



Leicestershire Police

Licensing Act 2003 – Representation in respect of New Premises Licence application.

Details of person or body making representation	
Your Name:	PC Jefferson Pritchard
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, LEICESTER LE1 3GG

Details of premises representation is about	
Name of Premises:	Popeyes
Address of premises:	40 Welford Road Leicester LE2 7AA
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as Leicester City centre’s alcohol licensing officer for Leicestershire Police, with delegated authority from the Chief Constable.</p> <p>My representation to this new premises licence application is based upon the licensing objectives, as per the Licensing Act 2003.</p> <p>The application in its current format if granted, would undermine all four licensing objectives.</p> <p>This is a new premises licence application which was completed on the 9th July and accepted by the local authority on the 13th July 2023.</p>

The premises were formally known as TJ's and was permitted to provide licensable activities in the form of late-night refreshments daily between 11pm and 2am. The opening hours of the premises to the public between 2009-2019, was daily from 11am until 2am.

TJ's premises licence was granted in 2009 but was surrendered in 2019.

The premises is located upon Welford Road (A594), which forms part of the inner-city ring road. Welford Road acts a main arterial route in and out of the city centre and is particularly busy throughout the day, evening and night time economy.

The premises is located amongst a row of other businesses between the junctions of Marlborough Street and Mill Street. Most of the businesses are located upon the ground floor with residential accommodation located directly above on the first and second floors.

Other licensed premises which provide alcohol and operate until the early hours of the morning are located a short walk/distance away on King Street, New Walk, Wellington Street and Market Street.

The premises is located upon the ground floor, with a small customer area at the front. Two kitchens areas are located behind the counter and towards the rear of the premises. A staff only area is located upon the first floor and can only be accessed via the ground floor kitchen.

The applicant has elected to include the first floor within the proposed licensed area.

"Study Inn" and "Shoe & Boot Factory" which are both student residential blocks are located directly opposite the proposed premises.

The premises currently operate as a fast food takeaway and the applicant states the business currently operates daily between 5:30pm and 11pm. However, the businesses online opening hours states the premises is open daily between 5:30pm and 5:30am.

A sign on the front door advertises the premises (Popeyes) opening hours as daily from 5pm until 6am.

At 2:28am on the 14th October 2021, the premises are suspected to have been providing unauthorised licensable activity after a fight between two members of the public and several staff at the premises. It was alleged that staff had armed themselves with some sort of kitchen utensils during the altercation.

On the 3rd November 2022, Leicester City Council Licensing Enforcement served a warning letter upon the business as result of suspected unauthorised licensable activity at the premises.

At 12:28am on the 21st June 2023, the premises are suspected to have provided unauthorised licence activity as a customer is reported as entering the premises and assaulting a member of staff. The premises CCTV was reported as not working at the time of the incident.

On the 5th July 2023, Leicester City Council Licensing Enforcement served a final written warning letter upon the business and this letter was served upon Mr Palwinder Singh.

On the 9th July 2023, the applicant completed this new grant application.

The applicant has applied for the following licensable activities:

Late Night Refreshment (indoors only) – Daily from 11pm until 5am.

Hours the premises are open to the public – Daily from 6pm until 6am.

The premises intend to operate as fast food restaurant in the late-night time economy and operate daily until 6am.

On Monday 7th August 2023, a meeting was held at the premises with the applicant Mr Saad Ahmed.

Also, present was Mrs Kaur who stated that she is likely to work at the premises in the future.

It was confirmed that the applicants contact details within the application were not his but rather Mrs Kaur's. It was also established that Mrs Kaur was married to Mr Palwinder Singh who is also connected to the business.

Mr Ahmed stated he had owned the business since the 3rd April 2023 but had spent several months overseas due to a recent family bereavement. During that time his friend/business associate Mr Singh had managed the business.

