



Leeds
CITY COUNCIL

Licensing and Registration

Civic Hall
Leeds LS1 1UR

Private & Confidential

Paddy Whur
Woods Whur 2014 Limited
Devonshire House
38 York Place
Leeds
LS1 2ED

Contact Susan Holden
Tel 0113 378 5331
Fax 0113 336 7124
Email susan.holden@leeds.gov.uk
Your ref

14th May 2018

Dear Mr Whur

**Space to Eat, 7 Hirsts Yard, Duncan Street, Leeds LS1 6DL
Application for a grant of a premises licence
Licensing Act 2003
Licensing Authority Letter of Representation**

Thank you for submitting your application for the above premises

The area in which the subject premises is located is within a cumulative impact area. It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in this area for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Specifically your application falls within the red area of the City Centre CIP. As stated at 7.20 of the Statement of Licensing Policy 2014 to 2018 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 operation no matter how impressive the concept or application is.

I refer you to 7.67 to 7.70 of the Policy which describes how, when considering the presumption against grant in a CIP area, the council will need to be satisfied that the grant of this variation will not impact on the cumulative impact of existing licensed premises in the area. It will be for you to advise the council how your application would allow Members to make an exception to the policy.

I also refer you to 7.69 of the Policy which describes examples of factors the licensing authority will not consider as meeting the standard of rebuttal include

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- That the premises will be well managed and run as all licensed premises should meet this standard
- That the premises will be constructed to a high standard
- That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint

I note that the application is for a new licence to replace the time limited licence granted six months ago. This application is for late night refreshment only to 5am, 7 days a week.

You state within Section M of the application that you will operate a CCTV system, use an incident report register, accident register, electrical inspections and restrict access to food preparation areas. You intend to employ one door supervisor from 21 00 to 05 00, but allow them to be mobile within Hirsts Yard until 2am and then remain static outside the premises until 5am. You intend to monitor the external areas from 23 00 and remove litter.

Late night refreshment applications are considered within scope of the CIP as they add to the cumulative impact of licensed premises in the area. Instead of dispersing away from the area, late night takeaways hold people in areas where there is already an accumulation of people. As you will be aware Hirsts Yard already suffers from an accumulation of people into the night due to the proximity of Space, Mook and Red Door. Providing a takeaway in this location would not reduce the cumulative impact of licensed premises in the area but increase it.

Bearing in mind the severity of the problems being experienced in the area with this area suffering from the highest levels of violent crime and disorder incidences in the city centre, and experiencing a further increase in crime in 2017, the Licensing Authority is of the opinion that your application contains insufficient information about how your application would not add to the impact already being experienced in the area. Therefore the licensing authority submits a formal representation against your application on the grounds of prevention of crime and disorder.

Should you have any questions, please contact us.

Yours faithfully

Susan Holden
Principal Project Officer
Entertainment Licensing