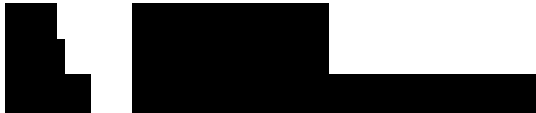




## Elections and Regulatory Services

Civic Hall  
Leeds LS1 1UR

Our Ref: A80/PREM/01387/010  
Contact: Victoria Radford



Date: 4<sup>th</sup> June 2024

Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR

Dear Sir/Madam,

### **FORMAL REPRESENTATION: SUMMARY LICENCE REVIEW APPLICATION UNDER THE LICENSING ACT 2003 PREMISES: GUSTO, 12 - 14 STRATHMORE DRIVE, HAREHILLS LS9 6AB**

Please accept this formal representation by an officer on behalf of the Licensing Authority in support of the summary licence review application made by West Yorkshire Police for the subject premises. I am employed as a Senior Liaison & Enforcement Officer within Leeds City Council's Entertainment Licensing Section.

Having regard to the latest 'Revised guidance issued under section 182 of the Licensing Act 2003 (December 2023)', which states -

#### ***Licensing objectives and aims***

*1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.*

*1.3 The licensing objectives are:*

- *The prevention of crime and disorder;*
- *Public safety;*
- *The prevention of public nuisance; and*
- *The protection of children from harm.*

*1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.*

*1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:*

- *protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;*
- *giving the police and licensing authorities the powers they need to effectively manage*



*and police the night-time economy and take action against those premises that are causing problems;*

- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;*

- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and*

- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.*

It is clear from the latest evidence supplied in the summary review licence application made by the West Yorkshire Police the sanctions imposed following the previous premises licence review hearing for the subject premises has had no deterrent effect in that one or more of the mandatory statutory licensing objectives have not been upheld by the premises licence holder.

This service, in partnership with other partner agencies, continues to be involved in targeted compliance and enforcement activity to business premises, particularly so in the Harehills area which has recently been the subject of a number of premises licence reviews primarily for criminal activities.

The same revised guidance [extract] states:

*11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:*

- for the sale or storage of smuggled tobacco and alcohol.*

*11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.*

It is clear the premises licence holder and other relevant persons associated with the business have shown flagrant disregard of the various regulations. Based on the seriousness of the latest alleged serious criminal conduct set out in the summary review licence application, also past criminal conduct, which was the basis of a separate premises licence review, the Licensing Authority has significant concerns that should the subject premises be allowed to keep its premises licence the mandatory statutory licensing objectives will not be upheld.

Yours faithfully



Mrs Victoria Radford  
Senior Liaison & Enforcement Officer  
Entertainment Licensing