



Elections and Regulatory Services

Civic Hall
Leeds LS1 1UR

Our Ref: A80/CB/LIC/PREM/03080/007

Your Ref:

Contact: Carmel Brennand

Tel: 0113 3785029

Fax: 0113 3367124

Email: [REDACTED]

Date: 15 December 2023

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Dear Sirs/Madam,

REVIEW APPLICATION UNDER THE LICENSING ACT 2003 PREMISES: MAMA ROSE FOOD & WINE, 23 COMPTON ROAD, LEEDS, LS9 7BJ

Please accept this formal representation by an officer on behalf of the Licensing Authority. I am employed as a Senior Liaison & Enforcement Officer within Leeds City Council's Entertainment Licensing Section.

My duties include investigating complaints for licensed/unlicensed premises contrary to the Licensing Act 2003 as well as visiting licensed premises with other agencies to ensure compliance under the Licensing Act 2003, in promoting the four licensing objectives; the prevention of crime and disorder; public safety; the prevention of public nuisance and the protection of children from harm. I have delegated authority under the said Act.

The shop at this address has been licensed to sell alcohol for consumption off the premises since 3rd November 2011. The Premises Licence permits the retail sale of alcohol from 06:30 to 21:00 Monday to Saturday and 08:00 to 21:00 on Sundays. The opening hours and closing times are the same.

Mr Narmin Ahmed became to Premises Licence Holder (PLH) with effect from 15th February 2022.

Mr Vipool Patel has been the Designated Premises Supervisor (DPS) since 26th August 2015.

The current Premises Licence PREM/03080/006 following a minor variation application in relation to the layout of the shop was granted with effect from the 26th May 2022 was printed and posted out on the 17th June 2022.

On the 11th February 2022 I was working in company with 3 PCSOs conducting visits to off licensed premises in the Harehills area speaking to operators about the issues with street drinkers that residents were concerned about. Also, I was aware that the ownership of the shop had changed hands.

We spoke to both the male staff member [REDACTED] and new owner Karwan Saleh about selling alcohol to people in drink and the seriousness of the offence. When I looked at the cctv I noted that it was showing the incorrect date and time and that this needed rectifying. Neither of them could operate the cctv system with Mr Saleh admitting it only recorded for 11 days. I advised them both that there were specific conditions in relation to the cctv which they must be compliant with when they are selling alcohol. I was aware from previous visits that the layout of the shop had been changed and that an application would be required to show the new layout, in particular the counter where alcohol sales would take place as well as the placement of alcohol products. The plans of any licensed premises form part of the Premises Licence.

On the 15th February I emailed Mr Saleh confirming our conversation in respect of the cctv requirement and the offence under Section 136 of the Licensing Act 2003 when not compliant with Licence conditions, namely:-

- (1) A person commits an offence if -
 - (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
 - (b) he knowingly allows a licensable activity to be so carried on.

- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a unlimited fine, or to both.

- (5) In this Part "authorisation" means -
 - (a) a premises licence,
 - (b) a club premises certificate, or
 - (c) a temporary event notice in respect of which the conditions of section 98(2) to (4) are satisfied.

I also detailed the offence of selling to a person who is drunk under Section 141 of the Act. I also requested that he apply for a minor variation as layout of shop has changed. Mr Saleh replied that he had corrected the date and time and had contacted the cctv installer who stated that 1 terra byte memory should be enough. I replied that the cctv installer may need to tweak the system to get 31 days. When I return I should be able to go back 31 days on the cctv and if not every sale of alcohol becomes unauthorised.

I produce a copy of emails between myself and Mr Saleh from the 15th to the 17th February as exhibit CB 1.

There were further emails in the next few days regarding the cctv; that it had been reformatted and that Mr Saleh would monitor it and I asked that he keep me informed. When he asked if I had any booklets/leaflets as he was new to the business I advised him to look online as there would be guidance and information that he would be able to download. I recommended he buy a page a day diary to record refusals i.e. to underage or people in drink.

As I had heard nothing I emailed Mr Saleh on the 24th March asking if the cctv was up to 31 days and reminded him about the minor variation. Mr Saleh replied that the cctv engineer come the previous day and said the system needed a bigger hard drive. He asked if he needed professional plans. I advised that he could draw the plans himself but have to be to scale, where spirits are, fire equipment etc. I then asked him to let me know when the new hard drive is fitted so I can come 31 days afterwards.

Mr Saleh emailed me on the 26th March to say the new hard drive had been fitted and I replied that I would contact him to make an appointment after 31 days.

I produce a copy of emails between myself and Mr Saleh from the 24th to 28th March 2022 as exhibit CB 2.

On the 29th March 2022 I was working in company with PC Andy Clifford visiting off licences in the Harehills area and speaking to operators about selling alcohol to street drinkers. At 10:32 we visited Mama Rose to find Mr Mostafa Ahmed working. Mr Ahmed stated he refuses to sell alcohol to those faces he knows but he does not know everybody. I suggested that all he needed to do was stand in the doorway of his shop, look at the end of the parade and refuse any of the group any alcohol. I also explained that if he believed anyone coming in was buying alcohol for the group that he should refuse these also and told him to get a page a day diary to record such refusals as this showed due diligence and that he was being responsible when selling alcohol.

On the 1st April I emailed Mr Saleh regarding our visit earlier in the week visit and reminded him that any witnessed sales to person in drink could have repercussions on staff and licence. Emails went back and forth between us with Mr Saleh asking what I meant by a person in drink and me advising him the same as a drunk person. Also that he has the right to refuse anyone, whether because they have no ID or they are drunk and if they argue and become aggressive he should ring the police. I again reminded him to buy a page a day diary to record all refusals and to apply for the minor variation.

I produce a copy of the emails between the 1st and 6th April 2022 as my exhibit CB 3.

On the 6th May I emailed Mr Saleh that the cctv should be up to 31 days now so plan to revisit on the 9th to check. I also reminded him that I was still awaiting the minor variation application.

Due to other commitments I was not able to visit on the 9th and informed Mr Saleh of this.

On the 11th May 2022 an application to minor vary the Premises Licence in respect of the layout of the shop was received by the Entertainment Licensing Section. No representations were received and the new Licence PREM/03080/006 was granted.

On the 14th May Mr Saleh emailed me a screenshot from the cctv showing footage from 3 am on the 14th April. As all matters had been rectified I closed the complaint.

On the 23rd August 2023 I was working in company with PC Haywood visiting off licences in the Harehills area. At 11:40 we attended at Mama Rose. Neither the PLH nor DPS were on site. The member of staff Mr Dyari Qadree was unsure who had authorised him to sell alcohol – he did not know Vipool Patel and he was unable to operate the cctv system to show us that it was recording for the requisite 31 days. I completed an inspection sheet detailing these issues and after Mr Qadree signed it, I gave him a copy of it.

