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*Leeds District Licensing Department*

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9<sup>th</sup> September 2015

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

**RE: THE BLACK SWAN, 37, CALL LANE, LEEDS, LS1 7BT  
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 17<sup>th</sup> August 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 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 on this section of Call Lane such as Jakes Bar, Oporto, Neon Cactus, Rolands, Call Lane Social, Norman Bar, Arts Café, Revolution, Brooklyn Bar, Back Room Bar and Reds True BBQ Restaurant.

Also, some of the licensed premises in the immediate vicinity are Space nightclub, The Duncan, Hirsts Yard, Mook, McDonalds, Veenoo, Distrikt, Pieminister, The New Penny, Rock Bar, Revolucion de Cuba, Bar Fibre, Mission, Viaduct, Queens Court, The Hourglass, Smokestack, Chilli White, Safari, Brewdog, Syn and Paipa VIP. It is an alcohol related violent crime hotspot for robbery, assault and theft. The peak time for assaults occurring is from midnight until 05:00. The peak time for robberies is 02:00hrs until 04:30. The peak time for thefts in this area is 23:00 until 03:00. The hours of operation applied for by the applicant therefore fall within both the theft and assault peak times.

The venue currently operates under an existing licence, PREM 01576, and was previously known as Bar Room Bar and, prior to that, Laffertys. This new application is effectively to extend the hours of operation from 09:00hrs to 03:00hrs every day, to 10:00hrs to 03:30hrs on Sunday to Thursday, and 10:00hrs to 04:30hrs Friday and Saturday, and to update conditions on the operating schedule.

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. An ambulance is also regularly parked at the junction of Briggate/Boar Lane and Duncan Street 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 felt. It has been said that TENs have not been objected to, but of course these are not covered by the Cumulative Impact Policy under which this objection is raised.

I have been made aware recently of at least two local residents who are complaining of the noise and anti-social behaviour caused by all the customers, of all the bars, who frequent this area, and I may wish to rely on their evidence in relation to these problems at any future hearing. This evidence would obviously be disclosed at least five working days prior to any hearing.

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Therefore, in terms of location (RED ZONE) and in terms of applying for a new premises licence to operate after midnight with the sale of alcohol, late night refreshment, live music and recorded music, 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.

West Yorkshire Police are also of the opinion that crime and disorder associated with the venue has reached an unacceptable level over the past six months, including seven offences of Actual Bodily Harm and one allegation of attempt rape amongst other incidents. Further details of the crime and incidents will be supplied prior to any future hearing.

PC Cath Arkle  
Leeds District Licensing Officer  
West Yorkshire Police

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