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Leeds District Licensing Department
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31st January 2024

Entertainment Licensing Section,
Leeds City Council,
Civic Hall,
Leeds,
LS1 1UR

cc. S. Sheratt, Licenisng Matters Ltd. [REDACTED]

RE: Everyday Stores Ltd, Nisa, 2 Ash Road, Headingley, Leeds LS6 3JF

**APPLICATION TO VARY A PREMISES LICENCE – LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – “FULL” OBJECTION – HEADINGLEY CIA**

West Yorkshire Police received an application to vary a premises licence for the above premises on 9TH January 2024. The application seeks to extend its opening hours to 24 hours a day with the hours for the sale of alcohol extended from midnight to 0300 hrs.

The application relates to a premises which falls within one of the areas of Leeds currently subject to an assessment of cumulative impact, as detailed in the present Statement of Licensing Policy 2023- 2027, issued by Leeds City Council as the licensing authority.

West Yorkshire Police make representations to the application based on the cumulative impact assessment (CIA) for Headingley.

The full details of the Headingley CIA can be found within the current ‘2023-2027 Statement of Licensing Policy’ of Leeds City Council, from paragraphs 7.19 to 7.22.

Paragraph 7.19 - the Council has determined that this is an area that is suffering from the cumulative impact of licensed premises and consequently this is leading to problems which are undermining the licensing objectives. Specifically, the area is located around North Lane and Otley Road.
The applicant’s premises sits at the junction of Ash Road and North Lane.

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Paragraph 7.21 - In this area the nature of the problems is alcohol related violent crime and nuisance being perpetrated on the people visiting the area during specific peak hours.

The relevant peak hours for the Headingley Cumulative Assessment are 1300 to 1800 hrs and 2200 to 0300 hrs (Leeds City Council's Cumulative Impact Assessment 2023-2025 p.62). **The applicant has applied to sell alcohol within these peak hours from 0500 hrs to 0300 hrs, almost 24 hours a day in an area that is suffering from violence and nuisance.**

Paragraph 7.22 - it would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence that seek to operate during the peak hours.

Very simply, the sale of alcohol at the proposed times will add to the issues Headingley are already faced with.

The later hours will be a draw for the students in the area fuelling late night parties which in the recent past have been an issue in the area and its neighbouring area of Hyde Park. Hyde Park itself is subject to its own Cumulative Impact assessment where off licences are the cause for the implementation of it. The two areas were initially under one assessment but have since been split so they can be managed better.

The shop is surrounded by residential premises and therefore the later hours are simply not conducive to this area where people are trying to get a decent night's sleep.

During 2022/2023 there were approximately 16 calls to the police that mention this premises specifically. It is a known fact that alcohol is one of 6 main drivers of crime and several calls refer to people being in drink. Whilst it is accepted that many of the incidents have occurred outside the premises it does show that the area directly around the shop has its share of crime and disorder. Crimes that have occurred include but are not restricted to, assault, drugs, theft and robbery.

In applications such as these, the onus is on the applicant to show that their later opening hours and sale of alcohol will not impact upon the area or add to the existing problems (paragraph 7.38 SLP). The applicant has simply not addressed this at all and indeed the current conditions mirror those that would be seen in a premises opening from 8am to 6pm for example not one that intends to operate 24 hours.

Therefore, in these circumstances, West Yorkshire Police has no alternative but to ask a presiding sub-committee at any forthcoming hearing concerning this application to refuse it outright.

Sarah Blenkhorn
Leeds District Licensing Officer
West Yorkshire Police

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OFFICIAL SENSITIVE (when complete)

WITNESS STATEMENT(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:

URN:

Statement of: Sarah Blenkhorn

Date of birth: Over 18

Occupation: Licensing Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: S Blenkhorn

Date: 21.2.24

Signature witnessed by:

Date:

Time and date statement taken:

Check box if witness evidence is visually recorded (supply witness defaults on rear)

I am a Licensing Officer with West Yorkshire Police (WYP) based at Elland Road Police Station in Leeds. I cover the North West and Inner South areas of the city.

