



Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Sub Committee

Date: Monday 7th June 2010

Subject: Application for the Variation of a Premises Licence for Sainsbury's, 70-74 Brudenell Road, Headingley, Leeds, LS6 1EG

Electoral Wards Affected:

Headingley



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs members of an application to vary an existing Premises Licence for a premises situated at 70-74 Brudenell Road, Headingley, Leeds, LS6 1EG, trading as Sainsbury's.

This application relates to the removal of opening hours and the modification of conditions detailed later within this document.

No changes to existing hours and licensable activities are proposed.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified.

1.0 Purpose of this Report

To advise Members of an application made under section 34. of the Licensing Act 2003 ("the Act") for a Premises Licence in respect of Sainsbury's, 70-74 Brudenell Road, Headingley, Leeds, LS6 1EG. The Licensing Sub-Committee is required to consider this application due to the receipt of a representation.

2.0 History of Premises

2.1 An application to convert and vary the existing Justices' Off Licence into a Premises Licence was received on 25th July 2010 for these premises, trading as Jackson's Stores. It was at this stage that the application stipulated times for when the premises intended to open to the public. The opening hours reflected the hours for Sale of Alcohol.

No representations were received in respect of the variation and consequently a Premises Licence was granted, subject to the conditions offered in the Operating Schedule.

An application to transfer the licence holder from Jackson's Stores Ltd to Sainbury's Supermarkets Ltd was received on 25th October 2007, together with notification to change the trading name of the premises to Sainsbury's.

Under Section 41A. of the Licensing Act 2003, an application for Minor Variation to remove the opening hours was submitted on 11th March 2010. The application attracted comments from Environmental Health and the relevant Ward Councillors, and subsequently the application was refused outright.

An application for Variation under section 34. of the Licensing Act 2003 followed on 14th April 2010 with the same intention of the Minor Variation. Also included within this application is the removal and substitution of the conditions attached to the current licence. It is in respect of this application that Members meet today.

A further Minor Variation application was submitted on 21st April 2010 to alter the layout of the store. No comments were received for this application which was granted as requested.

2.2 The premises currently have the benefit of a Premises Licence for the following licensable activities:

M Supply of Alcohol for consumption 'OFF' the premises

2.3 The hours of operation are as follows:

Monday to Sunday 07:00 – 23:00

2.4 The hours that the premises are open to the public are:

Monday to Sunday 07:00 – 23:00

2.5 A copy of the existing licence (including all conditions) is attached at **Appendix A**, for members' attention.

3.0 The Application

3.1 The applicant is Sainsbury's Supermarkets Ltd.

3.2 The location and proximity to neighboring premises can be seen on the map provided; Members attention is drawn to **Appendix B**.

3.3 A copy of the application and operating schedule are attached at **Appendix C** to this report. For the assistance of members, the Operating Schedule shows:

i) Proposed licensable activities and hours of licensable activities

No changes are suggested in this application and the hours for Sale of Alcohol are to remain:

Monday to Sunday 07:00 – 23:00

ii) Proposed times when the premises is open to the public

The applicant wishes to remove any restriction on opening times from the licence, therefore if the application is granted, the opening times would read:

Monday to Sunday 00:00 – 23:59

iii) Conditions to be removed

The application proposes to remove all embedded restrictions converted from the Justices' Off Licence, some of which would be removed as a consequence of the removal of opening hours.

Also proposed is the removal of the conditions initially suggested by the applicant to promote the licensing objectives. These are to be replaced with alternative conditions identified in 'Section P' of the application form.

3.4 Although no formal representation has been received on behalf of West Yorkshire Police, an agreement to alter the wording of their operating schedule was reached. A copy of that correspondence is attached at **Appendix D**.

4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Responsible Authorities have made the following representations:

- **LCC Environmental Health**

Members are invited to consider **Appendix E** of this report.

