

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 16 January 2024

Subject: Application to Transfer a Premises Licence for Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Gipton & Harehills	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of Main Issues

1. This is an application to transfer a premises licence held by Biedronka, 225 Roundhay Road, Leeds, LS8 4HS.
2. The application is to specify Aziz Mohamed Ahmed as the licence holder.
3. West Yorkshire Police have been served with a copy of the application and have made a representation objecting to the grant of the application.

1 Purpose of this Report

- 1.1 To advise Members of an application made under section 42 of the Licensing Act 2003 (“the Act”) for the transfer of a Premise Licence in order to specify Aziz Mohamed Ahmed as the licence holder.
- 1.2 The Licensing Sub-Committee is required to consider this application due to the receipt of a representation from West Yorkshire Police. This is submitted in accordance with Sections 42(6) and 42(7) of the Licensing Act 2003.

2 History of the Premises

- 2.1 This premises currently hold a Premises Licence issued on 16 October 2014 under the Licensing Act 2003. A copy of the existing licence is attached at Appendix A.
- 2.2 The original licence holder was Shoresh Mohammed and the Designated Premises Supervisor was Kardo Unit Abdullah.
- 2.3 In August 2015 applications were received to transfer the premises licence to Alan Amiri and change the Designated Premises Supervisor to Shoresh Mohammed. The applications did not attract objections and were granted as applied for.
- 2.4 In February 2016 a review for this premises was sought by Leeds City Council Entertainment Licensing for persistent breaches of the premises licence conditions. The Licensing Sub Committee resolved not to revoke the licence.
- 2.5 In February 2016 an application was received to change the Designated Premises Supervisor to Alan Amiri. The application did not attract objection and was granted as applied for.
- 2.6 In January 2017 an application for a full variation was received to amend the premises opening hours to 24 hours a day. The application attracted an objection from Environmental Protection. The committee resolved to refuse the application.
- 2.7 In June 2019 an (invalid) application was made to the Licensing Authority to transfer the premises licence to Aziz Ahmed. On receipt the applicant was notified the application had not been completed correctly and the form providing consent of the existing licence holder had not been included. The Licensing Authority received no further correspondence to this application.
- 2.8 There is a review pending for these premises, sought by West Yorkshire Police and received on 28 December 2023. The grounds for review relate to a number of failed counterfeit and illicit tobacco test purchases by the premises between November 2017 and December 2023. During the same period large quantities of counterfeit and illicit tobacco have been seized from the premises and on one occasion counterfeit contraception and perfumes have been seized.

3 Application

- 3.1 The applicant is Aziz Mohamed Ahmed.
- 3.2 A copy of the application is attached at **Appendix A** of this report.

4 Representations

4.1 Under the Act, representations can be received from West Yorkshire Police and must be relevant to the prevention of crime and disorder. Please find attached a copy of the representation at **Appendix B**.

4.2 In support of their objection, West Yorkshire Police have supplied additional information for the Committee to consider. The information provided contains a copy of the pending review application, the invalid application to transfer the licence, received in 2019, and a statement on behalf of a Trading Standards Officer. A copy of the additional information can be seen at **Appendix C** of the report.

5 Equality and Diversity Implications

5.1 At the time of writing this report there were no implications for equality and diversity.

6 Options Available to Members

6.1 Members of the Licensing Sub Committee must make a decision with a view to promote the relevant licensing objectives which, in the case of an application to transfer a premises licence, is the prevention of crime and disorder. Members may decide to:

- To grant the application as requested; or
- To reject the application.

7 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy