



FAO: Leeds City Council's  
Entertainment Licensing Team

**Gipton & Harehills Ward  
Labour Councillors  
Councillor Arif Hussain  
Councillor Salma Arif  
Councillor Asgar Ali**  
Civic Hall  
Leeds, LS1 1UR  
Civic Tel [REDACTED]

08.04.24

To Whom It May Concern,

**Subject: Licence Review K&B Stores, 31C Harehills Road, PREM/03372/004.**

As ward Councillors we are writing to **support** the licence review of K&B Stores on Harehills Road.

K&B Stores is located on one of Harehills' main arteries, Harehills Road, a busy thoroughfare that cuts through the heart of a densely populated residential area, sitting adjacent to people's homes, schools, and places of worship. Harehills is a densely populated neighbourhood; a place where what happens on the street has a huge impact on the local community.

Harehills Road is also an area that is already saturated with retail outlets legally selling tobacco products. The idea that a business could be operating illegally, selling products that are potentially dangerous to our residents, is a serious concern to ward Councillors.

There is a clear risk to public safety posed by residents being exposed to unregulated tobacco products. We are all too aware that the use of these types of illicit products could have a detrimental impact on the health of our residents, many of whom are already some of the most disadvantaged in our society.

According to the 2019 Index of Multiple Deprivation, Gipton & Harehills Ward has 17 Lower Super Output Areas (LSOAs) that are among 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:

- The second most populated ward in Leeds with 33,645 residents living in 12,400 properties; nearly 10% of homes are classed as overcrowded.
- 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 the percentage of residents that have never

worked is 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>

Against this backdrop, the idea that a business in the heart of a residential area in Harehills could be not only operating illegally but compounding these issues our residents face by selling tobacco products is very worrying.

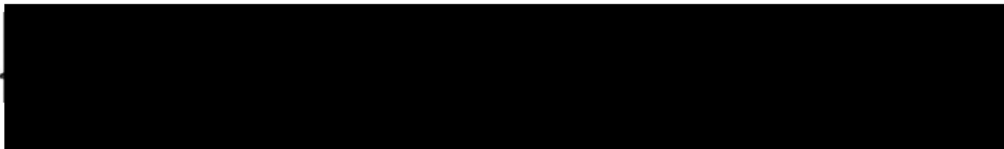
Letting this business trade illegally could be seriously damaging to the health of the people of Harehills, in particular residents who may be exposed to potentially dangerous tobacco products that they otherwise wouldn't have access to.

With that in mind we feel passionately that this licence should be reviewed in light of the compelling evidence presented by the police.

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 licence selling illegal tobacco products.

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

Yours sincerely



Councillor Arif Hussain

Councillor Salma Arif

Councillor Asghar Ali



Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR

**Elections and Regulatory Services**

Civic Hall  
Leeds LS1 1UR

Our Ref: A80/PREM/03372/004

Contact: Victoria Radford

Tel: 0113 3785029

Fax: 0113 3367124

Email: [REDACTED]

Date: 2<sup>nd</sup> April 2024

Dear Sir/Madam,

**FORMAL REPRESENTATION: REVIEW APPLICATION UNDER THE  
LICENSING ACT 2003  
PREMISES: K&B STORES, 31C HAREHILLS ROAD, LEEDS, LS8 5HR**

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 1<sup>st</sup> October 2013. The Premises Licence permits the retail sale of alcohol from 10:00 to 23:00 every day. The opening times of the premises are 09:00 and the closing times being 00:00.

Mr Ismail Khalid Mostafa became the Premises Licence Holder (PLH) and Designated Premises Supervisor on the 8<sup>th</sup> July 2015. The Premises Licence PREM/03372/003 is the Licence in force today.

On the 24<sup>th</sup> January 2024 I took part in a multi-agency operation visiting shops in the Harehills area. At 10:55am I visited K&B Stores in company with colleagues from West Yorkshire Police and West Yorkshire Trading Standards. The Premises Licence Holder (PLH) Mr Mostafa was present at the time of the visit. West Yorkshire Trading standards seized; 117 x 20 packets of cigarettes, 10 x 50g pouches of HRT & 119 Oversized Vapes, which were in a hidden concealment within a doorframe.

Whilst in attendance at the premises I conducted an inspection under the Licensing Act 2003. Part B of the premises licence was displayed at the premises, however, when asked to produce Part A of the licence Mr Mostafa was unable to do so.