I produce a copy of the inspection sheet dated the 23rd August as my exhibit CB 4.

On the 31st August 2023 I took part in a multi-agency operation visiting shops in the Harehills area. At 09:25 am I visited Mama Rose. Mr Saleh was on site and able to operate the cctv and show me footage from the 3rd August which was just short of the 31 days. He said the harddrive was 3 giga byte so should have the capacity for 31 days. He could not produce Part A of the Premises Licence. I explained that this was an offence:-

Section 57 of the Licensing Act 2003 states:-

(1) This section applies whenever premises in respect of which a premises licence has effect are being used for one or more licensable activities authorised by the licence.

(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of—

(a) the holder of the licence, or

(b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection.

(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).

On the 7th September Mr Saleh emailed me a screenshot of the cctv showing recording from the 8th August so now 31 days. I replied to him with thanks. I attached a DPS authorisation form as a member of staff I had spoken to previously did not appear to know who the DPS was. I also reminded him that the Part A of the Premises Licence needs to be available at the shop and recommended he purchase a page a day diary to record refusals whether this is cigarettes, vapes, alcohol or energy drinks as this shows due diligence. When Mr Saleh replied that they refuse too many and when they do they are met with aggressive behaviour I advised him that the police should be called if this happens.

I produce a copy of the emails between myself and Mr Saleh on the 7th September as my exhibit CB 5.

As staff were unsure who had authorised them to sell alcohol and that it had been same DPS through last 2/3 operators, I attempted to speak to DPS to confirm his position but the telephone numbers we had on our systems were out of use.

On the 7th September I attended at the home address of the DPS Vipool Patel and posted my business card through the letterbox asking him to contact me.

On the 2nd October 2003 an email was sent by Entertainment Licensing to Mr Saleh reminding him that the annual fee of £180 was due on the 3rd November.

On the 2nd November 2023 I took part in a multi-agency operation visiting shops in the Harehills area. At 13:15 I attended at Mama Rose. West Yorkshire Police officers had secured the premises and officers from Trading Standards were already on site. There was a large bag of illegal vapes that had already been seized and the officer proceeded to show me the purpose made storage compartment in the wall above the sink in the rear toilet room. Mr Saleh and another male were on site during the inspection. Mr Saleh was able to operate the cctv and show me footage from the 30th September so all in order. I advised him that the Part B of the Premises Licence displayed and the Part A he produced were old; it should be PREM/03080/006 not PREM/03080/005. I also reminded him that the annual fee was due the following day.

I produce a copy of the inspection sheet dated 2nd November which Mr Saleh signed before receiving a copy.

I can confirm that the payment for the annual fee was made on the 2nd November.

On the 16th November 2023 the Entertainment Licensing Section received a review application from West Yorkshire Police.

On the 11th December 2023 I found an email address for Mr Vipool Patel on an old record. I emailed him and explained that we had received a review application for Mama Rose where he was shown as the DPS and asked him to contact me. Mr Patel emailed me back saying that he had never been DPS at this shop and gave me his telephone number.

At 16:05 on the 12th December I contacted Mr Patel and explained that according to our records he has been the DPS here since August 2015. Mr Patel said he didn't not know how, he has nothing to do with the shop as he has his own businesses. When I told him that I had dropped a business card at his home address in September, he explained that he had moved. He had already spoken to a licensing officer during the day about change of address. I asked him to email me if he wished to remove himself as the DPS, which he did.

At 07:46 on the 13th December I emailed Mr Saleh and informed him that Mr Patel had resigned as the DPS and therefore no authorisation in place for the sales of alcohol. I detailed the offence under Section 136 and gave him the online link by which to apply

I produce a copy of my email dated the 13th December as my exhibit CB 7.

Later the same day PC Haywood and I were in Harehills and we attended at Mama Rose at 11:38. I advised the male member of staff that as there was no longer a DPS named on the Premises Licence there could be no sales of alcohol. He immediately rang Mr Saleh and I spoke to him. He said he was in the middle of filling the forms in and that he was going to be the DPS. He then stated that he was selling the shop on Monday so should he wait until then? I explained that he could but there could be no sales of alcohol until we received a valid application. He said he would send me a screenshot of the application receipt.

When I returned home in the afternoon I checked Uniform and noted there had been an application but that it was deemed invalid as incorrectly completed. After some back and forth we finally received a valid application and at 16:05 I informed Mr Saleh that he could now sell alcohol.

It is clear from the serious and continuous breaches of the Licensing Act 2003 and the seizures of illicit alcohol and tobacco as well as illegal vapes that the PLH does not take their responsibilities seriously. They have failed to comply with a variety of legislation and are unconcerned about the impact their business has on the immediate community. It is clear that they have failed to operate responsibly in upholding the objectives; namely the prevention of crime and disorder and I therefore support the review being brought by West Yorkshire Police.

Yours faithfully



Mrs Carmel Brennand
Senior Liaison & Enforcement Officer
Entertainment Licensing

We have looked into it so it is formatted and setup to record continuously it is recording from 15/02. Ill have to monitor how long it is recording he said if it doesn't exceed the 31 days then we will upgrade the hard-disk.

On Tue, 15 Feb 2022 at 17:28, Brennand, Carmel [REDACTED] wrote:

Hi Karwan

Thank you for your quick response.

Thank you for correcting the time and date on the system. I appreciate that a camera on sensor will be recording a lot, especially an outside camera but did the cctv installers confirm that the system will record for 31 days ? If it does not then the cctv installers may have to come and tweak the system for example how many frames per second it is recording.

When I come back to the shop on say Friday the 4th March you should be able to show me cctv footage from the 1st February. i.e. 31 days. If you can explain to the cctv installer that this is the requirement under your Premises Licence.

If you can confirm when this has been rectified and I will make an appointment to come back in 31 days from then. If the cctv is not compliant in 31 days recordings then each and every sale of alcohol is a breach of that condition and offences are being committed, so it is important you getting this fixed.

If you could also look at the minor variation as soon as possible.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

[REDACTED]

Fax: 0113 3367124

email: [REDACTED]

www.leeds.gov.uk

From: karwan salih [REDACTED]
Sent: 15 February 2022 13:09
To: Brennand, Carmel [REDACTED]
Subject: Re: Mama Rose, 23 Compton Road, LS9

Hi carmel, i have looked on my cctv for the duration but i couldn't find, so i called one of the cctv installers he said it will not show the recording cycle in numbers as many factors can differ the length of recording such as quality of recording of motions for example outside camera take up a lot of space as there are constant motions. However j have corrected the date and also changed it to read/write and my harddisk is 1TB so there is enough space for a long recording before it is rewriting it.

