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Leeds District Licensing Department

Licensing Department

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18th August 2012

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

RE:PREMISES LICENCE REVIEW – KASA – 278, BELLE ISLE ROAD, LS10 3QJ
POLICE – LETTER OF REPRESENTATION

West Yorkshire Police understand that West Yorkshire Trading Standards have applied for a review of the premises licence for the above mentioned shop. We submit this representation, a chronology of events and a statement, in support of that application and to detail any dealings we have had where the Licensing Objectives have been deemed to be undermined.

Yours faithfully

C.A.Arkle
Divisional Licensing Officer
City & Holbeck

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KASA, 278, BELLE ISLE ROAD, LS10 3QJ

Chronology for Premises Licence Review.

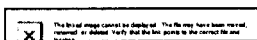
Date	Action/Offence/Intelligence	Outcome/Involved
26/07/2010	Application received by WYP to transfer the premises licence, vary premises licence to change DPS and minor variation to reduce hours, remove entertainment and associated conditions and convert to off sales only	No objection from the police. Objection from local resident/business to minor variation.
19/08/2010	Minor variation received by WYP to change the layout of the premises to trade as an off-licence, not a pub.	No police representation.
14/09/2010	Police test purchase	Premises pass.
15/09/2010	Police test purchase	Premises pass.
02/11/2010	Police test purchase	Premises pass.
23/12/2010	Minor variation received by WYP to remove entertainment activities and associated conditions, and also to reduce the hours from the old pub operating hours and for consumption to be off the premises only.	No police representation.
15/02/2011	Police test purchase	Premises pass.
18/04/2011	Complaint received by Trading Standards from Paul Rix of Leeds City Council Licensing Enforcement. Local resident has contacted the Council to complain that Kasa have sold alcohol to her son who is under 18 years of age.	Test purchase operation carried out on 07/05/2011 – see below.
13110188582 25/04/2011	Intelligence(E41) re a group of youths causing ASB, drinking alcohol behind the library/rent office on Belle Isle Road. There is a belief that they are purchasing the alcohol from KASA.	

04/05/2011	Police test purchase.	Premises pass.
07/05/2011	Trading Standards test purchase.	Premises pass.
13110232590 22/05/2011	Intelligence(E41) that KASA are selling alcohol to underage youths in the area. On 20/05/2011 2 school girls bought a crate of lager.	
Log 1832 of 05/08/2011 21:15hrs	Call from Shakil Bashir re 20 youths outside causing problems. Smashing bottles and throwing them about, hitting cars.	No officers available immediately. Officers attend an hour later and all is in order. 2 males spoken to and advised not to return.
Log 1712 of 09/09/2011 20:52hrs	Call from Shakil Bashir re youth outside throwing stones at cars and swearing at customers.	No officers available immediately. When they do attend there are no offences disclosed and all is in order.
13110438559 24/09/2011	A search warrant was executed at KASA, Belle Isle Road under Theft Act 1968. Officers located stolen whisky from a theft in Hertfordshire from 19 th Sept. 5 x 1Ltr bottles of Jamesons Whisky in a box & 31 x 4.5Ltr bottles of Jamesons.	Shakil Bashir arrested for Handling Stolen Goods. After investigation not charged with any offence.
05/12/2011	Police test purchase	Premises pass
13120130126 22/03/2012	Antisocial Behaviour log created due to volume of calls for service from local residents re local youths gathering outside KASA and causing a public nuisance.	Regular visits to area by local Neighbourhood Policing Team.

<p>Log 1245 of 25/04/2012 19:28hrs</p>	<p>Call from local resident saying there are 5 youths standing outside Kasa with a bag containing beer. One of them is 18 but the others are around 14 years old – one of them appears to be only 10 years old.</p>	<p>Officers attended and alcohol confiscated from known 18 year old as they believed it would be supplied to younger children present.</p>
<p>13120294430 12/07/2012</p>	<p>Intelligence(E41) report that KASA are selling alcohol to underage youths. 17 year old seen to enter store on 07/07/2011 at 08:00hrs and exit drinking a bottle of Carlsberg.</p>	
<p>13120332452 02/08/2012</p>	<p>Intelligence(E41) that Kasa are selling alcohol to underage youths. Youths are also approaching males and females who are 18 or above and asking them if they will purchase it for them.</p>	

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Ref No:



Witness Statement

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Crime Ref. No:	<input type="text"/>	URN:	<input type="text"/>
Statement of CATHERINE ARKLE			
Date of birth:	Over 18	Occupation:	PC 5548
<p>This statement (consisting of: 5 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 anything which I know to be false or do not believe to be true.</p> <p>Dated: 18th August 2012</p> <p>Signature:</p>			

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a police constable in the West Yorkshire Police, City and Holbeck Division, currently stationed at Millgarth Police Station in the capacity of Divisional Licensing Officer. I have jurisdiction over the city centre and the Morley, Holbeck and Rothwell areas of Leeds. The city centre demands most of my time with approximately three hundred licensed premises operating in that area. I have worked in this position since Spring 2005.

My duties entail enquiring into the background of various liquor licence applications, preparing police reports for the Licensing Authority and partnership multi agency working with the licensing trade. I am responsible, together with other members of the Licensing Department, for maintaining computer records aimed at monitoring incidents and crimes that relate to licensed premises.

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Signature Witnessed by:

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Continuation Sheet No. 2

Continuation Statement of CATHERINE ARKLE

I make this statement in support of Trading Standards application to review the premises licence for premises known as Kasa, 278, Belle Isle Road, Leeds, LS10 3QJ.