The Part A of the Premises Licence was not available on site. The Part A of the Premises Licence can be several pages and includes the same information as the Part B but also the terms and conditions which must be complied with to sell alcohol or carry on any other licensable activity. If it is not available to staff on site, how can they ensure they are complying with all the conditions on the Licence?

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).

(8) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 [£500] on the standard scale.

Upon checking the CCTV system, it was noted that the system was 1 hour and 5 minutes out, Mr Mostafa was unaware of this at the time of the visit. PC Neil Heywood was able to access the system and correct the time whilst we were on site. It was explained to Mr Mostafa the importance of the CCTV and it being the correct time, not only for the health and safety of the customers but the staff as well.

The Premises Licence for K&B Stores has the following condition attached;

“During the sale of alcohol a personal licence holder will be on the premises.”

As Mr Mostafa is named as both PLH and DPS at the premises, we requested to view Mr Mostafa's personal licence card. On checking the licence Mr Mostafa's home address was not correct and advice was given to contact the Entertainment Licensing department to update his address on his personal licence. Further advice was given that in the absence of Mr Mostafa that the premises must have another member of staff with a personal licence on site.

I produce a copy of the inspection sheet dated 24<sup>th</sup> January 2024 as my exhibit VR1.

The following day Mr Mostafa emailed the office to update his address on both his premises and personal licence as requested.

On the 21<sup>st</sup> February 2024 at 12:07pm, a follow up visit was carried out at the premises. At the time of our arrival Mr Mostafa was not at the shop, his colleague [REDACTED] rang Mr Mostafa and he arrived shortly after the call.

As per the condition on the licence stating that a personal licence holder must be always on the premises, Mr Mostafa confirmed that [REDACTED] had recently undertaken a personal licence exam at the shop. This is not common practice when undertaking the personal licence qualification; typically candidates would undertake the training at a verified training centre or

college rather than an individual premises. Further details of the course provider/examining body were requested to be emailed. To date we have not received requested information.

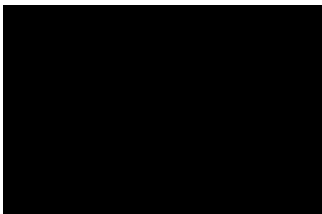
The Part B of the Premises Licence was prominently displayed and the Part A of the licence was produced from behind the Part B at the time of the visit. Further, both the Premises Licence and Mr Mostafa's personal licence had been updated to reflect his new home address.

When there is a breach of conditions an offence is committed (unless where otherwise specified) 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 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.

It is clear not only from the breaches of the Licensing Act 2003 but further from the seizures of illicit tobacco as well as illegal electronic cigarettes ('vapes') that Mr Mostafa does not take his responsibilities seriously. He has failed to comply with a variety of legislation and is unconcerned about the impact his business has on the immediate community. It is clear that he has 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 Victoria Radford  
Senior Liaison & Enforcement Officer  
Entertainment Licensing

# 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: K& B Stores, 31C Harehills Road, Leeds, LS8 5HR

## Section 2 – Your personal details

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

Title	Mr <b>Mrs</b> Miss Other _____
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Surname	<b>Patel</b>
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First name(s)	<b>Chetna</b>
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Address (incl postcode):

Leeds City Council, Public Health (Alcohol and Drugs Team), 5<sup>th</sup> 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	<b>N/A</b>
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Full postal address (Incl postcode)	<b>N/A</b>
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Please indicate capacity:

Representative of Residents Association	Ward Councillor	Parish Council
MP	Trade Association	Other (please specify)
_____		

