



**Licensing and Registration**

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Your ref: LHS/34704/1/JGC

24 April 2015

Dear Sir

**Bar Fibre, 168 Lower Briggate, Leeds, LS1 6LY**  
**Application for a variation to a premises licence – Licensing Act 2003**  
**Licensing Authority Letter of Representation**

Thank you for submitting your application for the above premises, received at the address above on 27<sup>th</sup> March 2015.

The area in which the subject premises is located is within a cumulative impact area. It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in this area for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Specifically your application falls within the red area of the City Centre CIP. As stated at 7.20 of the Statement of Licensing Policy 2014 to 2018 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. It will be for you to advise the council how your application would be an exceptional case.

In addition, I refer you to 7.51 to 7.53 of the Policy which describes how, when considering the presumption against grant in a CIP area, the council will need to be satisfied that the grant will not impact on the cumulative impact of existing licensed premises in the area.

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**Website: [www.leeds.gov.uk](http://www.leeds.gov.uk)**  
**Switchboard: 0113 222 4444**



Applicants will often suggest measures which they assert will demonstrate there will be no impact. Examples of factors the licensing authority may consider as demonstrating there will be no impact may include, though are not limited to:

- Small premises who intend to operate before midnight.
- Premises which are not alcohol led and only operate during the day time economy
- Instances where the applicant is relocating their business to a new premises but retaining the same style of business.
- Conditions which ensure that the premises will operate in a particular manner such as a minimum number of covers or waiter/waitress service to secure a food led operation.

Examples of factors the licensing authority will not consider as meeting the standard of rebuttal include:

- That the premises will be well managed and run as all licensed premises should meet this standard
- That the premises will be constructed to a high standard
- That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint

As the licensing authority is of the opinion that your application contains insufficient information about how your application would not add to the impact already being experienced in the area, we are submitting a formal representation against your application on the grounds of:

1. Prevention of crime and disorder
2. Public nuisance

However, if you are able to explain the measures you will take to ensure that your proposed activities do not add to the impact already being experienced in the area, we may be prepared to withdraw the representation providing you agree to amend your application to incorporate those measures as conditions.

I enclose the guidance note relating to the cumulative impact policy.

Should you have any questions, please contact us.

Yours faithfully



Susan Holden  
Principal Project Officer  
Entertainment Licensing