This statement is in relation to Everyday stores located at 2 Ash Road, Headingley, Leeds LS6 3 JF. It should be noted that the premises licence itself (PREM03893/02) refers to itself as Nisa. It should also be noted that the external signage of the shop refers to itself as "24-hour shop" and has done so for some considerable time.

The current premises licence allows trading hours from 0500 to midnight each day. Alcohol sales also take place between these times. Therefore, the premises currently is not a 24 hour shop.

On Sunday 3rd December, WYP received an email from PC 258 Amin reporting an incident had occurred at the shop earlier that morning at approximately 0300 hrs. He stated that police officers were dealing with an incident at the time trying to locate two suspicious individuals which led them to the premises at 2 Ash Road. The Officer stated that the staff member on duty at the time was obstructive and argumentative and tried to cover for the two individuals saying they were staff members but it was evident to the officers that he was lying.

At this time the officers also observed that a sale of alcohol took place to a member of the public. The Officers asked to see the premises licence which was shown to them where it clearly stated that the hours for the sale of alcohol and the opening hours were from 0500 to midnight. Hence a report was sent to WYP licensing due to the sale of alcohol beyond permitted hours.

This report was followed up with Tariq Hussain, the DPS of the premises, by me on 14th December 2023 when I attended at the premises with a member of Leeds City Council Licensing. I outlined the reason for my visit. Mr Hussain told me that the member of staff on duty on the evening in question had since been sacked and no longer worked at the premises. Mr Hussain was unaware that his opening hours were until midnight. He told me he knew his alcohol hours were until midnight and at this time he then gates up the alcohol but he was under the impression that he could remain open to serve his other goods.

He told me that there must have been some sort of mis communication between himself and the legal representative who managed the last variation to the premises licence despite the licence being on

Signature: S Blenkhorn

Signature witnessed by:

NICHE Ref. No:		URN:	
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Continuation Statement of: Sarah Blenkhorn

display in the shop which clearly states the opening hours of the premises. However, the fact that Mr Hussain does blatantly advertise that he is 24 hours on the outside of his shop does lead me believe that he did genuinely think that his opening hours were 24 hours. Unfortunately, this did give me great cause for concern that the DPS of the premises and presumably also the owner had no idea about the opening hours of the shop and had been operating outside of its permitted hours since 2018.

I asked Mr Hussain to show me his CCTV system however he was unable to operate it from the main system and said he could do it from his mobile phone instead. Unfortunately, Mr Hussain could not show me any retained footage (which should be in place for a 28 day period in line with his premises licence). Mr Hussain could also not produce his incident register, refusals log or any staff training documents. I advised he address these issues immediately and I would return in a few weeks' time to check.

I returned to the store on 19th January 2024 and Mr Hussain showed me a book which contained his incident log, refusals log and training records. No entries had been made at that time but what he had implemented was satisfactory. I asked him to show me the CCTV, again he was unable to show me any retention for any footage. He reported an engineer was coming on 1st February to upgrade the system, some 6 weeks later after my initial visit in December.

I followed this up on both 8th February and 16th February by way of telephone call. Mr Husain reported that the CCTV system was still being worked upon by the engineer.

My only other dealings with this premises were back in 2021 when the shop had the same issues with regards to the CCTV. It was eventually sorted out but how long it continued to operate correctly for remains unknown.

To be fair to Mr Hussain, he has always been polite, amenable and co-operative when I have had cause to speak with him. He has / is addressing the issues raised to him in January of this year although it is now 2 months since the issue around CCTV was raised. It is concerning that he did not know his hours of operation and that an alcohol sale did take place beyond the permitted hours when the shop should have been closed. This is aggravated by the fact that even if the shop had been 24 hours as Mr Hussain believed, he knew his alcohol sales were to midnight and his staff should have been trained appropriately. To reiterate, he did sack this particular member of staff.

