

**NOT PROTECTIVELY MARKED***Leeds District Licensing Department*

Leeds District Licensing Department  
First Floor  
Elland Road DHQ  
Elland Road  
Leeds  
LS11 8BU

Tel: 0113 3859414

Email:

catherine.arkle@westyorkshire.pnn.police.uk

8<sup>th</sup> October 2014

Mr.Christopher Rees-Gay  
Woods Whur 2014 Ltd  
Devonshire House  
38, York Place  
Leeds  
LS1 2ED

**cc. Entertainment Licensing Section. Leeds City Council, Civic Hall, Leeds. LS1 1UR**

**RE: CAFÉ @ LAMBERT'S YARD, 162, BRIGGATE, LEEDS, LS1 6LY  
APPLICATION FOR NEW PREMISES LICENCE – LICENSING ACT 2003:  
POLICE – LETTER OF REPRESENTATION – CUMULATIVE IMPACT POLICY:**

Thank you for submitting your application for the above premises, received at the address above on 11<sup>th</sup> September 2014.

The application relates to premises which fall within one of the areas of Leeds currently subject to a policy of cumulative impact, as detailed in the present Statement of Licensing Policy 2014-2018, issued by Leeds City Council as the licensing authority.

The area concerned in this particular case is **Area 1 Leeds City Centre**.

Therefore, in line with the current statutory guidance issued by the Secretary of State under Section 182 Licensing Act 2003, West Yorkshire Police make representations based on the cumulative impact policy of the area concerned and highlighted above, where the licensing objectives and particularly the prevention of crime and disorder and prevention of public nuisance objectives, are being adversely affected.

The proposed premises are located in the current red zone in the cumulative impact area. The Council's policy states:

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*“The council will seek to refuse all applications in these red areas on the basis that the impact on the licensing objectives are at such a level that the area cannot support any more premises opening or extending their hours no matter how impressive the concept or application is. The council will only grant applications in the red zone in exceptional cases”, and*

*“This applies to alcohol led premises such as bars, pubs, and nightclubs, and for premises seeking late night refreshment such as takeaways and late opening restaurants”.*

The location of this venue is the lower end of Briggate close to such premises as Smokestack, Bar Fibre, Queens Court and Mission Nightclub. It is an alcohol related violent crime hotspot for robbery, assault and affray, and theft. The peak time for these offences occurring is from midnight onwards.

Briggate has been in the top three streets for committed crime in the night time economy over the past 6 years. Extra police resources are deployed to this area on Friday and Saturday evenings, and over Bank Holiday weekends, in an attempt to help reduce the crime and disorder associated with people frequenting the large amount of licensed premises in the immediate area. These crimes/incidents range from thefts and robberies to public order offences, assaults, serious disorder and also sexual offences. An ambulance is also regularly parked at the junction of Briggate/Boar Lane and Duncan Street to help deal with the amount of injuries sustained due to assaults and accidents caused by over intoxication in the Night Time Economy (NTE). This is in an attempt to help reduce the strain which the NTE puts on the Accident & Emergency Department of the NHS.

The saturation of the area is such that determining which venues may bear some responsibility for the issues is practically impossible, and means that they cannot be dealt with by way of review or enforcement meetings. A strong Cumulative Impact Policy is therefore imperative to prevent already existing venues extending their licensable hours, and to prevent further premises licences being granted in that area which would add to the considerable impact already being felt.

The general description of the premises in the current application is that they will be a multi-functional gallery and event space, designed to complement the retail office on the first floor, which is not to be licensed. After 18:00 hours the space is to be open for promoted events and private hire.

We are conscious that this application differs from the majority of other venues in the area and have given due regard to this. However we have serious concerns regarding certain elements of the application including the mention of promoted events and private hire. On the surface these could be as innocent as birthday/wedding anniversary celebrations but, coupled with measure 3 offered in Section M, box a) of the application – On a maximum of 20 occasions per year the premises will be able to operate until 02:00hrs....This condition does not prevent the operator from applying for Temporary Event Notices – alarm bells have started to ring. The venue is described overall as a café but reading the application carefully your clients wish to be able to operate well in to the early hours of the morning at least once every 3 weeks, or even more if the mention of TENs is to be taken in to account. What measures have been offered to show that this 02:00hrs finish will not impact adversely on the licensing objectives and the impact already being felt in the area – none, apart from a perceived intention to use TENs to either extend finishing time further in to the early hours on those occasions, or to have further 02:00hrs finishes throughout the year.

The proposed operation up until 18:00hrs appears different from other venues in the area, but post 18:00hrs it has the potential, with the licensable activities applied for, to operate as a club or late night bar for the private/promoted events but lacks some of the extra crime prevention measures seen as standard to promoting the licensing objectives. In relation to crime and disorder measures offered there is nothing of note which could be seen as making the application exceptional. The fact that the applicant offers to inform the police 14 days prior to any event which will run to 02:00hrs (possibly longer with a TEN) is of no assistance apart from possibly necessitating the deployment of officers who should be

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elsewhere. The same can be said of the offer to inform the police 7 days prior to any normal event running after 18:00hrs and up until 00:30hrs.

The standard operating hours applied for with alcohol sales until midnight, and customers leaving the premises at 00:30hrs are also worrying, given that the peak time for offences in this area start at midnight. At closing time there would be an influx of people in to a crime hotspot at the very time crime and incidents begin to rise. There has been no firm offer of door staff (present at the manager's discretion) or any offer of a dispersal policy as conditions to appear on the licence.

It cannot go unmentioned that the applicants, Lamberts Yard Ltd, have the same directors as Ravenpine Ltd who were the premises licence holders for a venue known as Phono, just further down Briggate from Lamberts Yard towards Bridge End. West Yorkshire Police applied for a review of that premises licence which took place on 4<sup>th</sup> December 2012. This was followed quickly by a summary review of the licence in Jan 2013 due to a serious incident of disorder associated with the venue. The venue is currently closed although it did retain its licence. Ravenpine had leased the venue out to an operator who had run the premises badly, so perhaps they cannot be seen as directly responsible for the issues but, as they were the premises licence holders at the time, it is something to bear in mind.

Therefore, in terms of location (RED ZONE) and in terms of applying to operate until 00:30hrs on a daily basis, with the potential for 20 events per year until 02:00, with the supply of alcohol and a variety of other licensable activities West Yorkshire Police consider that this application implicates the current policy of cumulative impact for Leeds City Centre in the red area, and would rely on the relevant paragraphs of the current Section 182 guidance in making this representation.

*PC Cath Arkle  
Leeds District Licensing Officer  
West Yorkshire Police*

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