

Hereford Police Station  
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HEREFORD  
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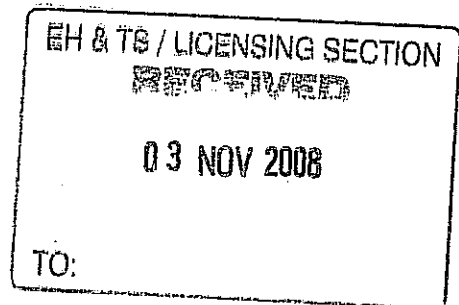


**WEST MERCIA**  
**CONSTABULARY**  
TOGETHER - WORKING FOR SAFETY AND JUSTICE

30<sup>th</sup> October 2008

Our Ref:  
Your Ref:

Herefordshire Council Licensing Department  
PO Box 233  
Bath Street  
HEREFORD



Dear Sir or Madam:

REF: 37 COMMERCIAL STREET HEREFORD HR1 2BS  
APPLICATION FOR GRANT OF PREMISE LICENCE,  
LICENSING ACT 2003

I refer to the above mentioned application made pursuant to the Licensing Act 2003, received by the West Mercia Constabulary on the 17<sup>th</sup> October 2008.

On behalf of the West Mercia Constabulary I have the following relevant representations to make in accordance with the Act.

In order in order to promote the licensing objectives and in particular, with a view to preventing crime and disorder, preventing public nuisance and promoting public safety I would seek the licensing authority to refuse to grant this premise licence.

37 Commercial Street is in fact the old "Rowberry Butchers Shop" located on the junction of Bath Street and Union Street., and falls with in the Cumulative Impact area, as adopted by Herefordshire Council Licensing Committee.

This special policy was adopted by Herefordshire Council Licensing Committee, when they published their Licensing policy for 2005 / 08, and was renewed when they published their licensing policy for 2008 / 11.

The effect of adopting this special policy is to create a rebuttable presumption that applications for new premise licences or variations that are likely to add to the existing cumulative impact will normally be refused.

The guidance issued at section 182 of the Licensing Act specifically uses the examples of the cumulative impact of concentrations of young drinkers can result in queues at fast food outlets which can in turn lead to conflict, disorder and anti social behaviour. This was precisely the situation in this area of Hereford prior to the commencement of the Licensing Act 2003, and instrumental in the introduction of the policy.

The guidance also makes it clear that consideration should be given to the different styles and characteristics of any proposed premises and use the example of a small restaurant or theatre.

It is the view of the West Mercia Constabulary, that this proposed new "fast food" kebab shop does not offer any different styles or characteristics that would not affect the cumulative impact of the already large number of similar premises.

Within the cumulative impact area there already exist 7 premises licensed to provide Late Night Refreshment, by way of a take away, and one premise that has circumvented the requirement to be licensed but never the less provides food late at night. There are also 7 public houses and 2 large night clubs, along with 4 restaurants, and a cinema.

The West Mercia Constabulary submitted a requested to Herefordshire Council Licensing Authority to introduce the Cumulative impact policy at the commencement of the new licensing regime in 2005, because this area had been identified as the number one hot spot in the county for alcohol related crime and disorder.

In the period January 2005 to August 2005, in the County of Herefordshire there were 1343 alcohol related incidents of Crime and Disorder report to the police.

Of these incidents 980 took place in Hereford, and of those 268 took place in the cumulative impact area.

Fast food outlets were identified as one of the prime locations for this disorder, with one specific premise having 47 incidents in 12 months , with two incidents requiring the premise to be closed.

The area is still the number one hot spot for incidents of alcohol related crime and disorder, and during the period 21/09/08 to 19/10/08, in Hereford city there were 69 reported incidents of alcohol related crime and disorder with 28 taking place inside the cumulative impact area. The peak period for these incidents were 0200 to 0330 on a Friday and Saturday night, with the one premise inside the cumulative impact area that does not require a premise licence being identified as a bottleneck.

It is the view of the West Mercia Constabulary, that to allow this premise to be granted a premise licence to operate until 0400 hours 7 days a week, will add to the cumulative impact on the licensing objectives of the prevention of crime and disorder and public nuisance , of the existing premises.

It is also the view of the West Mercia Constabulary that to allow a late night fast food outlet, specifically to cater for those seeking food after the public houses and nightclubs have closed, on this busy road junction, would compromise the licensing objective of public safety.

The very nature of the customer base they are seeking to attract is such that they will have consumed alcohol, often in large quantities. The customers they seek to attract will then stand outside the premise and congregate on the road to consume what they have purchased.

That scenario on this busy road junction will compromise the safety of those customers this application is seeking to attract.



S G Thomas  
PC 697  
Licensing Officer

PC697