These premises are located on the site of the Grey Goose Hotel in Belle Isle. Also located here are two other separate shops, Bargain Plus and Special One Takeaway, all part of the old pub premises as I understand it but only Kasa has the benefit of a premises licence. I am also of the understanding that the Bashir brothers, who own Kasa, also have some business interest in Bargain Plus. I do not know if this is true for Special One Takeaway.

On 26th July 2010 West Yorkshire Police received an application to transfer the premises licence from Punch Taverns PLC into the name of Aqueel Bashir. There was also an application to vary the DPS to Shakil Bashir, Leeds/PERL/00310/05. A minor variation was also submitted to reduce the hours for the sale of alcohol, and for consumption to be off the premises only, with conditions relating to regulated entertainment to be removed – effectively to transform the premises into an off-licence operation as opposed to a pub. West Yorkshire Police made no objections to this and the reduction in the hours for the sale of alcohol was seen as positive. Due to a local objection however the minor variation was refused.

On 19th August 2010 a further minor variation was received to change the layout of the premises to operate as an off-licence as opposed to a public house. The police made no objection to this.

On the 14th and 15th of September 2010 the premises now known as Kasa at 278, Belle Isle Road were subject of a police test purchase operation. Premises visited during this operation had either failed test purchases before or were subject of intelligence reports. The premises passed on both occasions as they did on a further test on 2nd November 2010.

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Continuation Sheet No. 3

Continuation Statement of CATHERINE ARKLE

On 23rd December 2010 another minor variation was submitted to reduce the hours for the sale of alcohol, which had remained according to the Grey Goose on-licence hours due to the first refused minor variation, to remove conditions relating to entertainment and to allow for consumption off the premises only. The police did not object to this.

On 15th February 2011 Kasa were again subject of a police test purchase operation and passed.

On 18th April 2011 we are aware that Trading Standards were contacted by Leeds City Council Enforcement and made aware of a complaint they had received from a local resident that her son, who was under 18 years of age, was sold alcohol in Kasa.

On 25th April 2011 West Yorkshire Police began to receive intelligence reports regarding the sale of alcohol to under eighteens at Kasa. On 4th May 2011 a police test purchase operation was carried out at the premises which did not sell to the volunteer. On 7th May 2011 Trading Standards also test purchased Kasa and no sale was made to their volunteer.

On 22nd May 2011 more intelligence was received regarding Kasa and the availability of alcohol to under eighteens. On this occasion the report was of schoolgirls buying a crate of lager.

On 5th August 2011 and 9th September 2011 Shakil Bashir telephoned the police regarding groups of youths outside the shop, throwing bottles and stones.

On 24th September 2011 a search warrant was executed at Kasa due to information received that bottles of whisky stolen from a lorry in Hertfordshire on 19th September 2011 were present on the

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Continuation Sheet No. 4

Continuation Statement of CATHERINE ARKLE

premises. Officers located five 1 litre bottles of Jamesons whisky in a box, and thirty one four and a half litre bottles of the same whisky in a small room off the main basement at the rear of the premises. The whisky was identified as having come from the Hertfordshire theft and Shakil Bashir, the acknowledged buyer of all the stock for all the Kasa stores, was arrested for handling stolen goods. Further enquiries were made and Shakil Bashir produced a receipt. The validity of this could not be established but the amount written on it was confirmed to be a reasonable amount to pay for the alcohol. Due to this, and Mr. Bashir maintaining he had bought the whisky in good faith, no charges were brought.

On 5th December 2011 Kasa were again subject of a police test purchase and passed.

On 22nd March 2012 an antisocial behaviour police log was created due to the volume of calls to Kasa and the associated premises. Calls were being received on practically a daily basis regarding large groups of youths gathering outside the shops, kicking footballs against windows, throwing things and causing a general annoyance and nuisance. The area received more police attention in an attempt to reduce the antisocial behaviour and public nuisance.

At 19:28hrs on 25th April 2012 another call was received from a local resident stating there were five youths outside Kasa with a bag of beer, and that three of them appeared to be around 14 years old and one appeared only 10 years old. Officers attended and alcohol was seized from a known 18 year old as they believed that it would have been supplied to the younger children present.

On 12th July 2012 another report of a sale of alcohol was received by police, stating that a 17 year old was seen to enter the store on 7th July 2012 at 08:00hrs and exit drinking from a bottle of Carlsberg.

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Continuation Sheet No. 5

Continuation Statement of CATHERINE ARKLE

On 2nd August 2012 another intelligence report was received. This stated that Kasa were selling to underage youths, and that the youths were also approaching male and female customers outside the shop and asking them to purchase alcohol for them.

The premises have been test purchased seven times in total, once by Trading Standards and six by the police. No alcohol has ever been sold to the underage volunteers but the intelligence reports have continued, the latest being in July and August of this year. The location has also suffered from antisocial behaviour caused by large groups of youths gathering outside and extra police attention has been paid to try and reduce this public nuisance. Antisocial behaviour problems and underage sales of alcohol are inextricably linked and one has to wonder what is attracting the youths to the area. The police evidence in itself has not been strong enough to justify an application to review the premises licence but I would ask the Licensing Authority to consider the intelligence reports and incidents described in my statement, and the issues highlighted by Trading Standards, and draw their own conclusions as to how these premises are being operated. I am hopeful that the local community will come forward with their first hand knowledge of any issues.

West Yorkshire Police support Trading Standards' application to review the premises licence and their recommendation that the licence be suspended for a period of 3 months to put the necessary systems in place to promote the licensing objectives. We would also recommend more stringent conditions in relation to the CCTV system, the protection of children from harm and the prevention of public nuisance.

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Signature Witnessed by:

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