

Wood, Jane

From: Arkle, Catherine <catherine.arkle@westyorkshire.pnn.police.uk>
Sent: 21 May 2013 11:09
To: Entertainment Licensing
Cc: Patterson, Bob; 'CWaddingham@lawblacks.com'; robert.fullilove@westyorkshire.pnn.police.uk
Subject: Darbar Restaurant - Police Objection - Cumulative Impact [NOT PROTECTIVELY MARKED]
Attachments: DARBARREST21052013.doc

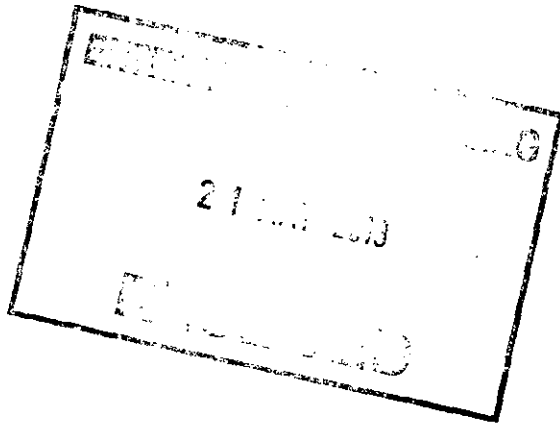
Entertainment Licensing

Please accept the below attachment which is a police objection to a variation of a premises licence. The objection is made under Cumulative Impact.

Yours faithfully

Cath Arkle

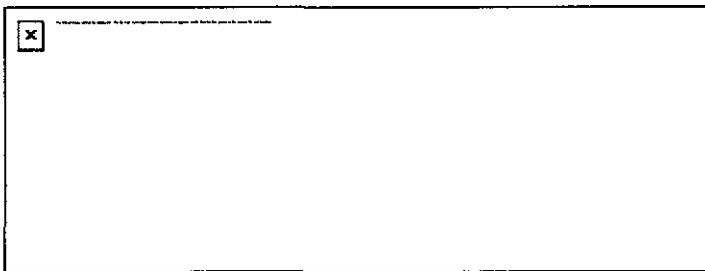
PC 5548 Catherine Arkle
 Divisional Licensing Officer
 City & Holbeck
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21st May 2013

Mr. Chris Waddingham
Blacks Solicitors LLP
Hanover House
22, Clarendon Road
Leeds
LS2 9NZ



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

RE: DARBAR RESTAURANT, 17, KIRKGATE, LEEDS, LS1 6BY
APPLICATION TO VARY 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 1st May 2013.

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 2011-2013, 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.

CIP - Area 1 – Leeds City Centre:
There has been a policy of cumulative impact in Leeds City Centre since January 2005, as a part of the

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original Statement of Licensing Policy issued by Leeds City Council, made to introduce the 'transitional provisions' of Licensing Act 2003 in February 2005 to full implementation in November 2005.

As a part of the process back then, in 2004 West Yorkshire Police provided detailed statistical analysis of alcohol related crime and disorder and anti social behaviour, in relation to specific areas of the City Centre.

The original policy only applied to certain isolated parts of Leeds City Centre.

In 2007, as part of the first 3 year review of Leeds City Council's Statement of Licensing Policy, further statistical evidence was produced by West Yorkshire Police to ascertain if there was the continuing need for a policy of cumulative impact in Leeds City Centre.

As a result, in December 2007 the revised Statement of Licensing Policy 2007-2010 was issued by Leeds City Council, and whilst the policy of cumulative impact for Leeds City Centre was to continue, there was very little if any relevant change in the wording of the policy and no change at all in the affected areas of the City Centre.

A second review of the Statement of Licensing Policy has taken place in Leeds in 2010 and a 3rd edition has been issued by Leeds City Council as recently as early January 2011.

During this lengthy process, West Yorkshire Police, after being requested to do so, once again provided an up to date 2 year statistical overview of violent offences and anti-social behaviour in Leeds City Centre as a whole.

As a result, on this occasion the policy of cumulative impact for Leeds City Centre has radically changed, both in -:

- 1. a significantly increased geographical area, and**
- 2. modification of the wording of the policy, to include all types of alcohol led premises, rather than just a specific type of premises serving alcohol.**

The current Statement of Licensing Policy goes into further detail about the significant changes recently made and highlighted above.

For instance-:

- Paragraph 7.16 – "In the five years since the cumulative policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:
 1. Call Lane, Boar Lane and the area behind the Corn Exchange
 2. Woodhouse Lane, Merrion Way and Wade Lane
 3. The east end of The Headrow and New Briggate.
- Paragraph 7.17 – "Other areas of concern include the Eastgate area and Briggate".
- Paragraph 7.19 – "On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots.....".
- Paragraph 7. 20 – "In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.
- The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led premises can contribute to crime and disorder in the area....."

The wording for the current policy of cumulative impact for Leeds City Centre therefore now reads-:

"It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 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 add to the cumulative impact of such licensed premises in the area".

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Therefore, in terms of location, in terms of operating as a late night bar/nightclub, and in terms of the proposed variation which seeks to remove two conditions specifically on the licence to restrict the operation to being a restaurant West Yorkshire Police consider that this application implicates the current policy of cumulative impact for Leeds City Centre in every respect, and would rely on paragraphs 13.29 and 13.30 of the current Section 182 guidance in making this representation.

***PC Cath Arkle
Divisional Licensing Officer
City & Holbeck***

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