5.0 Matters Relevant to the Application

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

In making their decision, Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

6.0 Options Available to Members

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule
- Reject or vary whole or part of the application

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Background Papers

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



**Schedule 12
Part A**

**Premises Licence
Leeds City Council**

Licence Issued By:	On: 24th August 2005
N 25 Jackson.	<i>[Signature]</i> 03/01/08
Nicole Jackson Assistant Chief Executive (Corporate Governance)	

Premises Licence Number

PREM/00560

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Sainsbury's Supermarkets Limited
70 - 74 Brudenell Road
Headingley
Leeds
LS6 1EG

Telephone number 0113 224 2474

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Every Day 07:00 - 23:00

The opening hours of the premises

Monday	07:00 - 23:00
Tuesday	07:00 - 23:00
Wednesday	07:00 - 23:00
Thursday	07:00 - 23:00
Friday	07:00 - 23:00
Saturday	07:00 - 23:00
Sunday	07:00 - 23:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Sainsbury's Supermarkets Limited
33 Holborn
London
EC1N 2HT

Premises Licence Holder Telephone Number 0207 695 4000

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 03261722

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Joanne Brown
108 Aberford Road
Stanley
Wakefield
WF3 4NN

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: PA0407

Licensing Authority: Wakefield Metropolitan District Council

Annex 1 – Mandatory conditions

No supply of alcohol may be made under this licence

- a. At a time when there is no designated premises supervisor in respect of the premises licence, or
- b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Embedded Restrictions in respect of Justices' off licence

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

The above restrictions do not prohibit:

- a) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- b) the sale of alcohol to a trader or club for the purposes of the trade or club;

Alcohol shall not be sold in an open container or be consumed in, the licensed premises.

Annex 2 – Conditions consistent with the Operating Schedule

A CCTV system is installed in all the company's stores and will be operated in accordance with the Police Codes of Practice attached to the application (save that due to the digital nature of the CCTV system copies of recordings can only be kept for 10 days instead of the 28 referred to in the codes of practice). The responsible person is the Designated Premises Supervisor.

Refusals Log

Each store is required to maintain a refusals log in which refusals of sales of age restricted products (including alcohol) to those suspected of being under age, are logged.

The refusals log is subject to periodic inspection by store management to ensure that it is being properly maintained by staff members.

The refusals book is subject to periodic inspection by area managers who are required, upon periodic inspection of a store, to complete a store visit report from confirming (amongst other things) that the refusals log is being maintained by staff members and is being inspected by store management.

Proof of Age

The company stores operate what is known as the "under 21 rule" whereby there is a standing instruction to staff members that a customer who appears to be below the age of 21 is required to be challenged to produce proof of age, in the form of photo driving licence, passport or the "Citizen Card"

The company undertakes all appropriate Health and Safety and Fire Risk assessments.

All emergency exits are identified by appropriate signage and the company's evacuation policy in the event of fire is set out on signage by emergency exits.

All company stores are on public highways, easily accessible for emergency vehicles.

