

## Nelson, Matthew

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**From:** Paul [REDACTED]  
**Sent:** 27 June 2022 16:53  
**To:** Clifford, Andrew; Entertainment Licensing  
**Cc:** [REDACTED]  
**Subject:** Re: Representation Eko Bar and Grill  
**Attachments:** Rep EKO.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Dear PC Clifford

We are in receipt of your representation against our application for a premises licence (as attached) for which we thank you. I wonder, however, if you could provide some clarification further to its contents in order that we may properly respond to it? Your representation appears to be based upon the conduct of previous occupants of the premises rather than upon any wrong-doing by the applicant Mr Awodipe, who, as you know, has yet to occupy the premises. Your representation (attached) states (emboldened clauses mine):

- **There is still a clear link between yourself, this bar and Mr HAYDARAN.** Previous evidence shows **this will result in offences under the licensing act** which then directly impacts public safety, public nuisance and crime/disorder.

I'm not sure I fully understand the logic upon which this rationale is based. If I purchased a second-hand car and the two previous owners had committed traffic offences while driving it does it mean that *this will result* in me committing similar offences? Your representation appears to have made no assessment of the application nor how Leeds Police are of the view that the steps we propose to take to promote the licensing objectives would lead to the offences under the Licensing Act 2003 to which the representation alludes, but does not actually identify.

Mr Haydaran is the freeholder of the property. Mr Awodipe is his current tenant. This is the link to which your email refers: landlord/tenant. Mr Awodipe is bound by his tenancy agreement with his landlord; other than that Mr Awodipe will run his business as he sees fit without any input from his landlord. The fact that two previous tenants may have ignored the parameters of the attendant premises licences they held cannot lawfully be held against Mr Awodipe. As I am sure you will already have checked on the PNC database Mr Awodipe has no criminal record so I'm not sure why Leeds Police has put in writing that offences committed by two individuals unconnected to Mr Awodipe, *will result* in offences being committed by Mr Awodipe, who is a law-abiding citizen seeking to lawfully start a business in Leeds. I don't claim to be an expert on such matters but defaming Mr Awodipe in writing via email to multiple recipients is likely to constitute libel.

I have copied in the licensing authority to this email and I request that the licensing authority provides us with confirmation with regard to whether it is prepared to accept the Police representation against our application bearing in mind the following matters:

- the Police representation contains no assessment of the application

- the Police representation provides no evidence to suggest that the steps we have proposed in section M have the potential to lead to licensing objective failures
- the Police representation is based entirely upon the alleged misdeeds of two previous tenants of the property who are unconnected to the applicant for this licence, Mr Awodipe
- the Police representation is potentially libellous and therefore cannot lawfully be published in any hearing agenda which may or may not result and cannot be made available for public scrutiny

I would appreciate it if the assessment of this representation is also referred to Leeds Council's senior legal officer as the Police position is that the application should be refused rather than modified. This leaves us with no grounds further to mediation. Of course, if Leeds LA's position is that the representation is valid and relevant we will need to seek further legal advice with regard to the representation's contents so we would appreciate an early response to this request.

Many thanks

Kind regards

Paul Jones  
Licensing Consultant  
Innpacked

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**From:** Clifford, Andrew [REDACTED]  
**Sent:** 27 June 2022 15:22  
**To:** Paul [REDACTED] >; entertainment.licensing@leeds.gov.uk <entertainment.licensing@leeds.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Representation Eko Bar and Grill

Good afternoon,

Please find attached my representation in relation to the application for a premises licence at 486 Harehill's Lane.

Regards

Andy

PC [REDACTED] CLIFFORD  
Leeds District Licensing Department  
Elland Road Police Station

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