

**Report of Head of Licensing and Registration**

**Report to Licensing Committee**

**Date: 9<sup>th</sup> December 2014**

**Subject: Review of the City Centre CIP Areas**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City and Hunslet		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**Summary of main issues**

1. The Council adopted the first Licensing Act 2003 Statement of Licensing Policy in 2005 and this policy has been reviewed on a three yearly basis in line with the requirements of the legislation.
2. In April 2012, HM Government amended the Licensing Act so that the requirement to review the Policy changed from three years to five years. In December 2013 Licensing Committee approved a change to the city centre cumulative impact policy, which forms part of the Statement of Licensing Policy, to enable the areas that relate to this particular policy to be reviewed annually.
3. This report provides details of this year's review and consultation of the city centre cumulative impact policy areas.

**Recommendations**

4. That Licensing Committee review the responses to the consultation and the proposed amended cumulative impact policy areas for the city centre.
5. That Licensing Committee endorse the new cumulative impact evidence for the city centre and the revised map of the city centre.

## **1 Purpose of this report**

1.1 To present to Licensing Committee the annual review of the city centre CIP areas.

## **2 Background information**

2.1 Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of licensing policy every three years. The council's first Statement of Licensing Policy was adopted by Council on 12<sup>th</sup> January 2005 and has been reviewed every three years since then.

2.2 In April 2012 the Police Reform and Social Responsibility Act changed the length of the lifetime of a policy from three to five years. This necessitated a different approach to the City Centre CIP, which due to the dynamic nature of the night time economy would need to be reviewed more frequently than every 5 years.

## **3 Main issues**

3.1 The current CIP was adopted as part of the Licensing Act 2003 Statement of Licensing Policy 2014 to 2018 in December 2013. The new policy specified that the city centre CIP evidence and map would be revised each year based on the most recent crime and disorder statistics supplied by West Yorkshire Police, although the scope and wording of the cumulative impact policy would remain the same. The review is scheduled for the latter part of the year so that it can take effect in January.

3.2 Officers from Entertainment Licensing issued a call for evidence from the Responsible Authorities and other partners, via the Licensing Enforcement Group, City Centre Community Safety Partnership, and the City Centre Stakeholders Forum to capture a wide range of views.

3.3 Officers met with:

- West Yorkshire Police
- Development – specifically the Town Planners
- Environmental Health
- Jon Hancock – representative of the trade and chair of City Centre PubWatch

3.4 West Yorkshire Police provided crime statistics for the preceding 12 months (**appendix 1**).

3.5 The council's Development Department provided information relating to the Lower Kirkgate Townscape Heritage Initiative (**appendix 2** and **appendix 3**).

3.6 Officers from Entertainment Licensing undertook a night time Environmental Audit of the city centre between midnight and 2.30am on a Sunday morning in October 2014.

3.7 From this information the following draft amendments were made to the CIP. The new guidance document is attached at **appendix 4**.

- 3.8 The red area in the city centre was altered to include the north side of Duncan Street. A number of retail units have closed on this side of the street and this area is ripe for redevelopment, especially by late night bars. Duncan Street is a main through road, taking traffic from Kirkgate onto Boar Lane. The street is very busy, even in the early hours of the morning.
- 3.9 As the south side of Duncan Street is already in the red area, we felt that it was logical to include the north side. More licensed venues opening during the night time economy area could lead to concerns about public safety due to the busy highway, as well as an increase in crime and disorder.
- 3.10 The area known as Lower Kirkgate was removed from the red area and placed in amber to encourage redevelopment. By remaining in the amber area the licensing authority encourages a different style of operation and an earlier closing time than is prevalent in the red area.
- 3.11 There has been a lot of work done in the Call Lane/Lower Briggate/Duncan Street area, which has shown a reduction in theft on the premises. These initiatives have been in conjunction with the premises in the area. Although theft has increased in the street, it is still pleasing to note that there has been a net reduction in crime this year. In addition the temporary road closure of Call Lane after midnight has improved public safety during the hotspot hours.
- 3.12 This continuing reduction in crime and disorder has meant that the red area has been reduced so that it now only encompasses the problem areas. By moving Lower Kirkgate and The Calls into the amber area, it is hoped that this will encourage business to spread out into the surrounding areas and to reduce the concentration of people in drink in the red area.
- 3.13 It is clear from the Police evidence that the Albion Street/Woodhouse Lane area continues to be problematic. During the Environmental Audit it was clear that this area is still used by a large number of people in the early hours, either congregating outside of licensed premises, eating takeaway food or waiting for buses and taxis. Crime and disorder is already high in this area and any further increase in licensed premises or licensing hours in this area would have a negative impact.
- 3.14 Consequently, a new red area has been introduced from Woodhouse Lane Car park down to the Headrow including Woodhouse Lane and Albion Street.
- 3.15 Although always problematic, since the closure of BED and D'fusion the area around New Briggate in the north of the city centre has seen a reduction in crime and disorder. A new night-time economy in this area is emerging, with the breakup of the old BED premises into smaller units, and the refurbishment of other licensed premises and extension of licensing hours on Merrion Street. In addition the lower part of Merrion Street has been pedestrianised, allowing the premises to utilise the street as an outside area, and to increase public safety in this area.
- 3.16 Although vibrant and popular this new area has not seen the levels of crime and disorder that are predominant in other parts of the city. Three new bars are due to open in this area shortly. It is hoped that this area, properly managed, will not see an increase in problems, however it will be kept under review.

- 3.17 Once agreed with the Police, the new CIP areas were sent out for consultation for three weeks. A link was provided on the council's website and a notification was sent to those first consulted with at 3.2 and 3.3.
- 3.18 One response was received, from a local developer and is attached at **appendix 5**. Mr Nathan-Geary will receive a response to his representation, welcoming his suggestions, with an indication of which of the suggestions we are able to take forward.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The draft City Centre CIP Areas were subject to a public consultation between 20<sup>th</sup> October and 7<sup>th</sup> November 2014. In addition direct consultation was undertaken with the stakeholders listed at 3.2 and 3.3.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Equality and diversity, cohesion and integration have been considered each time the policy is reviewed. At this time there are no implications for equality and diversity/cohesion and integration.

### **4.3 Council policies and City Priorities**

- 4.3.1 The licensing regime contributes to the following Best Council Plan 2013-17 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Make it easier for people to do business with us.

- 4.3.2 The licensing regime contributes to our best council objective:

- Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city.

### **4.4 Resources and value for money**

- 4.4.1 Reviewing any policy and the subsequent consultation does have a cost associated with it; it is considered good value for money as a robust policy supports the decisions of the Licensing subcommittees and therefore reduces the risk of legal challenge.

### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 It is good practice to ensure that the documents the council relies upon to inform licensing decisions are accurate and up to date as this reduces the risk of a successful legal challenge.

### **4.6 Risk Management**

- 4.6.1 As previously stated the review of the CCCIP areas reduces the risk of legal challenge to the licensing subcommittee decisions.

## **5 Conclusions**

- 5.1 The revised police evidence showed that changes were need to the current City Centre CIP. These changes were consulted upon and one response was received.

## **6 Recommendations**

- 6.1 That Licensing Committee review the responses to the consultation and the proposed amended cumulative impact policy areas for the city centre.
- 6.2 That Licensing Committee endorse the new cumulative impact evidence for the city centre and the revised map of the city centre.

## **7 Background documents<sup>1</sup>**

- 7.1 There are no unpublished background documents that relate to this matter.

---

<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.