On Tue, 15 Feb 2022 at 09:10, Brennand, Carmel [REDACTED] wrote:

Dear Karwan

I have checked with the licensing officer and your application to transfer the Premises Licence PREM/03080 into the name of Narmin Ahmed is at the end of the representation period so will be issued shortly.

As I advised you and your member of staff [REDACTED] last Friday, there are specific conditions in relation to the cctv which you must be compliant with when you are selling alcohol. Please see below :-

6. A suitable Closed Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.

7. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.

8. The CCTV system will contain the correct time and date stamp information.

9. The CCTV system will have sufficient storage retention capacity for a minimum of 31 days continuous footage which will be of a good quality.

10. A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request to an authorised officer of the Licensing Authority or a Responsible Authority.

When you sell alcohol and are in breach of any condition, you and/or your staff are potentially committing offences under Section 136 of the Licensing Act 2003, namely:-

(1) A person commits an offence if -

(a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or

(b) he knowingly allows a licensable activity to be so carried on.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

(5) In this Part "authorisation" means -

(a) a premises licence,

(b) a club premises certificate, or

(c) a temporary event notice in respect of which the conditions of section 98(2) to (4) are satisfied.

During the visit police officers and I discussed the problem with street drinkers in the Harehills area, especially those who congregate at the other end of the parade. As we advised both yourself and Mostafa Ahmed, it is an offence to sell alcohol to someone who is in drink.

Section 141 of the Licensing Act states :- **Sale of alcohol to a person who is drunk**

(1) A person to whom subsection (2) applies commits an offence if, on relevant premises, he knowingly—

(a) sells or attempts to sell alcohol to a person who is drunk, or

(b) allows alcohol to be sold to such a person.

(2) This subsection applies—

(a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to sell the alcohol concerned,

(b) in the case of licensed premises, to—

(i) the holder of a premises licence in respect of the premises, and

(ii) the designated premises supervisor (if any) under such a licence,

(c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who at the time the sale (or attempted sale) takes place is present on the premises in a capacity which enables him to prevent it, and

(d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(3) This section applies in relation to the supply of alcohol by or on behalf of a club to or to the order of a member of the club as it applies in relation to the sale of alcohol.

(4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Also as we discussed, the layout of the shop has been altered and does not match the plans we have attached to this licence. In these circumstances you must submit a minor variation with a current plan of the shop. You can apply and pay online using the below link and attach the plan to the application. You will have to have a notice outside the premises advertising this. I have attached guidance notes for your information.

Minor Variation <https://www.gov.uk/premises-licence/leeds/change#form-5>

I would appreciate you advising me when the cctv system is retaining 31 days footage and I will revisit to check.

If there is anything in this email you wish to discuss, please do not hesitate in contacting me.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council



Fax: 0113 3367124

email: k

www.leeds.gov.uk

Could you or someone you know, benefit from Homeshare?

Homeshare successfully brings together people needing practical support and companionship at home, with caring Sharers looking for affordable living.

CB 2

From:Brennand, Carmel
Sent:28 Mar 2022 11:02:24 +0100
To:karwan salih
Subject:RE: Mama Rose Foods, 23 Compton Road, LS9

Hi Karwan

Thanks for the update. I will get in touch with you at the beginning of May to make an appointment to come and check.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

[REDACTED]
Fax: 0113 3367124

email: [REDACTED]

www.leeds.gov.uk

From: karwan salih [REDACTED]
Sent: 26 March 2022 15:41
To: Brennand, Carmel [REDACTED]
Subject: Re: Mama Rose Foods, 23 Compton Road, LS9

Hi Carmel, the HDD arrived today and we have put the new 3TB

On Thu, 24 Mar 2022 at 13:34, Brennand, Carmel [REDACTED] wrote:

Super. Thank you for letting me know. When he does fit the new hard drive, I would recommend that you keep the old one just incase you need it.

If you will please let me know when he fits the new hard drive, I will then know to revisit 31 days after that.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

[REDACTED]

Fax: 0113 3367124

email: [REDACTED]

www.leeds.gov.uk

From: karwan salih [REDACTED]
Sent: 24 March 2022 13:02
To: Brennand, Carmel [REDACTED]
Subject: Re: Mama Rose Foods, 23 Compton Road, LS9

Just contacted him again he said he didn't have any big storage HDD he ordered one will be here in few days

12:59

4G



Order details



Your order is being prepared.

Time placed	24 Mar 2022 at 12:56 PM
Order number	18-08421-18903
Total	£33.99 (1 item)
Sold by	sonnics

Collection info

We'll text you on Thu, 31 Mar 2022 when it's ready.



Paid

0 / 00



Dispatched



Ready

On Thu, 24 Mar 2022 at 12:30, Brennand, Carmel [REDACTED] > wrote:

Hi

Thanks for the update re the cctv, hopefully that will sort it. No it does not have to be a professional plan but it has to be to scale, show where the till is and spirits displayed as well as the position of cctv cameras and fire exits and equipment.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

[REDACTED]

Fax: 0113 3367124

email: [REDACTED]

www.leeds.gov.uk

From: karwan salih [REDACTED] >

Sent: 24 March 2022 12:26

To: Brennand, Carmel [REDACTED] >

Subject: Re: Mama Rose Foods, 23 Compton Road, LS9

Hi carmel, the cctv man came and changed the frame rate and some other things and yesterday checked it again it went as far as 20 days. So he said he will order a 3tb hd and install it probably tomorrow. In term of the layout, does a planner has to do it or just a basic drawing i can do to show where the til is because the fridge and the shelves is the same just the location of the spirits and the counter is moved.

On Thu, 24 Mar 2022 at 12:09, Brennand, Carmel [REDACTED] > wrote:

Dear Karwan

Further to my email of the 15th February, please can you confirm that the cctv is now recording for 31 days.

Also I note that you have not yet applied to minor vary the licence to show the changed layout of the shop.

If you could please give this your earliest attention.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

[REDACTED]

Fax: 0113 3367124

email: [REDACTED]

www.leeds.gov.uk

Have your say to improve road safety in Leeds

The draft Leeds Safer Roads Vision Zero 2040 strategy sets out our plan to stop people being killed or seriously injured on the roads in Leeds. Proposals include preventing dangerous and anti-social driving, enforcing speed limits and designing safer roads. To have your say visit <https://bit.ly/LeedsVisionZero>.

CB3

From:Brennand, Carmel
Sent:6 Apr 2022 14:01:46 +0100
To:karwan salih
Subject:RE: Mama Rose, 23 Compton Road, LS9

Hi Karwan

You are absolutely doing the right thing in refusing them. If all the shops refuse they will hopefully move away and stop causing issues for the local residents as well as the shop owners. They have a detrimental effect on the whole area and if you can do your bit to help that's great.

Thanks for the update on the layout. Hopefully you will then be able to make the application.