Annex 3 – Conditions attached after a hearing by the licensing authority

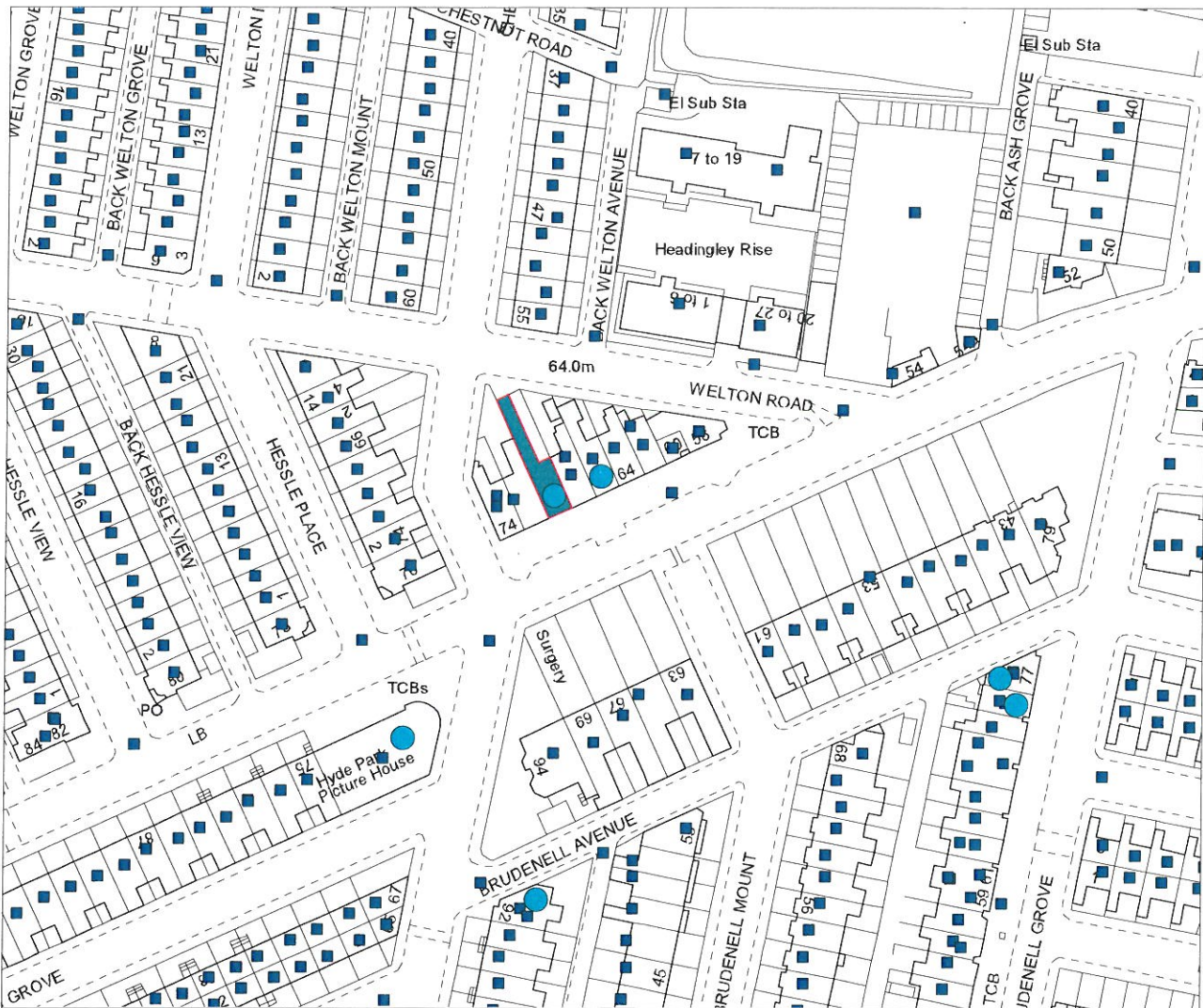
N/A

Annex 4 – Plans

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council Licensing Authority.

PREM/00560/V02

Sainsbury's, 70-74 Brudenell Road, Headingley, Leeds, LS6 1EG



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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Date:	27 May 2010
Scale:	1:1250
Comments:	None

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Sainsbury's Supermarkets Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PREM/00560

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Sainsbury's Supermarkets Limited
70-74 Brudenell Road
Headingley

Post town

Leeds

Post code

LS6 1EG

Telephone number at premises (if any)

Non-domestic rateable value of premises

£21,250

Part 2 – Applicant details

Daytime contact
telephone number

020 7695 4000

E-mail address (optional)

Current postal address if
different from premises
address

33 Holborn

All correspondence to:

Winckworth Sherwood LLP
(Ref: DXC/26508/974/RPB)
Minerva House
5 Montague Close
London
SE1 9BB



Post Town

London

Postcode

EC1N 2HT

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
A supermarket selling a broad range of groceries, household products and alcohol. Situated at 70- 74 Brudenell Road, Headingley, Leeds, LS6 1EG.

