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



8<sup>th</sup> September 2016

Paddy Whur  
Woods Whur 2014 Ltd  
Devonshire House  
38, York Place  
Leeds  
LS2 2ED

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

**RE: SPACE, 10-20, DUNCAN STREET, LEEDS, LS1 6DL  
APPLICATION TO VARY A 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 12<sup>th</sup> August 2016.

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 (CIP) 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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7.20 *"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*

7.24 *"It is the council's policy, on receipt of relevant representations, to*

- *Refuse new and variation applications in the red area*
- *To seek additional measures for new and variation applications in the amber area*
- *To seek good quality applications for applications in the green area*

7.25 *"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".*

This application is to vary the premises licence for Space Nightclub by extending the operation in to a completely different unit with a ground and first floor. If granted, its size would grow considerably – another 2 floors, with a separate entrance on a different street from the existing entrance, which is to remain in situ. Offered in the application is that the capacity for the current venue is to remain the same should the variation be granted - 490. I have visited the proposed new addition to the licence with the operator, and it was described as being for the older Space customer, a VIP area to operate in conjunction with the existing nightclub.

There is also an application to remove certain conditions which West Yorkshire Police do not object to.

Examining the application and the plans deposited with the same, it is quite clear that, without conditions offered to prevent it, the extension could be operated as a 'new', stand-alone' venue when the current club may be closed. Capacity is to remain the same it is said, but there are no conditions offered which satisfy West Yorkshire Police that this can be achieved.

My concerns are therefore as below:

1. How will the operator prevent the capacity on the current licence being exceeded with two separate entrances on two different streets?
2. If granted as applied for, the new area will be able to operate as a 'stand-alone' venue when the existing club is closed if the varied licence is not conditioned appropriately. The current premises licence has hours of operation from 11:00 until 06:30, so the 'new' venue could operate over these extensive hours when the current club, as we know it, would normally be closed.
3. The public perception that a new club/late night bar has opened in the red area of the Cumulative Impact Policy – especially if it is to be called by a different name - and what kind of message this will send out.

In my opinion conditions should be offered to tie in the new area to the existing nightclub operation so that it cannot operate independently, without the nightclub being open, and operating as it does normally. It should also be made quite obvious by signage that the new entrance on Duncan Street is part of Space nightclub.

There is crime directly associated with the venue which I will quote if this matter should proceed to a hearing. West Yorkshire Police and Leeds City Council Licensing Enforcement currently meet with the manager and Premises Licence Holder on a regular basis to discuss these incidents and to try and keep any crime and disorder to a minimum.

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The latest analysis of crime data provided to Leeds City Council upon which the Cumulative Impact Policy is based shows that 'the block of premises bounded by Briggate (commonly known as Lower Briggate), Call Lane and Duncan Street remain the predominant hot spot area this year. This area is still highly concerning and the fact that this area is saturated cannot be overestimated. There has been an increase in theft and violent crime in the past twelve months'. The policy also states that in comparison with the other red area, Albion Street/Woodhouse Lane, the theft statistics are seven times as high, and violent crime statistics are four times as high. To quote the policy, 'This alone shows how important it is that the capacity in this area is not increased.' If the extra area were to operate at a time when the club normally does not operate there would effectively be an increase in capacity in the red zone area at those times and days.

Therefore, in terms of location (RED ZONE), and in terms of applying for a variation to an existing premises licence for a nightclub, West Yorkshire Police consider that this application implicates the current policy of cumulative impact for Leeds City Centre in the red area, and do not regard it as exceptional.

PC Cath Arkle  
Leeds District Licensing Officer  
West Yorkshire Police

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