Regards


Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council


Fax: 0113 3367124

email: 

www.leeds.gov.uk

From: karwan salih [REDACTED]
Sent: 04 April 2022 11:58
To: Brennand, Carmel [REDACTED] >
Subject: Re: Mama Rose, 23 Compton Road, LS9

Since im working in the shop, i talked to the lads, their argument is this is a new day and it is their first sip and they are not drunk and they are not drunk but last night i refused them as they came few times and i said i can't give you more because you will be drunk and i have told them if they are drinking on the parade then i can not serve them. So today early morning they take some and they said we are drinking it at home. Im trying my best and after their few beers i stop them especially if they are drinking on the street.

I have not submitted because on saturday night i will be getting a new dairy fridge and will have to adjust a little and then positioning the cameras to get the best view. So on Monday everything will be done and my planner will come to it.

On Mon, 4 Apr 2022 at 09:34, Brennand, Carmel [REDACTED] > wrote:

Hi Karwan

People in drink is just another way of saying a drunk person.

In regards to the lads, staff/owners do not have to sell to anybody. You are perfectly within your right to refuse to serve them if they have no ID or you think they are buying for someone younger who is just waiting round the corner- this is called a proxy sale.

If you are not satisfied they are older than 18 or that they are drunk, then you must refuse them They will argue with you to wear you down so it is easier to sell to them to make them go away. If this happens again and they are shouting and arguing with you and you feel intimidated you can ring the police to come. But you can't be doing this all the time. As long as you/your staff keep strong and tell them no, they will eventually leave.

Also, I am still waiting for the minor variation with the new plans of the premises.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

██████████ ██████████

Fax: 0113 3367124

email: ██████████ ██████████@██████████

www.leeds.gov.uk

From: karwan salih ██████████>
Sent: 01 April 2022 22:24
To: Brennand, Carmel ██████████@██████████<>
Subject: Re: Mama Rose, 23 Compton Road, LS9

Hi Carmel, I'm working at the moment, I'm aware of if a person is drunk or will be drunk with the alcohol is intending of buy then you shouldn't allow them to buy. But what exactly do you mean by people in drink.

Today i had problem with few lads, they were arguing why I wouldn't serve them and they have not had any drink today and etc..... and they said you can breathalyse me if i had any then don't serve me. In that instance what should i do?

Thank you.

On Fri, 1 Apr 2022 at 17:00, Brennand, Carmel [REDACTED] > wrote:

Hi Karwan

I don't know if your member of staff told you that PC Clifford and I visited on Tuesday and discussed with him that he shouldn't be selling alcohol to anyone who is in drink. If you could please remind him that it is an offence under Section 141 of the Licensing Act 2003 to sell alcohol to a person in drink.

If officers witness such a sale there would be repercussions for him personally and for the Premises Licence.

Regards

Carmel

Carmel Brennand

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

Tel: [REDACTED]

Fax: 0113 3367124

email: [REDACTED]

www.leeds.gov.uk

Have your say to improve road safety in Leeds

The draft Leeds Safer Roads Vision Zero 2040 strategy sets out our plan to stop people being killed or seriously injured on the roads in Leeds. Proposals include preventing dangerous and anti-social driving, enforcing speed limits and designing safer roads. To have your say visit <https://bit.ly/LeedsVisionZero>.

Enforcement Powers and Offences - Licensing Act 2003

Section 136 – Unauthorised licensable activities

- (1) A person commits an offence if –
 - (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
 - (b) he knowingly allows a licensable activity to be so carried on.
- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.
- (5) ... "authorisation" means –
 - (a) a premises licence,
 - (b) a club premises certificate, or
 - (c) a temporary event notice in respect of which the conditions of section 92(2) to (4) are satisfied.

Summary of other offences (Licensing Act 2003) (not exhaustive):

Unauthorised licensable activities

- section 137 Exposing alcohol for unauthorised sale
- section 138 Keeping alcohol on premises for unauthorised sale etc.

Drunkenness and disorderly conduct

- section 140 Allowing disorderly conduct on licensed premises etc.
- section 141 Sale of alcohol to a person who is drunk
- section 142 Obtaining alcohol for a person who is drunk
- section 143 Failure to leave licensed premises etc.

Smuggled goods

- section 144 Keeping of smuggled goods

Children and alcohol

- section 145 Unaccompanied children prohibited from certain premises
- section 146 Sale of alcohol to children
- section 147 Allowing the sale of alcohol to children
- section 147A Persistently selling alcohol to children
- section 147B Order suspending a licence in respect of offence under section 147A
- section 149 Purchase of alcohol by or on behalf of children
- section 150 Consumption of alcohol by children
- section 151 Delivering alcohol to children
- section 152 Sending a child to obtain alcohol
- section 153 Prohibition of unsupervised sales by children
- section 154 Enforcement role for weights and measures authorities

Confiscation of alcohol

- section 155 Confiscation of sealed containers of alcohol

False statements relating to licensing etc

- section 158 False statements made for the purposes of this Act

Powers of Entry

- section 179 Rights of entry to investigate licensable activities (available to a constable or authorised person).

From: karwan salih [REDACTED]
Sent: 07 September 2023 12:19
To: Brennand, Carmel [REDACTED] [REDACTED]
Subject: Re: Mama rose

Hi Carmel, i will sort that refusal diary out aswell but honestly i refuse too many a day. Also my complain is that i have refused all of the people who are drinking on the corner, and they have been horrible to me and my staff and aggressive even though it affects my business but my concern is if a member keep an eye on them to see where they buy it because nothing has changed. As the shop on the other end serve them and they are drinking on corner as usual and I don't want to be blamed for it.

Thanks

On Thu, 7 Sep 2023 at 12:10, Brennand, Carmel [REDACTED] > wrote:

Good morning

Thank you for the cctv video.

As there was some confusion with your member who had authorised him to sell alcohol and who Mr Patel is, I have attached a DPS form which should be signed by the DPS and list all the members of staff he has authorised to sell alcohol on his behalf. This form can then be kept in the shop.

Also, the Part A of the Premises Licence needs to be available in the shop, ideally under the counter.

I know I have mentioned in the past for there to be a page a day diary at the shop to be used as an Incident/Refusals Register. Although it is not a condition of the licence it shows due diligence when you/staff refuse anyone who can't produce the relevant ID for cigarettes/vapes/alcohol/energy drinks or is perhaps already in drink. The date and time and brief description is enough. E.G. young white male purchasing can of lager unable to produce ID so refused. You can also log here is anyone become abusive when refused and/if you ban them from the shop as a result. It all goes to show responsible retailing.

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Enforcement Powers and Offences - Licensing Act 2003

Section 136 – Unauthorised licensable activities

- (1) A person commits an offence if –
 - (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
 - (b) he knowingly allows a licensable activity to be so carried on.
- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.
- (5) ...“authorisation” means –
 - (a) a premises licence,
 - (b) a club premises certificate, or
 - (c) a temporary event notice in respect of which the conditions of section 92(2) to (4) are satisfied.

