



NOTICE OF RELEVANT REPRESENTATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

North Yorkshire Police hereby give notice of objection to the Premises Licence as listed below:

Postal Address of premises or club premises: Secret Square Ltd Unit 4 Stonegate Walk Hornby Passage	
Post town: York	Post code (if known): YO18AT

Notice of Objection relates to the following licensing objective: *(Please tick one or more boxes)*

1. The prevention of crime and disorder	<input checked="" type="checkbox"/>
2. Public safety	<input type="checkbox"/>
3. Prevention of Public Nuisance	<input checked="" type="checkbox"/>
4. The protection of children from harm	<input type="checkbox"/>

GROUND FORS RELEVANT REPRESENTATION

Please provide as much information as possible to support this relevant representation:
(e.g. please list any additional information, e.g. dates of problems which are included in the grounds for review)

This application relates to a new premises licence for a café/bar in York's Cumulative impact area for licensable activities including sale of alcohol and recorded music from 1100-0100hrs Friday and Saturday and 1100-2330hrs all other days. The premises sits within York's CIA (Cumulative impact assessment area) 'Red zone', an area which The City of York Council has identified as being under the most stress from crime and disorder and public nuisance in their statement of licensing policy. The current policy came in to effect on 21st March 2019 and runs until 2024; it states:

'9.13 North Yorkshire Police and Public Protection have provided information that the nature of this area is such that the problems and cumulative impact directly relates to the style of businesses operating in the area and their clientele, due to the concentration of:

- drink led premises – pubs, bars, nightclubs and restaurants/cafes;
- entertainment

premises – pubs, bars and nightclubs providing entertainment, especially late at night into the early hours of the morning;

- late night refreshment premises – takeaways; and
- off licence premises – supermarkets and convenience stores.

9.14 A red zone has also been identified in this area due to the high concentration of licensed premises, the impact of which have lead to a high level of occurrences in relation to crime and disorder related issues. Therefore, the Council should refuse all applications within the red zone where relevant representations are received, unless the applicant can show how their application would not lead to an increase in the impact of licensed premises in this zone. A map showing the red zone can be found in the assessment.'

Furthermore the CIA policy states:

7. An applicant wishing to obtain a new licence or vary a licence for premises, within the cumulative impact area, must demonstrate through the operating schedule, the steps that they intend to take so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.

On 20/11/19 North Yorkshire Police met with the applicant and agent to discuss the proposed plans for the business when it was stated that they wished to apply for a licence for a bar only. It was advised at the time that an application of this type, being in the red zone of the CIA, would not be supported by North Yorkshire Police due to the potential adverse impact on crime and disorder in the area. Some conditions for a food led establishment with reduced hours were then suggested, however, it was acknowledged by the agent that the premises does not have capacity for a substantial kitchen.

The application was then received without the suggested conditions in respect of a food led establishment and no further indication on how the premises would not add to the cumulative impact.

North Yorkshire Police would not oppose an application for a food led establishment with conditions ensuring the promotion of the 4 licensing objectives which would not add to the cumulative impact of crime and disorder in the area. This application does not refer to the premises being within the CIA, or the policy itself, or any measures taken to mitigate associated risks with another alcohol led establishment.

The applicant has applied for a premises licence with sale of alcohol from 1130-0030hrs Friday and Saturday with sale of food until 2300hrs, stopping 2 hours before close of business and Sunday to Thursday 1130 - 2200hrs with close at 2330hrs. This would mean the premises would act as a vertical drinking establishment for a period of 1.5hrs - 2hrs 7 days a week in a residential area which is already saturated with licensed premises.

It is the position of North Yorkshire Police that the applicant has not demonstrated how the adding of this licensed premises will not adversely impact on the night time economy in this already very highly saturated area of Stonegate. Neither has the applicant offered conditions or timings consistent with a café.

Additionally, the location has an outside area which will be accessed by proposed bifolding doors from the premises straight to the outside area. According to the plan submitted with the application, this area will seat at least 10 people, but has room for more based on the licensable area applied for. The applicant wishes to use this area until 2300hrs on weekdays and until midnight on Friday and Saturday.

North Yorkshire Police believe the adding of a further café/bar with a limited mezze style menu and a full bar will further add to crime and disorder in the area and an increase in public nuisance.

It is not felt that the applicants have provided adequate information in respect of the operating schedule and conditions.

Members of the Committee, it is the view of North Yorkshire Police that this application should be refused. The above highlights that the applicants have not considered the Council's own Statement of Licensing Policy and have not taken on board that the Premises is sited in the Cumulative Impact Area. The business model they are suggesting alludes to a vertical drinking establishment with outside area in a residential area of Stonegate with a limited food menu; indeed, a café/bar with the main Licensable activity being the sale of Alcohol.

North Yorkshire Police are working hard with key stake holders and partners within the City of York to tackle Alcohol fuelled disorder and I would ask members to also consider their obligations under Section 17 of the Crime and Disorder Act "it shall be the duty of each authority to which this section applies to do all it reasonably can to prevent crime and

disorder in its area.”

Signature: K. Hollis

Date: 07/01/2020

Contact name:

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