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23<sup>rd</sup> October 2018Mr Omar Sharif  
243 Harehills Lane  
Leeds  
LS8 3RG**cc. Entertainment Licensing Section. Leeds City Council, Civic Hall, Leeds. LS1 1UR****RE: Krakus, 54 Harehills Road, Harehills, Leeds, LS8 5LE**  
**Application to vary a premises licence under the Licensing Act 2003****POLICE – LETTER OF REPRESENTATION:**

Thank you for submitting your application for the above premises.

The application relates to the extension of licensable hours for the sale of alcohol off the premises from 07:00-23:00hrs to 24 hours.

West Yorkshire Police have been informed by a local resident that Krakus off licence is selling alcohol cheaper than the other shops nearby. As a result of this, it is attracting groups of men to gather outside in the morning, along with large groups of youths in the evening. The resident has reported that males are already drinking alcohol in the street outside the shop at 08:00hrs when he passes for work in the morning and are in breach of the PSPO.

Littering of cans and bottles due to drinking on the street is a major issue around this shop since it opened. Along with the other licensed shops in that section, there is a definite increase in noise nuisance, raucous shouting, peacocking, aggressive posturing and arguments in the street.

The one redeeming quality he reports is the fact around 11pm each day the shops begin to shut and noise levels start to decrease.

Even though the resident is closer to Harehills Road than Harehills Lane, he has reported the community still suffers as a result of previous 24 hour licences being granted. This is due to people who are already very drunk, fighting and arguing in the street who are then able to walk off at 4am or 5am in the morning and be back within ten minutes having purchased more alcohol.

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The resident believes there may be an under-reporting issue in the area due to people not being able to get through when they ring 101, not having internet access, WIFI connection, or the money for a computer or smart phone to get to the WY Police website.

Other local residents report that the sale of alcohol to underage persons or to adults who buy it for underage persons has had a negative impact on Harehills. At the local PACT meetings over the past 4 years residents have repeatedly reported large groups who regularly congregate around off-licences displaying intimidating behaviour, fighting, damaging property and making noise. Women report feeling intimidated as they try to make their way past these groups often being subjected to lewd comments. Mothers have to steer pushchairs onto the road in order to get past these groups who refuse to move. It has led to many residents, particularly women and older people feeling that they do not want to walk down their own high street during the daytime. The evenings are worse and many local people now refuse to walk around the area after dark, which in the winter means they are being subjected to a very early curfew. However, even staying at home does not keep people free from the negative effects of alcohol fuelled anti-social behaviour. Residents now find themselves disturbed and unable to sleep, due to the shouting and fighting of large groups of youths congregating in their streets until the early hours. For those residents experiencing this regularly it has proved extremely stressful, as people are unable to get the sleep they need to be prepared for a working day.

The local Neighbourhood Policing Team have also expressed concerns regarding granting extra hours to this licence, stating that Harehills Road has been highlighted as an issue for ASB and drinkers breaching the PSPO which is in place for the locality. The local NPT have stated that there is evidence of street drinking with empty bottles and cans of alcohol, or members of the public walking round holding open alcohol containers.

At the beginning of 2018 Leeds City Council Licensing requested police statistics be supplied for the period 01/12/2016-30/11/2017, in relation to crime and antisocial behaviour in Harehills and the links to alcohol.

The statistics in relation to crime in the area are as follows:

- There were 1710 crimes recorded in 'Harehills' during 2016-2017 (01/12/2016 – 30/11/2017).
- The 2016-2017 total crime figure was a 26.7% increase from the previous year.
- Violent Crime accounts for 37% of recorded crimes in the examined area.
- Violence without injury and Public Order offences increased by 123 and 53 offences respectively in 2016-2017.
- There were 361 Nuisance incidents recorded in Harehills during 2016-2017, an increase of 35.2% on the previous year.
- The peak times for Nuisance incidents in the last twelve months was 17:00 – 23:00.
- The number of recorded alcohol related incidents reduced from 30 to 28 in 2016-2017.
- The peak times for alcohol related incidents in the last twelve months was 15:00 – 23:00.
- There were 81 crimes recorded with an 'Alcohol Involved' flag in the last 12 months, a decrease from the 87 recorded the previous year.
- Most offences with an 'Alcohol Involved' flag were Violent Crimes.

The peak times for crimes with an 'Alcohol Involved' flag in the last twelve months was 18:00 – 23:00.

Harehills Road and Lane are not currently covered by a Cumulative Impact Policy but enough evidence has been produced by West Yorkshire Police to support their inclusion under the CIP in 2019. The level of alcohol related crime and disorder is sufficient to cause daily concern to the local residents, and there has been an upward trend in alcohol related crime each year. Peak times for crime and disorder all end at 23:00hrs, which would be a normal time for the off-licences to close. Extending those hours would suggest that those peak times would extend further into the night. Allowing the extension of this licence would undermine the proposed CIP before it was even in place causing it to stumble before it has begun.

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I note that on the application, the following conditions have been offered:

***Refusal to serve anti-social groups and/or groups of which are drunk and disorderly***  
***REFUSAL TO SERVE DRUNK AND DISORDERLY AND UNDERAGE***

These two conditions are essentially the same, and are in effect what we would expect as a bare minimum, especially given it would be an offence to serve a person who is drunk or under age.

***WORK WITH POLICE & LOCAL PCSO'S IN ORDER TO RESOLVE ANY PUBLIC ISSUES***

This condition is currently already on the licence. Having spoken to the local NPT and residents, there is nothing to suggest that this has ever taken place while public issues are rampant.

***Staff will make hourly checks around the premises and remove any litter, including takeaway wrappers, can and bottles.***

***Provision of waste collection services***

***The business representative shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.***

A very similar condition currently exists on the licence. Having spoken to local residents, this appears not to happen and community groups are giving up their time to volunteer and clean this area in their spare time.

***Between the hours of 23:00 - 07:00 hours the store will be closed to the public and service will take place through a hatch installed at the premise's front. This area will be covered by CCTV.***

***Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises between 23.00 hours and 07.00 hours the following day***

There is a suggestion from residents that large groups congregate outside your premises currently with nothing proactively done about it. Serving through a hatch would surely extend this trend, as it is the only way to buy the alcohol. Being that the shop is located directly in a residential area, we do not see how the noise would not be audible at the nearest noise sensitive premises.

***Clear and legible notices will be displayed at exits and at the point of sale requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.***

***The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.***

If you do not currently have these signs when you operate up to 23:00hrs, why would they be required when serving through a hatch after this time. The second part would appear obsolete in the instance that you serve through a hatch.

***The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.***

This is currently on your licence and should already be adhered to.

I note that a great deal of the conditions you are offering currently exist on your licence, and it would appear are not abided by under the current licensable hours.

When dissecting the application it does not appear that much is actually being offered to promote the licensing objectives.

I would go as far as saying that the duplication of weak conditions show that the applicant has not put any thought, or consideration into the issues in the area, or how the extension of their licence would undermine the licensing objectives and issues within the community.

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Therefore, West Yorkshire Police submit a formal representation to your application on the grounds of the prevention of crime and disorder, public safety, public nuisance and protection of children from harm and will recommend to the licensing sub-committee that this application is refused.

*PC Andy Clifford  
Leeds District Licensing Officer  
West Yorkshire Police*

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