Section 4 – Representation grounds									
<p><b>The representation is relevant to one or more of the following licensing objectives:</b></p> <p><b>Please tick relevant box(es)</b></p>	<table> <tr> <td>Prevention of crime and disorder</td> <td>X</td> </tr> <tr> <td>Prevention of public nuisance</td> <td>X</td> </tr> <tr> <td>Protection of children from harm</td> <td>X</td> </tr> <tr> <td>Public safety</td> <td>X</td> </tr> </table>	Prevention of crime and disorder	X	Prevention of public nuisance	X	Protection of children from harm	X	Public safety	X
Prevention of crime and disorder	X								
Prevention of public nuisance	X								
Protection of children from harm	X								
Public safety	X								
<p>Please select:</p> <p><b>I object to the application being granted at all.</b></p> <p>I object to the application being granted in its current form*</p> <p>*If you choose this option, remember to tell us in the next section what changes you would prefer to see.</p>									
<p><b>The grounds of the representation is based on the following:</b></p>									
<p>I would like to make a public health objection to the application of K&amp; B Stores, 31C Harehills Road, Leeds, LS8 5HR.</p> <p>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.</p> <p>I would like to strongly object to this license on the following grounds.</p> <p>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.</p> <p>Following visits from West Yorkshire Trading Standards a test purchase of non duty paid illegal tobacco was made. Following an inspection by Trading Standards and West Yorkshire Police a concealment containing 117 packets of cigarettes and 10 pouches of rolling tobacco as well as 119 oversized vapes. I am objecting to the continuation of this licence for the protection of children from harm.</p> <p>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. LS8 5HR was awarded an overall harm from alcohol related risk as <b>25 out of 107 MSOAs</b>, putting it within the <b>medium</b> risk of alcohol-related harm category. It also has a deprivation score of <b>15 out of 107</b>, with a risk rating of <b>high</b>.</p> <p>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.</p> <p><b>Protection of children from harm -</b></p> <p>This area has a <b>high count</b> of off licenses in Leeds and is <b>risk rated as very high with a rank rating of 16</b>. 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 <b>very high</b>; it has the <b>highest number of children</b> under the age of 16 in Leeds District (ranked <b>2</b>). 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. <b>Vulnerability to alcohol-related problems: a policy brief with implications for the regulation of alcohol marketing</b> (TF. Babor et al, 2017).</p>									

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

- 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 (0.3 miles away)
- Hovingham Primary School, Hovingham Ave, Harehills, Leeds LS8 3QY (0.3 miles away)
- Harehills Primary School, Darfield Rd, Harehills, Leeds LS8 5DQ (0.3 miles away)
- Bankside Primary School, Shepherds Ln, Harehills, Leeds LS8 5AW (0.3 miles away)
- Co-op Academy Nightingale, 9 Stanley Rd, Harehills, Leeds LS9 7AX (0.6 miles away)
- Harehills Family Early Years Centre, Cowper Terrace, Harehills, Leeds LS9 7BA (0.7 miles away)
- Little Owls Nursery Harehills, Cowper Terrace, Harehills, Leeds LS9 7BA (0.7 miles away)
- Co-op Academy Woodlands, Foundry Pl, Harehills, Leeds LS9 6DA (0.7 miles away)
- Co-op Academy, N Farm Rd, Leeds LS8 3LZ (0.9 miles away)
- Co-op Academy Leeds, Stoney Rock Ln, Leeds LS9 7HD (1.1 miles away)
- Brownhill Primary Academy, 54 Torre Dr, Leeds LS9 7DH (1.3 miles away)
- Ebor Gardens Primary academy, Rigton Green, Leeds LS9 7PY (1.4 miles away)

The GIPSIL - Archway Resource Centre 95 Roundhay Rd, Harehills, Leeds LS8 5AQ is also only **0.5 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.

This area has a **very high** number of young people not in education or training; it is ranked – **3 out of 107 MSOA's**. There is also a low level of educational attainment with a **high** rate of pupils not achieving a strong pass in English and Maths and is **ranked 20 out of 107 MSOA's**. Viewed alongside this the area has the high number of looked after children and young people, which is **ranked high – 13 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, including **alcohol drinking, vaping and smoking**.

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). Although there is no evidence of underage selling we have seen KB stores have acted irresponsible by the number of non-duty paid tobacco and illegal vapes that have been seized. Vaping is a method used to help those to quit smoking, often young people are taking up vaping without ever smoking and is a trend that has become popular. The risk of vaping long term is still unknown, however the Government have taken the initiative to ban disposable vapes which will be implemented in the future.

No disposable vape tank should contain more than 2ml (around 600 puffs worth) of eliquid, at K&B stores the vapes seized were oversized which are classed as illegal.

Gipton & Harehills	Tobacco complaints	Tobacco visits	Vapes complaints	Vapes visits
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<b>All years</b>	102	75	18	23
UAS	10	41	18	12
Counterfeit	92	34	0	11
<b>2020-21</b>	26	11	0	0
UAS	3	8	0	0
Counterfeit	23	3	0	0
<b>2021-22</b>	24	31	5	1
UAS	3	15	5	1
Counterfeit	21	16	0	0
<b>2022-23</b>	24	14	8	4
UAS	3	3	8	1
Counterfeit	21	11	0	3
<b>2023-24 (incomplete)</b>	28	19	5	18
UAS	1	4	5	10
Counterfeit	27	15	0	8

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, drug dealing and illegal tobacco, 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, tobacco use, 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 K&B stores undermine all the hard work and commitment that is taking place to improve the area.