Summary of other offences (Licensing Act 2003) (not exhaustive):

Unauthorised licensable activities

- section 137 Exposing alcohol for unauthorised sale
- section 138 Keeping alcohol on premises for unauthorised sale etc.

Drunkenness and disorderly conduct

- section 140 Allowing disorderly conduct on licensed premises etc.
- section 141 Sale of alcohol to a person who is drunk
- section 142 Obtaining alcohol for a person who is drunk
- section 143 Failure to leave licensed premises etc.

Smuggled goods

- section 144 Keeping of smuggled goods

Children and alcohol

- section 145 Unaccompanied children prohibited from certain premises
- section 146 Sale of alcohol to children
- section 147 Allowing the sale of alcohol to children
- section 147A Persistently selling alcohol to children
- section 147B Order suspending a licence in respect of offence under section 147A
- section 149 Purchase of alcohol by or on behalf of children
- section 150 Consumption of alcohol by children
- section 151 Delivering alcohol to children
- section 152 Sending a child to obtain alcohol
- section 153 Prohibition of unsupervised sales by children
- section 154 Enforcement role for weights and measures authorities

Confiscation of alcohol

- section 155 Confiscation of sealed containers of alcohol

False statements relating to licensing etc

- section 158 False statements made for the purposes of this Act

Powers of Entry

- section 179 Rights of entry to investigate licensable activities (available to a constable or authorised person).

CB 7

From:Brennand, Carmel

Sent:13 Dec 2023 07:46:36 +0000

██████████@██████████

Subject:Mama Rose Food & Wine, 23 Compton Road, LS9 7BJ - PREM/03080/006

Importance:High

Dear Sir

Mr Vipool Patel has resigned as the Designated Premises Supervisor for the above shop. Therefore there is no authorisation in place for the sales of alcohol.

There can be no sales of alcohol until we receive a valid application for a new DPS. The application can be made online using the below link:-

[Application to specify an individual as a premises supervisor or transfer a premises licence - leeds.gov.uk](https://www.leeds.gov.uk/apply-for-a-premises-supervisor-or-transfer-a-premises-licence)

May I remind you that any sales of alcohol without a named DPS is an offence under Section 136 of the Licensing Act, namely:-

(1) A person commits an offence if -

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
- (b) he knowingly allows a licensable activity to be so carried on.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a unlimited fine, or to both.

(5) In this Part "authorisation" means -

- (a) a premises licence,
- (b) a club premises certificate, or
- (c) a temporary event notice in respect of which the conditions of section 98(2) to (4) are satisfied.

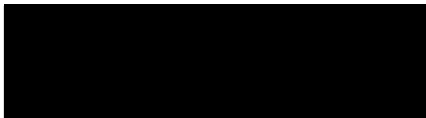
Leeds City Council's Entertainment Licensing Section, in conjunction with other enforcement agencies will continue to monitor the situation for compliance of the Licensing Act 2003.

I would appreciate you giving this matter your earliest attention.

Yours faithfully

Carmel Brennand | Senior Liaison & Enforcement Officer

Entertainment Licensing | Leeds City Council



W:[Alcohol and entertainment \(leeds.gov.uk\)](http://leeds.gov.uk)

To make a payment for a Premises Licence online visit: [Premises Licence Annual Fee Payment](#) | To apply for a Temporary Event Notice visit: [Temporary event notices \(leeds.gov.uk\)](#) | To apply, vary or make changes to a Premises Licence visit: [Premises licence \(Leeds City Council\)](#)

Interested Party Representation (Form IPR1)



Section 1 – Licence application details

Please indicate as appropriate :

I wish to object to the following application:

I wish to support the following application:

Applicant premises name and address: Mama Rose, 23 Compton Road, Leeds, LS9 7BJ

Section 2 – Your personal details

NB: If you are acting as a representative, please go to Section 3.

Title

Mr Mrs Miss Other _____

Surname

Patel

First name(s)

Chetna

Address (incl postcode):

Leeds City Council, Public Health (Alcohol and Drugs Team), 5th Floor West, 110 Merrion House, Leeds, LS2 8BB.

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

Section 3 – Representative details

If you are representing someone else, please complete details below

Name of Representative/
Organisation

N/A

Full postal address
(Incl postcode)

N/A

Please indicate capacity:

Representative of Residents Association

Ward Councillor

Parish Council

MP

Trade Association

Other (please

specify) _____

Section 4 – Representation grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<table> <tr> <td>Prevention of crime and disorder</td> <td>X <input type="checkbox"/></td> </tr> <tr> <td>Prevention of public nuisance</td> <td>X <input type="checkbox"/></td> </tr> <tr> <td>Protection of children from harm</td> <td>X <input type="checkbox"/></td> </tr> <tr> <td>Public safety</td> <td>X <input type="checkbox"/></td> </tr> </table>	Prevention of crime and disorder	X <input type="checkbox"/>	Prevention of public nuisance	X <input type="checkbox"/>	Protection of children from harm	X <input type="checkbox"/>	Public safety	X <input type="checkbox"/>
Prevention of crime and disorder	X <input type="checkbox"/>								
Prevention of public nuisance	X <input type="checkbox"/>								
Protection of children from harm	X <input type="checkbox"/>								
Public safety	X <input type="checkbox"/>								

Please select:

I object to the application being granted at all.

I object to the application being granted in its current form*

*If you choose this option, remember to tell us in the next section what changes you would prefer to see.

The grounds of the representation is based on the following:

I would like to make a public health objection to the application of Mama Rose 23 Compton Road LS97BJ.

Regarding the above application, I would like to bring to your attention the negative impact this premises has. There are concerns regarding the potential harm to children, crime and disorder and public safety.

I would like to strongly object to this license on the following grounds.

After two years of the coronavirus pandemic, levels of alcohol consumption and alcohol harms have increased across Leeds, and they have disproportionately affected areas of multiple deprivation such as Burmantofts/Richmond Hill and Harehills. Much work has successfully been undertaken by Ward Councillors, the Police, and the Council's Safer Stronger Communities Team to make Harehills a more attractive and safer (retail) area. Their success in reducing street drinking and crime levels will be significantly undermined.

Following visits from trading standards and West Yorkshire Police it was found that the premises was selling non-duty paid alcohol and illegal tobacco. Furthermore, on a number of separate occasions the premises sold alcohol to police cadets who were under the age of 18, showing that they are not promoting the licencing objectives. I am objecting to the continuation of this licence for the protection of children from harm.