1. To remove the current restriction on the opening hours of 7.00 a.m. to 11.00 p.m. and change the opening hours to 24 hours daily.
2. To remove all of the embedded restrictions referred to on page 4 of the licence under the heading 'Embedded Restrictions in respect of the Justices' off licence'.
3. To remove all conditions in Annex 2 of the premises licence.
4. To include in Annex 2 the conditions in boxes b to e of Section P of the operating schedule.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur								
Fri								
Sat						<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun								

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Wed			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Thur				
Fri				
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 3) The applicant may elect not to open the store, or part(s) of the store, between these hours but wishes to have the flexibility to do provide late night refreshment should the store, or part(s) of the store, be open. The provision will take place inside the premises but customers may leave the premises with items purchased.</p> <p><u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

The premises sell alcohol and other age related products.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The applicant may elect not to open the store, or part(s) of the store, 24 hours a day every day but requires the flexibility to do so subject to statutory or operational restrictions.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

1. The store opening hours are currently restricted to:
 Monday to Sunday: 0700 to 2300
2. The embedded restrictions referred to on page 4 of the licence.
3. The conditions in Annex 2.

The above restrictions would be removed as a consequence of the proposed variation.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

The licence was returned to the licensing authority on 10 March in support of a minor variation application.

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

b) The prevention of crime and disorder

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The system will incorporate a camera covering each of the entrance doors and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
3. The system will incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The system will display on any recording the correct time and date of the recording.
5. A system will be in place to maintain the quality of the recorded image.

c) Public safety

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

e) The protection of children from harm

All cashiers will be trained to require evidence of age from any person seeking to buy alcohol and appearing to the cashier to be under the age of 18. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example thumb print or pupil recognition) is adopted by the licence holder.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>Winckworth Sherwood</i>
Date	13 April 2010
Capacity	Solicitors duly authorised on behalf of the Applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

DXC/26508/974/RPB
 Winckworth Sherwood LLP
 Minerva House
 5 Montague Close

Post town	London	Post code	SE1 9BB
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Telephone number (if any)	020 7593 0234
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)
 dcrawford@wslaw.co.uk

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Nelson, Matthew

From: Wood, Jane
Sent: 13 May 2010 08:27
To: Nelson, Matthew
Subject: FW: Sainsbury's Brudenell Road Hyde Park : NOT PROTECTIVELY MARKED

Miss Jane Wood
 Licensing Officer
 Entertainment Licensing
 Leeds City Council
 Tel: 0113 2474095
 Fax: 0113 2243885
 email: jane.wood@leeds.gov.uk
 www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our customer feedback form.

Please note: My working days are Tuesday, Wednesday and Thursday mornings. Please re-direct any correspondence to entertainment.licensing@leeds.gov.uk

-----Original Message-----

From: bob.patterson@westyorkshire.pnn.police.uk
 [mailto:bob.patterson@westyorkshire.pnn.police.uk]
Sent: 12 May 2010 16:26
To: Robert Botkai
Cc: Danielle Crawford; Wood, Jane
Subject: Re: Sainsbury's Brudenell Road Hyde Park : NOT PROTECTIVELY MARKED

Robert,
 Good to hear from you.
 Thanks for your reply and agreement to change the number from 18 to 21.

Jane,
 To reiterate, there are no police representations over this application in light of the email from Robert Botkai below.

Regards.

Mr. Bob Patterson
 Leeds District Licensing Officer
 Licensing Department
 Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX
 Tel: 0113-2414023
 Fax: 0113-2413123
 E-mail: bob.patterson@westyorkshire.pnn.police.uk

"Robert Botkai"
 <rbotkai@wslaw.co.uk>

12/05/2010 15:45

To
 <bob.patterson@westyorkshire.pnn.police.uk>

cc

"Danielle Crawford"
 <dcrawford@wslaw.co.uk>,
 <jane.wood@leeds.gov.uk>

Subject

Sainsbury's Brudenell Road Hyde
Park

Bob

I hope you are well.

Thank you for your email dated 11 May addressed to Danielle Crawford. I believe that a similar email has been sent to the store.

I confirm that the application may be amended to include the following condition:

The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

I also confirm that the above condition together with the other measures on page 19 of the application will form part of the operating scheduleas conditions.

I hope that this deals with your concern.