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 illegal tobacco and vapes to 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 we have a large population of young people in our area. Selling illegal tobacco/vapes undermines this responsibility. By allowing access to illegal tobacco/vapes we inadvertently contribute to potential harm and negative consequences for young people and the wider community.*

2. **Risk of Dependency:** *Early exposure to tobacco can lead to dependency issues later in life. Adolescents' brains are still developing, and tobacco 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/tobacco/vapes misuse whilst growing up is a clearly recognised risk factor for problems throughout the life course.*
3. **Social Behavior and Safety:** *It is our cities ambition to create safer communities for children and young people to grow up in. Clearly curbing irresponsible retailers is critical so we can contribute to safer communities and protect both young individuals and the wider public.*

*Thank you for considering my concerns.*

**[REDACTED]** (Senior Partner)

The intelligence provided above relates to the potential harm caused by illegal tobacco and vapes 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/vapes and alcohol. The evidence indicates K&B Stores provided cheap tobacco products and illegal vapes which can have a detrimental effect on health especially the uncertainty of what is contained in illicit tobacco or vapes. Providing cheap products can encourage those who are dependent on tobacco to increase their usage, Gipton and Harehills has the highest rates of smoking and it is significantly above the Leeds average. 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 purchase on tobacco as well as the seizures of illegal tobacco and 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 test purchase and vast amount of illegal tobacco and vapes 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: **C. Patel**

Date: 09/04/2024

**From:**Patel, Chetna  
**Sent:**19 Apr 2024 15:25:19 +0100  
**To:**Entertainment Licensing  
**Cc:**Nelson, Matthew;Slezak, Milly  
**Subject:**FW: Licensing application reviews  
**Importance:**High

Hi Matthew,

I got this from Gipsil to add to my statement for the 2 premises K& B Stores, 31C Harehills Road, Leeds, LS8 5HR and Bucovina 225 Harehills Lane, Leeds LS8 3QH.

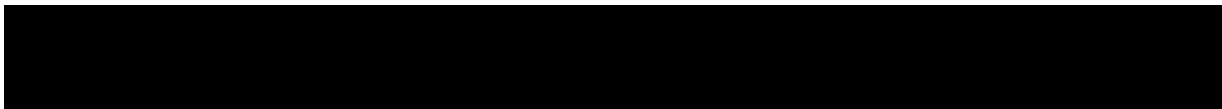
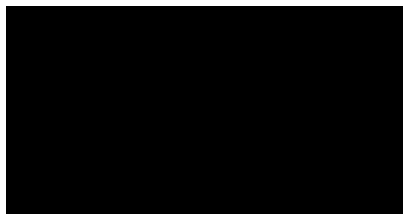
Thanks

Chetna

Chetna Patel

Advanced Health Improvement Specialist

Adults and Health Directorate | Leeds City Council | Merrion House | 4<sup>th</sup> Floor | 110 Merrion House | Leeds | LS2 8DD



Public Health Resource Centre website: [www.leeds.gov.uk/phrc](http://www.leeds.gov.uk/phrc)

Leeds City Council website: [www.leeds.gov.uk](http://www.leeds.gov.uk)

**'Live well, live longer – Changing lives in Leeds'**

**From:** [REDACTED]  
**Sent:** Friday, April 19, 2024 2:17 PM  
**To:** [REDACTED]  
**Subject:** RE: Licensing application reviews

Dear Chetna, please see our statement below regarding the licensing application reviews for K& B Stores, 31C Harehills Road, Leeds, LS8 5HR and Bucovina 225 Harehills Lane, Leeds LS8 3QH.

*GIPSIL, including our remit as lead partner in the Our Way Leeds young persons' housing support contract, we would like to raise our concerns about these two stores which are focused on smoking and illegal vapes. Both stores are within half a mile of Archway where a number of young vulnerable people attend appointments. In addition, there are a number of young, vulnerable people living independently in this area, including those living in our established emergency accommodation provision. These are generally young people living on means tested, subsistence level benefits without extended family or community support networks who can advise them on the negative effects of smoking and the fact that we still don't know what impact ecigarrets will have in their health. Our concerns relates to young vulnerable people buying products that are cheaper due to their challenging situations and having easy access to vapes which are likely to be used by young people who are not attempting to quit smoking but using it more as a trend.*

Kind regards

[REDACTED]

[REDACTED]