Mr Ahmed stated that the premises has eight CCTV cameras, however the footage is only currently retained for 24 hours. The premises CCTV was not available to view at the time of the visit due to a power cut. The position of one internal camera was questionable as to whether it would capture the public area, inside the premises.

Mr Ahmed was about such public safety schemes such as "Ask Angela" but was unaware of the scheme. After discussing the benefits of the scheme Mr Ahmed said he was make further enquiries and ensure his staff were also made aware.

Mr Ahmed stated he was going to be working at the premises himself, along with one or two other members of staff, depending on the day of the week.

Mr Ahmed stated that approximately 75% of trade is via online/telephone orders, whilst walk-ins equate for only 25%. The online orders are delivered by couriers such as Just Eat, Uber Eats, Deliveroo and the premises own delivery service.

Mr Ahmed confirmed that only the ground floor part of the premises to the front of the premises was going to be used by members of the public and not the first floor as listed on the application.

Even though the premises will not be supplying alcohol itself, which is major contributing factor towards violent crime and disorder in the night time economy, the premises will potentially act as a "magnet" for customers already under the influence of alcohol in the

early hours of the morning to visit in order to purchase hot food. Given that several nearby licensed premises supply alcohol, means this is highly likely.

Due the small size of the premises means it is highly likely that customers will come into very close contact with each other, which could ultimately lead to conflict. Likewise, customers could potentially have to queue/wait outside the premises at peak times would cause a public nuisance in the form of noise and nuisance for local residents.

Similarly, Mr Ahmed has suggested that 75% of his business after 11pm/midnight is online orders which are delivered via different means. This could result in drivers waiting outside the premises and therefore causing a public nuisance.

Overall, the application is vague and does not refer to specific ways of promoting the licensing objectives.

Leicestershire Police strongly believe the crime, disorder and anti-social behaviour both inside and outside the premises will occur if the licence was granted, regardless of the best intentions of the applicant.

Leicestershire Police believe that the application fails to promote all four licensing objectives as per the Licensing Act 2003 and therefore respectfully request that the application be refused.

However, should the committee elected to grant the licence, Leicestershire Police respectfully request the following conditions be attached in order to help reduce the likely of crime and disorder in the future.

- (1) The opening hours to the public:
Monday to Thursday from 6pm until 2am.
Friday to Sunday from 6pm until 3am.
- (2) Late Night Refreshment Operating hours:
Monday to Thursday from 6pm until 2am.
Friday to Sunday from 6pm until 3am.
- (3) Customers and delivery drivers/couriers will not be permitted on the premises between closing time to the public and 6pm.
- (4) The licence holder will ensure a high definition resolution, coloured CCTV system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individuals in all lighting conditions. Cameras must cover all areas that the public have access to, including the entrance/exit and pavement area immediately outside the front of the premises.
- (5) The licence holder will ensure CCTV images are securely stored, display an accurate date/time stamp (BST/GMT) and retained for a minimum of 31 days.

- (6) The licence holder will ensure that viewable CCTV images are provided in a downloadable format to an officer from a responsible authority within fourteen days of a request.
- (7) The licence holder shall ensure a trained member of staff is present on the premises whilst the premises is open to the public, who is able to operate the CCTV system and provided a playback facility to an officer from a responsible authority.
- (8) The licence holder will promote and ensure that all front of house staff are trained in public safety campaigns such as “Ask for Angela” or other similar schemes. A record of training must be retained for at least twelve months, kept on the premises and made available for inspection by an officer from a responsible authority upon request.
- (9) No more than ten customers will be permitted inside the premises at one time.
- (10) A lockable counter service hatch must be installed to prevent unauthorised access behind the counter and into the kitchen area.
- (11) The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises and display prominent notices requesting customers respect the needs of local residents.
- (12) The licence holder shall ensure litter is collected within two meters of the premises building line, after the premises has closed to the public and at the end of each day.

PC2093 Jefferson Pritchard

Leicestershire Police – Licensing.

Representation dated – Wednesday 9th August 2023.