Leeds City Council has produced a matrix to estimate alcohol harm for each Middle Super Output Area (MSOA) in Leeds. Each MSOA is given an overall score which places the MSOA into a comparative city-wide risk rating. There are 107 MSOA's in Leeds. LS9 7BJ was awarded an overall harm from alcohol related risk as **11 out of 107 MSOAs**, putting it within the **high** risk of alcohol-related harm category. It also has a deprivation score of **2 out of 107**, with a risk rating of **very high**.

Analysis of the individual scores on the matrix contribute to creating a fuller picture of the local community and will be highlighted forthwith with reference to the criteria.

Protection of children from harm -

This area has a **very high count** of off licenses in Leeds and is **risk rated as very high with a rank rating of 6**. By allowing this off-licence premises to continue to sell alcohol, this will jeopardize the protection of children and young people from harm. This area has the rank rating of **very high**; it has the **highest number of children** under the age of 16 in Leeds District (ranked **1**). The increased number of establishments selling alcohol and the subsequent proliferation of street drinkers and residents suffering from alcohol addiction normalizes the situation for children and as they grow older it sets the benchmark of what is normal in their area. We know from much peer reviewed evidence such an environment can have a strong influence on impressionable children in low-income neighborhoods and can create low aspiration amongst this peer group. **Vulnerability to alcohol-related problems: a policy brief with implications for the regulation of alcohol marketing** (TF. Babor et al, 2017).

Due to the high numbers of children in the area there are many schools and childcare providers some of which are listed below and are within one mile of the premises, which is located on a busy route for primary aged school children and their parents.

- Harehills Family Early Years Centre, Cowper Terrace, Harehills, Leeds LS9 7BA (0.3 miles away)
- Little Owls Nursery Harehills, Cowper Terrace, Harehills, Leeds LS9 7BA (0.3 miles away)
- Sunshine Community Nursery, 97 Harehills Rd, Harehills, Leeds LS8 5HS (0.3 miles away)
- Shepherds Lane Children's Centre, Shepherds Ln, Harehills, Leeds LS8 5AW (0.8 miles away)
- Harehills Primary School, Darfield Rd, Harehills, Leeds LS8 5DQ (0.4 miles away)
- Co-op Academy Nightingale, 9 Stanley Rd, Harehills, Leeds LS9 7AX (0.2 miles away)
- Co-op Academy Woodlands, Foundry Pl, Harehills, Leeds LS9 6DA (0.5 miles away)
- Hovingham Primary School, Hovingham Ave, Harehills, Leeds LS8 3QY (0.8 miles away)
- Bankside Primary School, Shepherds Ln, Harehills, Leeds LS8 5AW (0.9 miles away)
- Brownhill Primary Academy, 54 Torre Dr, Leeds LS9 7DH (0.6 miles away)
- Ebor Gardens Primary academy, Rigton Green, Leeds LS9 7PY (0.9 miles away)
- Co-op Academy Leeds, Stoney Rock Ln, Leeds LS9 7HD (0.6 miles away)
- Co-op Academy, N Farm Rd, Leeds LS8 3LZ (0.8 miles away)

The GIPSIL - Archway Resource Centre 95 Roundhay Rd, Harehills, Leeds LS8 5AQ is also only 0.9 miles away. GIPSIL, work with vulnerable young people and have provided statements previously on the impact of off license on young people they work with.

The abundant presence of alcohol outlets, and associated marketing in children's environments may normalise alcohol as an every-day product, shift social norms in acceptability and use, and shape children's knowledge, attitudes, and beliefs. **Children's home and school neighbourhood exposure to alcohol marketing** (T Chambers et al.,2018).

This area has a **very high** number of young people not in education or training; it is ranked – **9 out of 107 MSOA's**. There is also a low level of educational attainment with **the highest** rate of pupils not achieving a strong pass in English and Maths and is **ranked 1 out of 107 MSOA's**. Viewed alongside this the area has the high number of looked after children and young people, which is **ranked very high - 9 out of 107 MSOAs**, which is highly concerning as they are more vulnerable to harm. These children and young people will have experienced trauma within the family home severe enough to warrant their removal from that family home. Their life experience will undoubtedly be skewed from the norm which often results in the young person engaging in harmful behaviours, one of which is alcohol drinking. 'Children living in the most deprived areas were almost five times more likely to be exposed to off-sales alcohol outlets than children in the least deprived areas' **Inequalities in children's exposure to alcohol outlets in Scotland: a GPS study – (Fiona M. Caryl et al.,2022)**.

The table below gives data provided by West Yorkshire Trading standards for Gipton and Harehills ward. The rows in grey are the totals for the years stated and then below those are the counts for Underage sales (UAS) or Counterfeit (tobacco or vapes) and along the top is the breakdown in complaints/visits for tobacco/vapes. When comparing 2022/23 to 2023/24 (even with this year being incomplete) total tobacco complaints/tobacco visits and vape visits have increased from the previous years, indicating that communities are worried about underage selling or counterfeit (tobacco or vapes).

Gipton & Harehills	Tobacco complaints	Tobacco visits	Vapes complaints	Vapes visits
All years	102	75	18	23
UAS	10	41	18	12
Counterfeit	92	34	0	11

2020-21	26	11	0	0
UAS	3	8	0	0
Counterfeit	23	3	0	0
2021-22	24	31	5	1
UAS	3	15	5	1
Counterfeit	21	16	0	0
2022-23	24	14	8	4
UAS	3	3	8	1
Counterfeit	21	11	0	3
2023-24 (incomplete)	28	19	5	18
UAS	1	4	5	10
Counterfeit	27	15	0	8

Prevention of public nuisance -

Alcohol related harm hospital stays (narrow, age std. rate) are **high** in the area – risk ranked as **14 out of 107 MSOA's** and ambulance callouts related to alcohol are also **high- 23 out of 107 MSOAs**. These are avoidable pressures to the NHS and illustrate the harm caused by easy access to cheap alcohol with un an area.

Prevention of crime and disorder -

Increasing the availability of cheap strong alcohol is strongly correlated with a higher prevalence of alcohol-related crime and disorder. This is backed up by statistics from Safer Leeds, which record the number of incidents of ASB, drunk and disorderly and violent crime stats.

Anti-social behaviour where alcohol was flagged (excluding violent crime) was **Very high** risk ranked as **4 out of 107 MSOA's**, and violent crime **was very high** and ranked **9 out of 107 MSOAs**. Statistics relating to drunk and disorderly is very **high** and ranked as being **10 out of 107 MSOA's**. These indicators both suggest a risk to public safety as well as high levels of crime and disorder in existence in the community. This will be exacerbated by the increased accessibility of alcohol.

Healthwatch and other third sector organisations prepared a report focusing on Covid 19 and issues facing the communities in Gipton and Harehills. A survey was completed by 80 people of which a third of the respondents' said crime was something they wanted to see changed in Gipton and Harehills. The issues most often referenced were street drinking and drug dealing, as well as violence and generally not feeling safe in streets and parks.