Thanks

Robert

Robert Botkai
Partner

DT: 020 7593 5004

DF: 020 7593 5069

rbotkai@wslaw.co.uk

Winckworth Sherwood
Minerva House
5 Montague Close
London
SE1 9BB DX 156810 London Bridge 6
T 020 7593 5000
F 020 7593 5099

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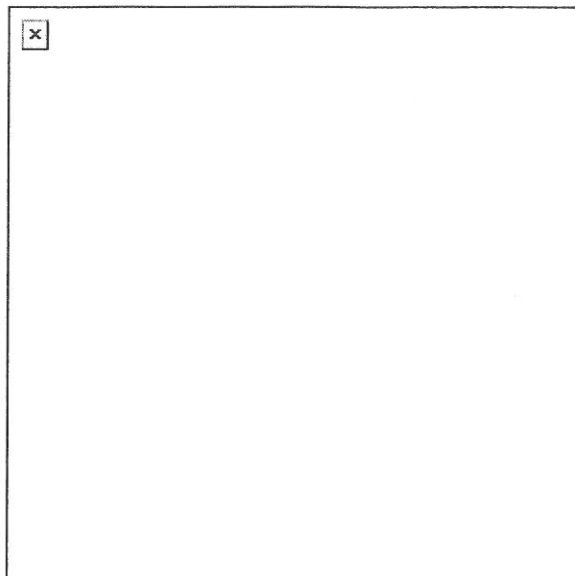
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This email carries a disclaimer, a copy of which may be read at <http://www.westyorkshire.police.uk/emailDisclaimer.asp>



Sainsbury's Supermarkets Limited
33 Holborn
London
EC1N 2HT

Environmental Protection Team
Leeds City Council
Kent Road
Pudsey
Leeds
LS28 9BN



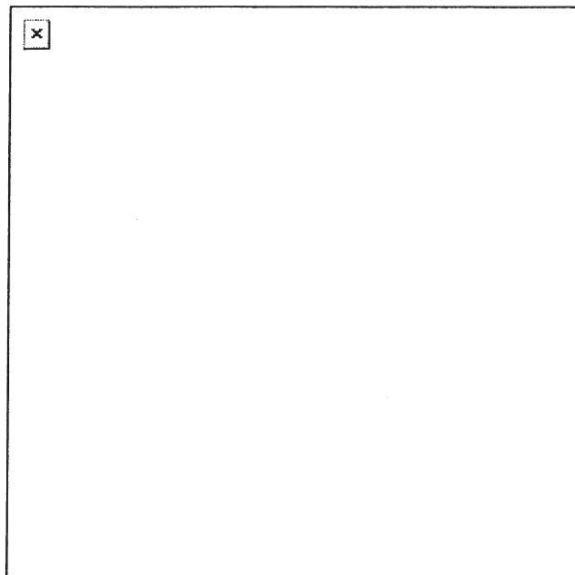
Contact: David Bewell
Tel: 0113 2146254
Fax: 0113 2146250

Our reference: PREM/00560/V02
10 May 2010

Dear Sir/Madam

Licensing Act 2003 – Full Objection To An Application For A Variation To A Premises Licence At: Sainsbury's Supermarkets Limited
Address: 70 - 74 Brudenell Road, Headingley, Leeds, LS6 1EG

Thank you for submitting your application for the above premises.



www.leeds.gov.uk

general enquiries 0113 222
4444

Leeds City Council's health and environmental action service (HEAS) is of the opinion that your application would result in a failure to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

The principle objection is in relation to customers accessing the building and the potential for noise disturbance outside the premises. Additionally noise could arise from within the building and employees smoking outside the premises. Currently noise from these sources finishes at 23.00 hrs. It is felt that there would be a significant impact in terms of public nuisance to neighbouring residents should the application be granted, especially when background noise levels drop late at night.

The application premises is located on a parade of retail units in a residential area and is surrounded by housing. Additionally, residential housing units are sited in the flats situated above the retail units.

The site is on Brudenell Road which is a fairly busy route but has a low foot flow at night when other premises have ceased to operate. The provision of a premises open 24 Hours a day is likely to increase the foot flow and associated noise with those pedestrians.

It is believed that many customers will visit the premises on foot but a number will arrive by car with the associated noise from the vehicles and shutting of car doors etc.

No other outlets in the area operate 24 hours and this application would have a significant effect on the residents of the area. This service therefore fully objects to this application to operate 24 hours.

Yours faithfully

David Bewell
Senior Environmental Health Officer