Since January 2022 there have been approximately 16 calls for service where either the premises has either been involved in an incident or, more frequently, used as a landmark for incidents of crime and disorder occurring in the immediate vicinity of the premises. This shows that the premises is located in area where crime and disorder is prevalent.

I have produced a table of these incidents as exhibit SMB1 and have highlighted in red all the ones which occurred after midnight into the early hours. This equates to almost half of the calls received.

Signature: S Blenkhorn

Signature witnessed by:

EXHIBIT SMB1	TABLE OF INCIDENTS 2022-2023	EVERYDAY STORES, 2 ASH ROAD, LEEDS LS6 3JF	
DAY/TIME/DATE	INCIDENT	DETAILS	Police ref
Mon 1548 HRS 25.12.23	Public order	Irate customer in shop	0767
Sat 1435 hrs 30.9.23	Theft of purse	Customer leaves purse on counter top at shop	0984
Sun 0128 hrs 28.5.23	Violence against person	Male who has been drinking assaulted outside shop	0161
Sun 0428 hrs 14.5.23	unclear	Caller possibly in drink wanting to make complaint shop owners car – unclear what caller trying to report	0311
Fri 0123 hrs 5.5.23	Public order	Male reporting staff stole phone, group of males then attend throwing glass bottles on floor	0076
Sun 1811hrs 30.4.23	Drugs	Drug dealing outside shop	1448
Tue 0120 hrs 24.1.23	Theft	£30 worth of alcohol stolen. Suspects gone to a student party 3 doors down	0059
Thurs 2236 hrs 5.1.23	Concern for safety	Dispute over taxi fare, caller in drink and aggressive	1835
Mon 1206 hrs 26.12.22	Theft	phone left on counter at shop, stolen, staff keep changing story about phone, phone eventually returned to owner	0576
Mon 1327 hrs 28.11.22	Robbery	Young male assaulted and robbed of watch and wallet outside shop on Sat 26.11.23 at 0200 hrs	0832
Thurs 1400 hrs 13.10.22	Robbery	Young male robbed of scooter outside shop at approx. 0030 hrs that morning	0825
Thurs 1605 hrs 11.8.22	Violence against person	Call from ambulance, male stabbed very near to shop.	1162
Thurs 0428 hrs 7.4.22	Sexual	Taxi driver assaults female passenger outside of shop	0177
Tues 2259 hrs 8.3.22	Suspicious circs	Male sat in doorway of shop with baseball bat	1823
Sun 0224 hrs 9.1.22	Public order	Caller inside shop reporting group outside who are going to assault him	0167

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:

URN:

Statement of: POLICE SERGEANT [REDACTED] SIMON GREEN

Date of birth: Over 18

Occupation: POLICE OFFICER

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false or do not believe to be true.

Signature: S. Green

Date: 04/02/2024

Signature witnessed by: N/A

Date: N/A

Time and date statement taken: 04/02/2024 15:30

Check box if witness evidence is visually recorded (supply witness defaults on rear)

I am a Police Sergeant with West Yorkshire Police and am currently the Neighbourhood Policing Sergeant within North West Leeds. My roles and responsibilities include community crime and anti-social behaviour issues within the Headingley ward. The issues effecting this area are often complex and dramatically effect the quality of life of those living in the town, as well as local businesses attempting to operate in the area.

I am experienced within Neighbourhood Policing with 14 years' experience in West Yorkshire Police, all of this within uniformed policing across Patrol, Neighbourhood Policing and Custody, and have spent the last 2 and a half years focused on the Headingley and Hyde Park area of Leeds. My roles have meant I have extensive experience in the diverse issues the area faces, including serious and acquisitive crime, alcohol related disorder and drug supply.

Through my role, I have regular interactions with the community, business groups and locally based support groups and statutory organisations, putting into context the level of knowledge I have on Headingley and the surrounding areas.