One participant stated, ***“She didn't want to live in the area when her children grow up due to the amount of gang crime, anti-social behaviour, street drinkers, domestic violence and litter.”***

Currently in public health we are conducting Health Needs Assessment for Gipton and Harehills and Burmantofts and Richmond Hill, many local people have talked about their worries around alcohol, noise nuisance/environmental concerns, crime and fear of crime.

I am part of the Harehills CommUNITY partnership meetings led by West Yorkshire Police and Leeds City Council, many local organisations are committed to the Clear Hold Build initiative to make Harehills a better place for communities to live, work and grow. Off license premises like Mama Rose undermine all the hard work and commitment that is taking place to improve the area.

Street drinking and the associated negative safety and environmental impacts on residents and businesses has been a long-standing issue in the Gipton and Harehills/Burmantofts/Richmond Hill ward.

Touchstone have been providing the TOPS (Touchstone Outreach and Prevention Service) In the Harehills area for approximately the last 2 years. This pilot funded project, works with street drinkers in the Harehills area, offering support and signposting. The group meet twice weekly in the meeting point café.

Karen Fenton, Community Health Development Services Manager, Touchstone provided a statement below.

“We work with a highly complex, vulnerable, cohort of the local population, who are often excluded from wider services, whilst managing complex lives, trauma and dependencies on drink and require person centred support. This licensed premises providing illicit tobacco and alcohol is likely to have a negative impact upon our work and the health of these individuals and a knock-on effect to the wider community in Harehills and Burmantofts and Richmond Hill Ward.”

Below is a statement provided by the lead GP partner at Chapeltown Family surgery which is situated less than a mile away from the premises.

I am writing to express my deep concern about the sale of alcohol/tobacco to underage individuals within our community. As the children and families lead for the Burmantofts, Harehills and Richmond Hill PCN I have been made aware of this by the public health team but while the health implications are clear, I would like to highlight other critical reasons why I am so concerned.

- 1. **Social Responsibility:** Fundamentally we have an obligation to protect our young people. Selling alcohol/tobacco to minors undermines this responsibility. By allowing access to alcohol/tobacco we inadvertently contribute to potential harm and negative consequences for these young people.*
- 2. **Risk of Dependency:** Early exposure to alcohol/tobacco can lead to dependency issues later in life. Adolescents’ brains are still developing, and alcohol consumption during this crucial phase can alter brain chemistry and increase the likelihood of addiction. When looking at childhood trauma the negative consequences of alcohol misuse whilst growing up is a clearly recognised risk factor for problems throughout the life course.*
- 3. **Social Behavior and Safety:** In my experience a number of my younger patients have ended up in trouble with the police because of alcohol consumption. When minors gain access to alcohol, it can lead to risky behaviors, accidents, and even criminal activities. It is our cities ambition to create safer communities for children and young people to grow up in. Clearly curbing underage sales, we contribute to safer communities and protect both young individuals and the general public.*

Thank you for considering my concerns.

Dr Hasantha Jayasinghe (Senior Partner)

The intelligence provided above relates to the potential harm caused by alcohol within an area and viewed together creates an understanding of why this area was ranked as being an area of Leeds at high risk of alcohol related harm. Furthermore, this application also falls within a cumulative impact assessment (CIA) area. This means as a Local Authority (LA) licensing authority we have a responsibility to help limit the number or type of licence applications granted in areas where there is evidence to indicate that the number or density of licensed premises in the area is having a cumulative negative impact.

The data above shows that there are significantly higher numbers of children, vulnerable young people and those not in education or training who may seek comfort in tobacco and alcohol. The evidence indicates Mama Rose provided cheap tobacco products and alcohol which can have a detrimental effect on health not knowing what is contained in illicit tobacco or alcohol. Providing cheap products can encourage those who are dependent on alcohol and tobacco to increase their usage and can be particularly difficult for street drinkers who are trying to curb their reliance. The area already suffers with high rates of violent crime, antisocial crime, ambulance callouts; impacting on emergency services and the NHS which are already strained with limited resources and capacity. The

failed test purchases on tobacco as well as the seizures of illegal tobacco and alcohol; as well as 93 illegal disposable vapes which contained more than the permitted amount of liquid from the premises demonstrate this retailer is not acting as a responsible retailer and is repeatedly undermining the licensing objectives.

The pandemic has undoubtedly impacted on the communities in this neighbourhood in terms of economic decline adding increased negligent selling of tobacco and alcohol to an already saturated environment to communities who are struggling with daily life, poverty and deprivation, domestic abuse, low mood, anxiety and depression is socially irresponsible and will be detrimental to child development, family life and public order.

I would therefore ask the licensing subcommittee to question what purpose will it serve to allow this premises to continue to operate?

Considering, the evidence of how local people, organisations feel; the failed test purchases and vast amount of illegal tobacco and alcohol seized I would urge the subcommittee to support the closure of this off license to avoid the potential harm to children, additional crime and disorder offences and maintain public safety.

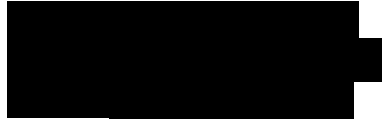
Signed: 

Date: 15/12/2023

Gipton & Harehills Ward
Labour Councillors
Councillor Arif Hussain
Councillor Salma Arif
Councillor Ashgar Ali
Civic Hall
Leeds, LS1 1UR

FAO: Leeds City Council's
Entertainment Licensing Team

Civic Tel 0113 37 88811



11.12.23

Dear To Whom It May Concern

**Subject: Licence Review, Mama Rose Food and Wine, 23 Compton Road,
PREM/03080/007**

As ward Councillors we are writing to **support** the licence review of Mama Rose on Compton Road.

Compton Road sits next to the main arteries of Harehills Road and in particularly Harehills Lane, both of which are already saturated with retail outlets legally selling alcohol.

To put this into context, along Harehills Lane and Harehills Road, approximately 70% of shops are selling alcohol. These alcohol outlets sit – quite literally – adjacent to people's homes, children's schools as well as places of worship. Harehills is a densely populated neighborhood; a place where what happens on the street has a huge impact on the local community.

According to the 2019 Index of Multiple Deprivation, Gipton & Harehills Ward has 17 Lower Super Output Areas (LSOAs) that are amongst the 10% most deprived in the country. That is more than any other Ward in Leeds. Coupled with this cumulative deprivation is the fact that Gipton & Harehills Ward is:

- Gipton and Harehills is second most populated Ward in Leeds with 33,645 residents living in 12,400 properties; nearly 10% of homes are classed as overcrowded.
- The Ward is both young and dynamic; 29.5% of residents are children and young people aged 14 or under. 53% of the population is aged 29 or under.
- 4,303 children and young people aged 0-15 in Gipton & Harehills live in the most income deprived households in England.
- Whilst 62.4% of the population is economically active; long term unemployment is double the Leeds average and those that have never worked is at 15.2%, which is

nearly four times the Leeds average. Women from the Ward active in the job market is also notably lower than the Leeds average.

