



Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/JW/LIC/PREM/05079/001

Your Ref:

Contact: Miss Jane Wood

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Date: 23 March 2023

Dear Licensing Authority

APPLICATION FOR A NEW PREMISES LICENCE – LICENSING ACT 2003:
PREM/05079/001- BIG BITE, 5 BRIGGATE, LEEDS, LS1 4AF

LEEDS CITY COUNCIL LICENSING AUTHORITY – LETTER OF REPRESENTATION

The Licensing Authority received the above premises licence application on 23rd February 2023, the applicant being Mr Akhlaq Hussain of [REDACTED]

The Licensing Authority ('the authority') formally submits a representation objecting to the licence application outright as it is of the opinion that the application is likely to undermine one or more of the following licensing objectives.

- The prevention of Crime and Disorder
- Public Safety
- The prevention of Public Nuisance
- The protection of Children from Harm

The Authority received a complaint from a member of the public that the premises were operating without the correct authorisation in place namely a Premises Licence or a Temporary Event Notice. That on 20th November 2022 at approximately 03:00 hours, it is alleged that hot food was served to a customer at the above-named premises.

On 9th December 2022, officers from West Yorkshire Police attended the premises at 23:25 hours. Video evidence was captured by the attending Police Officer's body worn camera; footage of a customer being served hot food. It was also noted by officers that food was being kept warm on the premises serving counter. It was confirmed to staff by the attending officers, that the correct authorisation to sell hot food or drink was not in place at the time of their visit. Therefore, the premises were found to be in breach under section 136 of the Licensing Act 2003 by conducting unauthorised licensable activities from the premises without the benefit of a Premises Licence or Temporary Event Notice authorisation.



Further enquiries also revealed that the premises known as Big Bite, 5 Briggate, Leeds, LS1 4AF continue to advertise online sales of hot food or drink for delivery and collection from 16:00 until 05:30 hours daily.

In addition to the above recent breach, the previous operator at the premises Mr Mahboob Hussain, was found to be guilty of offences under Section 136 of the Licensing Act 2003. The case was heard at Kirklees Magistrates Court on the 6th December 2021 and the magistrates found Mr Mahboob Hussain guilty on four charges of conducting unauthorised licensable activity from the premises formerly trading as Juicy Gossip at 5 Briggate, Leeds, LS1 4AF.

It is believed that Mr Mahboob Hussain is still involved with the premises and should the application for the grant of a premises licence be successful, would continue to undermine the four licensing objectives.

Mr Mahboob Hussain involvement in the premises is such that he has recently submitted several Temporary Event Notice notifications to be held at the premises. The most recent application was received on the 14th March 2023 for an event taking place on 15th April 2023. It is believed that Mr Mahboob Hussain continues to have strong connections with the premises and with the applicant Mr Akhlaq Hussain with whom he has previously shared a residential address with.

The Licensing Authority has no confidence that the intended premises licence holder would have full control over the running of the business and that should this application be granted; previous issues of non-compliance would again resurface. This would have a detrimental impact within the locality especially due to the position of the premises within the City Centres cumulative impact area and would continue to have a detrimental impact upon the four licensing objectives.

Since 2017 the operator at 5 Briggate has continued to show a complete disregard for the Licensing Act 2003 amongst other legislation. Although the Authority are in receipt of Temporary Event Notice applications so the operator may sell hot food and drink after 23:00 hours, the operator continues to be in breach of current legislation under the Planning Act regime as authorised planning hours should cease at 23:00 hours.

In view of the issues referred to, we respectfully ask the licensing committee, in its determination, not to grant the premises licence application in its entirety. Under the circumstances we believe that this is a proportionate measure in the promotion of all four of the licensing objectives. However, the licensing authority is aware that all options are open to the committee.

Yours faithfully

A solid black rectangular box used to redact the signature of Miss Jane Wood.

Miss Jane Wood
Senior Liaison & Enforcement Officer
Entertainment Licensing