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23<sup>rd</sup> February 2018

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**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 VARIATION OF 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 26<sup>th</sup> January 2018.

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*

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*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*

*"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 restaurant/late night bar is Albion Street.

This area of the city – Albion Street/Woodhouse Lane – was 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. 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 the area which operators funded themselves to try and assist in the reduction of on-street crime. It was an acknowledgement that all operators bear a collective responsibility for what occurs on the street in that area but, the scheme has recently fallen by the wayside. A new Evening Ambassador scheme has been introduced recently to try and replace the street marshal scheme and to help defuse on street incidents.

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 on-street 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 area includes premises such as Tiger Tiger, McDonald's, Players Bar, Maluko, Subway, Stampede, Pryzm, Yates, Hedley Verity (Wetherspoons), and the Merchant. It is an alcohol related violent crime hotspot with peaks of offences of assault, robbery, sexual offences, and theft from 23:00 until 04:00 – with a main peak from 01:00 until 03:00. In the year Sept 2015 to Aug 2016 violent crime rose by 39% in this area compared with the previous year (Sept 2014 to Aug 2015). It has now risen again (Sept 2016 to Aug 2017) by 15% across the city, 10% in this top area.

The only real material change in this area between those years has been the granting of the premises licence for Turtle Bay in June 2015. I am not suggesting that the venue is solely responsible for the increase, but it is most likely that it has contributed along with all the others in the area, especially as food sales are said to terminate at 23:00hrs, and the 'two for one' drinks offers are then heavily promoted. The application makes great assumptions that the lack of crime specific to the premises, either during normal hours or those covered by a TEN, proves a lack of impact on the area. It does not – it only shows what we know to be specific to premises. How can it be shown what occurs after customers leave the venue and become involved as victims or perpetrators of alcohol related crime in the area? It cannot be shown, and is specifically why we have a cumulative impact policy.

This is the third application by Turtle Bay.

The first application in April 2015 for a premises licence for Turtle Bay was the first challenge to the Cumulative Impact Policy in this area of the city after it was designated 'red'. At a hearing in front of the Licensing Authority the hours they currently wish to acquire were refused but a licence was granted with reduced hours. The second application was much as the current one, but was refused completely by the Licensing Sub-Committee.

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The current application seeks extra hours for alcohol, recorded music and late night refreshment on the two busiest days of the week, Friday and Saturday, applying to extend the sale of alcohol from midnight to 01:00 and closing at 01:30 instead of the current 01:00 finish. If anything, the area has deteriorated since the grant of the licence and the previous attempt to extend hours. No extra crime prevention measures are offered and an extensive cumulative impact statement has been submitted to support the application. The statement merely refers to 'premises specific' details and seeks to compare itself favourably with different style operators as regards crime statistics.

Therefore, in terms of location (RED ZONE), and in terms of applying to extend the sale of alcohol, recorded music and late night refreshment on a Friday and Saturday, with an extended closing time 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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