- 33.3% of working age people are receiving universal credit.
- Gipton and Harehills Ward is very diverse, with 63% of the population identifying as being from an ethnic minority; 72% of households reported that English was a first language.
- As a migration hub, the Ward has hundreds of languages spoken and numerous faiths live in close proximity (75% of households identify as being religious against a Leeds average of 65%).
- Nearly 56% of households don't have access to a car or van.
- Fuel poverty for the Ward stands at 29.9%, 8.4% of households don't have central heating.
- Crime is higher than the Leeds average with violence and sexual assault, public order, ASB and criminal damage presenting as the main issues

Source: <https://observatory.leeds.gov.uk/deprivation>

Numerous residents, both young and old and of all faiths and backgrounds, have talked to all three of us about their experiences of drink related abuse and violence on their doorstep. This behaviour as led to damage to property, broken glass, urine and worse left on the pavements outside of people's homes.

Against this backdrop, the idea that a business in the heart of Harehills could be not only operating illegally but compounding these issues by selling illegal alcohol, as well as illicit tobacco products, is simply staggering.

Such is the scale of alcohol related issues in Harehills, a Cumulative Impact Assessment (CIA) was introduced by the council in early 2019 and has been re-drafted and enlarged in November 2022; this enlarged area now includes the site of Mama Rose:

<https://democracy.leeds.gov.uk/documents/g11973/Public%20reports%20pack%2029th-Nov-2022%2010.00%20Licensing%20Committee.pdf?T=10> The response from Harehills residents to the CIA consultation was both compelling and shocking, but sadly not surprising.

Indeed, we feel passionately that this licence should be reviewed in light of the compelling evidence presented by the Police, as letting this business trade illegally would be seriously damaging to the health of the people of Harehills; from local residents, parents and children who have to witness anti-social behaviour on their doorstep as the result of alcohol abuse to the vulnerable children who may exposure to alcohol and tobacco products that they otherwise wouldn't have access to.

For over three years, a dedicated partnership made up of local Cllrs, council officers, the Police and representatives from the community and voluntary sector have sought to address the issue of problem drinking in Harehills. Problem street drinking is a

tragic but inevitable bi-product of the availability of cheap alcohol, sold from numerous outlets, at all hours.

This latest development around the sale of illegal alcohol is a major concern. The following paragraphs outline the arduous journey that has been undertaken to help tackle problem drinking in adults in Harehills. To think that potentially another generation of our children could be embarking on this path because of access to illegal alcohol is frankly terrifying and cannot be allowed to happen.

To expand, the multi-agency partnership is taking-up this complex challenge is on several fronts. Focus is being given to disruption, which includes enforcing the existing Public Space Protection Order (PSPO: <https://www.leeds.gov.uk/antisocial-behaviour-and-crime/public-spaces-protection-orders/harehills-pspo>) and serving injunctions on the more troublesome street drinkers.

In tandem to this approach, there is also a concerted effort to engage with this cohort of drinkers to address their needs around addiction. This work has proven challenging for the partnership given the obvious tension between balancing the imperative to support individuals who are addicted to alcohol and the concerns of the wider community who are suffering because of their actions. A constant pressure for the partnership is allowing the space and time for the outreach work to pay dividends whilst demonstrating to residents that this issue is being taken seriously via enforcement activity that reduces unacceptable levels of anti-social behaviour.

Genuine relationships are being forged under difficult circumstances by Touchstone's dedicated outreach worker who has conducted numerous visits to the Harehills area to date. Allied to this, alcohol supply has sought to have been addressed through the continued defence of the council's Cumulative Impact Assessment (CIA) and the opposition of any new off licenses; four applications have been declined in recent times, but tens of off-licences remain in a less than two-mile square radius. A prominent derelict site on Compton Road has also been target hardened following work by Cleaner Neighbourhoods Team colleagues, as it was a magnet for street drinkers.

Ward Members from both Gipton and Harehills and Burmantofts and Richmond Hill have committed funding for the Touchstone outreach worker, with group sessions for this cohort taking place at a local café on Harehills Lane. Encouragingly, around 12-15 people now regularly attend and engage with support services at these sessions, with over 129 individuals with alcohol dependency issues attending since October 2021.

Incremental progress is being made with two attendees in rehab; one individual is not attending due to "now working" and some of those who attended on a regular basis are now staying at home, in a relationship or visiting family i.e. positive lifestyle changes. Most refrain from drinking to attend the session then go home afterwards. Furthermore, some clients changed their drinking behaviour and reported increased

confidence and self-worth. In addition, there was a take up of new registrations with Forward Leeds, who supported the drop in sessions.

Allied to this, colleagues in Leeds Anti-Social Behaviour Team, along with the Police and the Safer, Stronger Communities Team are constantly working in partnership using all the available legislation including the Anti-Social Behaviour Crime and Policing Act 2014 to address the issue of problem street drinking and associated community concerns.

The innovative use of 'Closure Orders', granted under anti-social behaviour legislation further bolstered the existing PSPO in the area for a time. The Closure Order, which denied access to a specific area if people are in possession of an open container of alcohol, also gave officers additional powers to ensure there was the necessary balanced approach that allowed officers to support the needs of the community as well as the needs of a group of individuals with very serious challenges around addiction.

East Leeds Neighbourhood Policing Team undertook the following action in relation to the Closure Order, which ran from December 2021 until June 2022:

- 92 x individuals issued with warnings
- 36 x individuals reported for summons to court, for breaching the order and previous warnings issued
- 7 x individuals arrested for offences including breach of the closure order, breach of bail and drunk and disorderly.
- 3 x individuals prosecuted and fined in court, for breaching the partial closure order

Closure Order: <https://www.westyorkshire.police.uk/news-appeals/new-powers-tackle-street-drinking-harehills-leeds>

As a community, along with the council, statutory services and local community and voluntary sector groups we are exhaustively trying to redress the current imbalance in an area where alcohol misuse is having a detrimental effect on the lives of residents.

Ignoring the very real and serious concerns raised by the Police in this licence review, will be slap on the faces of everyone who has campaigned for the CIA, the PSPO, the closure order as well as those working hard to support people with alcohol addiction and those wanting a safer future for themselves and their children.

As Ward Councillors, we hope you will consider the concerns raised above and come to the decision that Harehills does not need, want or deserve an off license selling illegal alcohol and tobacco.

We say with a united voice, please consider the impact on our children, they deserve so much better than this.

Yours sincerely

