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20th July 2017

Paddy Whur
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: SPACE TO EAT, HIRSTS YARD, LEEDS, LS1 6DL
APPLICATION FOR A 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 22nd June 2017.

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 application 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”.

The location of these premises is in very close proximity to a multitude of other licensed premises in this area such as Space, Hirsts Yard, Mook and The Duncan Pub. Other late night licensed premises in the area are The Black Swan, Neon Cactus, Jakes Bar, Oporto, Call Lane Social, Brooklyn Bar, Revolution, Norman Bar and Back Room Bar, The New Penny, The Bridge, Baracoa, Revolucion de Cuba, Mission Nightclub, Smokestack, Bar Fibre, Queens Court, Viaduct, Stone Roses Bar, Bowers Tap (The Hourglass), and McDonald’s. It is an alcohol related violent crime hotspot for robbery, assault and theft. The peak time for crime is between midnight and 05:00 hrs. The majority of hours of operation applied for by the applicant therefore fall right in to these peak times.

Extra police resources have to be 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 in the area 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

The latest analysis of crime data provided to Leeds City Council upon which the Cumulative Impact Policy is based shows that the Briggate/Call Lane area has experienced a 17% rise in reported crime since the last review of crime statistics a year ago. The peak times for crime in the Night Time Economy have also extended to 05:00hrs from 04:00hrs, and assaults and thefts have risen. The area is not improving – it is deteriorating.

Hirsts Yard has its own particular problems and much work has been carried out between operators, local police officers, and licensing officers to help reduce the amount of assaults, robberies and drug issues therein. The applicants have played their part in this co-ordinated work, and PREM/03926/001 was granted in January 2017 as a time limited licence – 6 months - to assess whether or not they could further improve the yard and reduce incidents in the immediate vicinity – as well as running another profitable business.

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The 6 month time limited licence was supposed to allow for the responsible authorities and the Licensing Authority to assess the impact of the operation. The venue has been visited twice since the time limited licence was granted and I report as follows:

At 01:00 on 2nd April 2017

- No door supervisor at the venue upon arrival and it took approximately ten minutes before one arrived from Space nightclub. We were advised that he was a roaming supervisor, to which a response was given that the condition is that they have a minimum of 1 x door supervisor not a roaming one.
- Premises licence not available for inspection and Part B not displayed.
- Extra lighting had been installed and the area was brighter.
- One CCTV camera covering the venue (part of Space's CCTV) – were advised that better CCTV will be required if a permanent Premises Licence is issued.
- No customers at time of visit but was told it gets busy around 0300 hrs.
- Incident book is the Space Club incident book.

At 00:45 on 28th May 2017

- No doorman on duty when we approached venue - one did appear after approx. 15 minutes stating that he was patrolling the corridor.
- Door staff signed in on Space register with no indication he was designated for take-away - book amended and separate signing-in book requested. Advised head supervisor that assigned doorman should remain in vicinity of the "Eat" premises but could help out should issues arise outside nightclub.
- No significant queue.
- Staff were unsure as to where licence for the premises was and kept referring to ask inside the main Space nightclub.
- Venue was very quiet and the presence of the barriers used for queuing, in officer's opinion, creates a bottleneck in Hirst Yard and this should be given consideration when considering the licence.
- Only Part B of the licence was available to be observed.

Given the assurances and promises made at the hearing on 31st January to obtain the time limited licence in the red area of the cumulative impact policy, which was the applicant's opportunity to show why they should be granted a full premises licence, I have to say that I have been disappointed with officers' reports from their visits. I am also unable to comment on whether or not the premises operating has helped to solve any of the issues in the area.

Therefore, in terms of location (RED ZONE), and in terms of applying for a new premises licence to provide late night refreshment from 23:00 until 05:00, West Yorkshire Police consider that this application implicates the current policy of cumulative impact for Leeds City Centre in the red area, and advise that it be refused, unless the presiding Sub-Committee are convinced that the grant of this licence will not negatively impact on the cumulative impact of existing licensed premises in the area.

PC Cath Arkle
Leeds District Licensing Officer
West Yorkshire Police

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