I am making this statement based on my overall knowledge of anti-social behaviour and nuisance directly linked to street drinking in Headingley. I regularly attend partnership and community meetings and the issues around street drinking and alcohol related disorder are always discussed. The level of passion felt by the community is clear to see as the drinking and associated disorder effects their daily lives.

The area is covered by the PSPO which was introduced due to the levels of disorder and alcohol related ASB which Headingley encountered, and this licensing extension does not help the aims of the PSPO to be fulfilled, in fact it would be a hindrance.

The regular complaints encountered in the area include:

- A number of street drinkers congregating on the benches opposite the 24 Hour Shop (2 Ash Road) causing people to feel intimidated.
- Litter and untidiness around the area from drink related objects including beer bottles and cans. Broken glass littering pavements and around bus stops.
- Public safety concerns around people urinating and vomiting in the street. There have also been examples of street drinkers going into basement doorways and defecating.

Signature: S. Green

Signature witnessed by: N/A

NICHE Ref. No:		URN:	
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Continuation Statement of: POLICE SERGEANT 3489 SIMON GREEN

- Abuse and verbal threats to shoppers and store assistants from drunken individuals.
- Individuals passed out in the street due to intoxication.
- Headingley has had complaints regarding misogynistic comments from drunken males and this has now been specifically written into the PSPO to try and address. Allowing this store to serve alcohol into the night only stands to make this worse, especially given it is close to nighttime economy establishments where females frequent.
- Violent crime linked to drinking alcohol.

The 24 Hour Shop is situated on the very edge of the main residential area of Headingley which is very densely populated. It does not just contain students however, many are older retired people as well as families and other sectors of the community who are already extremely distressed at the level of noise, drinking culture and alcohol related ASB.

One of the main community complaints is regarding alcohol fuelled house parties within this zone. Extending the licensing hours on the 24 Hour Shop will allow parties to continue even further into the night, causing even more upset for the residents, with access to alcohol further into the night.

The benches opposite the 24 Hour Shop already act as a meeting place for groups of street drinkers and nuisance groups known for drunken behaviour, lewd comments and causing nuisance to the businesses and residents alike. Given the close proximity to the 24 Hour Shop, this will without doubt attract these groups even further into the night being so close to a source of alcohol. From engaging with street drinkers, they have identified they congregate at areas they have access to alcohol with late night opening hours to help facilitate their addictions. This will draw individuals from across the city to the 24 Hour Shop, especially given the communal park opposite making it the perfect location to sit with recently purchased alcohol.

Headingley also has issues with public urination stemming from alcohol consumption, again, specifically mentioned in the PSPO. Allowing the 24 Hour Shop to serve long into the night can only exasperate this issue causing yet more anguish for businesses who are often the subject of this with their doorways left smelling of urine for days at a time, and often resulting in financial loss having to deep clean the areas.

Local business groups and store managers regularly complain of drunkenness around the clock. This is putting the residents off shopping in the area and Headingley is now referred to by many residents as a no-go zone between certain hours. Extending this licence can only add to that feeling.

A great deal of police effort and time has been diverted into addressing these concerns; additional patrols have had to be moved from other areas of policing. Police officers regularly are committed and tied up for several hours with drunken individuals who are being abusive or passed out in the street. The residents regularly report feeling unsafe and being abused by drunken individuals stopping them accessing their main streets.

As the Neighbourhood Policing Sergeant for the area, I can state that the behaviour of those involved on the street drinking and related anti-social behaviour is of great concern and there are additional community concerns and tensions, widening the gap even further between the student and permanent residents in the area. This type of behaviour clearly has a negative impact on the community which has been reported on regionally and nationally and I would therefore object to the application of 24 Hour Shop, 2 Ash Road, Leeds, being granted additional licensing hours.

Signature: S. Green

Signature witnessed by: N/A