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*Leeds District Licensing Department*

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 M3 2RD

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

**RE: TURTLE BAY, UNIT A14, THE LIGHT, ALBION STREET, LEEDS, LS1 8TL  
 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 22<sup>nd</sup> April 2015.

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 a current red zone in the cumulative impact area. The Council's policy states:

*"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*

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*“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 proposed restaurant/bar is Albion Street, even though the application makes reference to The Headrow. The customer entrance is adjacent to the Albion Street entrance to The Light and was previously occupied by a Ski and Outdoor Wear shop, O’Neills.

This area of the city – Albion Street/Woodhouse Lane – has recently been included in the red area of the Council’s Cumulative Impact Policy (CIP) 2014 – 2018, from January 2015 following a police statistical update to the Licensing Authority. Even though it has only just been included in the red zone of the CIP this is an area which has demanded increased police resources and attention for many years. June 2010 saw the introduction of a street marshal scheme in that area which operators fund themselves to try and assist in the reduction of on-street crime. It is an acknowledgement that they all bear a collective responsibility for what occurs on the street in that area.

This is the first challenge to the Cumulative Impact Policy in this area of the city since it was designated ‘red’.

The area includes premises such as Tiger Tiger, McDonald’s, Subway, Colazione, Maluko, Pryzm, Yates, Hedley Verity (Wetherspoons), and the Merchant. It is an alcohol related violent crime hotspot with peaks of offences of assault/affray, robbery and theft from midnight onwards. Albion Street has been in the top 3 streets for offences from 2010 to 2012 and has shown an increase in calls for service in more recent 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.

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 current application is for a restaurant/bar for operating hours up until 00:30hrs Sunday (into Monday) through to Wednesday (into Thursday), and 01:30hrs Thursday (into Friday) through to Saturday (into Sunday), and therefore falls within all peak crime times.

It is stated that orders for food will terminate at 22:30hrs on a Sunday through to Wednesday, and 23:00hrs on Thursday through to Saturday. There are no ‘restaurant’ conditions offered in this application and the premises could therefore operate purely as alcohol led premises throughout all operating hours and, more specifically and definitely, after orders for food terminate, allowing pure alcohol consumption for two and a half hours until close at 01:30hrs on a Thursday through to Saturday, just when robbery, thefts and violent crime are reaching a peak in the area. At closing time throughout the week there would be an influx of people in to a crime hotspot at the very time crime and incidents are beginning to rise.

The offer of a condition that 70% of the floor space should be allocated for the use of customers eating at the premises does nothing to persuade West Yorkshire Police that the space could not equally be used purely for alcohol consumption. A number of restaurant applications have recently been received for a different area of the city which is also designated red. These applicants have offered ‘true’ restaurant conditions which include the offer of a specific number of ‘covers’, alcohol being ancillary to

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food and waiter/waitress service. None of these measures have been offered even though you describe the premises as primarily being a restaurant. Perhaps this is because there is a wish to operate primarily as a bar after midnight and you feel that such conditions would not permit this.

In order to convince the Licensing Authority of an exceptional case you may like to consider reducing the hours applied for, and offering restaurant conditions so that the application does not fall within the scope of the CIP.

I do not feel that this application demonstrates an exceptional case. Existing operators also revert to being alcohol led at night after food offers during the day and early evening – Tiger Tiger, Yates', Hedley Verity (Wetherspoons) and The Merchant. They also have many more conditions in their operating schedules than those offered in this application.

Of note there are no offers of a specific number of door staff to be deployed, the CCTV retention should be for a minimum of 31 days, Pubwatch is not mentioned, and there is no offer of the BACIL radio membership. These are some of the conditions we would require as a bare minimum for premises wishing to operate in the amber area after midnight. This area is designated red and the applicant wishes to operate as a bar after midnight.

Therefore, in terms of location (RED ZONE), and in terms of applying to operate as a late night restaurant/bar until 00:30hrs Sunday to Wednesday, and 01:30hrs Thursday through to Saturday, 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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