchase alcohol in the early hours of the morning, or at any time for that matter, but they are genuinely concerned that any behavioural problems or littering associated with Tesco customers hanging around the store will attract unwarranted blame in their direction.

The proposed Tesco premises fall within the licensing authority's City Centre Cumulative Impact Area as identified by the cumulative impact assessment and, as such, there is a presumption of refusal if relevant representations are received. Applicants for new licences are expected, under Paragraph 7.33 of the Policy, to identify through the risk assessment process (if used) and the operating schedule the steps intended to be taken to demonstrate that the new licence will not add to the impact already being experienced.

In our submission, the information contained in the operating schedule of the application is very sparse on details as to what steps will be taken to address any of the concerns raised in our client's representation and we would respectfully request that the application is therefore refused.

If, despite our representations, the licensing sub-committee is satisfied that it is appropriate to grant the application, we would respectfully request the following terms and conditions are imposed which will help address to some degree our client's concerns in relation to this matter:

1. The operating hours are restricted to a start time of 07.30 and a finish time of 22.00 each day.
2. That SIA licensed security are employed at the premises from 19.00 until closure with specific responsibility to identify under-age sales including proxy sales and to manage the control of customers immediately outside the store.

We would be obliged if the licensing sub-committee could give due consideration to the matters we have raised in this representation on behalf of our clients [REDACTED]

Yours faithfully

[REDACTED]