



## LICENSING ACT 2003

### REPRESENTATION FORM – Responsible Authorities

*Responsible Authorities are requested, where possible, to forward to the Licensing Authority all relevant evidence in support of their representation at the time of submitting this form.*

#### Your Details

Your Name:	ANDREW COOK
Name of the organisation you represent:	GLOUCESTERSHIRE CONSTABULARY
Position held:	LICENSING MANAGER.
Postal Address of the organisation or body you represent	LICENSING DEPARTMENT GLOUCESTERSHIRE CONSTABULARY HQ, 1 WATERWELLS, QUEDGELEY, GLOUCESTER
Post Code:	GL2 2AN
Daytime contact telephone number:	01452 752816
Email address: (optional)	<i>If you would prefer to correspond via email, please enter your email address.</i> <i>andrew.cook@gloucestershire.police.uk</i>
Full correspondence address if different to above	

#### Premises Details

Name of premises you are making representation about:	LIBERTY'S SPORTS BAR		
Full Postal Address of premises you are making representation about:	114 -118 EASTGATE STREET GLOUCESTER		
Post Code:	GL1 1QT	Application Ref. Number. (if known)	

## Representation details.

(Note: Your representation **must** relate to one or more of the four Licensing objectives. Please indicate the objective(s) your representation relates to.)

Licensing Objective	Please tick for Yes		Please tick for Yes
The prevention of crime and disorder	X	Public safety	X
The prevention of Public nuisance	X	The protection of children from harm	

Please provide details of your representation and any evidence you may have in support of it.  
(Please continue on a separate sheet if necessary)

### BACKGROUND

#### Alcohol

Alcohol is by far the biggest contributory factor in the high levels of Crime & Disorder that occur in our communities, especially Assaults. Home Office research indicates that 78% of Assaults and 88% of Criminal Damage offences are committed whilst the offender is under the influence of Alcohol, and 70% of Accident & Emergency admissions on a weekend are Alcohol-related.

#### City Centre Violence

The level of violent crime in Gloucester City Centre rose to a record high in 2005 and, although it has reduced steadily since, it has started to rise again (since February 2010) and is forecast to rise further. (Crime Figures and graphs provided to Committee.)

#### Eastgate Street

Eastgate Street has a high proportion of Licensed premises in close proximity, including Nightclubs, Bars and Late-night Takeaways. The combined effect of these premises is that Eastgate Street suffers high levels of crime, disorder and anti-social behaviour. In fact, Eastgate Street suffers the highest crime levels of any street in the County of Gloucestershire, and it places high demands on the Constabulary, especially around the night-time economy at the weekends. (Crime & Disorder Incidents provided to Committee).

Whilst Licensed Premises in Eastgate Street are generally individually well-managed, a significant proportion of customers simply consume too much Alcohol and their behaviour then deteriorates as a result. Typically, this drunken behaviour takes place on the streets after they leave the licensed premises and includes: Excessive Noise (shouting or screaming), Littering, Vomiting & Urinating on the streets, Boisterous Behaviour, Criminal Damage, Disorderly Behaviour, Aggression and Assaults. In addition to causing such problems, people under the influence of Alcohol are vulnerable to becoming victims themselves, typically of Theft, Robbery, Assault etc.

Analysis of incidents in Eastgate Street shows that the bulk of violent offences in Eastgate Street (57%) occur on Friday and Saturday nights (and early-hours following). Peak Days & Times are Saturday: 2300hrs - 0400hrs and Friday: Midnight - 0300hrs. (Analysis provided to Committee) This pattern correlates with national research, which indicates that the upsurge in violence at the weekend is due to the increased numbers of people socialising and their increased levels of Alcohol-intoxication. During the remainder of the week, incidents are substantially lower.

The levels of Crime & Disorder linked to Alcohol consumption is also a major factor in the *Fear of Crime* and *intimidation* that visitors to the City Centre experience. This can result in some people choosing to avoid the City Centre, particularly during weekend evenings.

Due to the cumulative impact of these premises, and at the request of the Police, a Special Policy was adopted by Gloucester City Council in 2004 in order to try and stem the problems in Eastgate Street and the surrounding area. This Special Policy has helped prevent more premises opening and has thus prevented further increases, but has not led to *decreases* in incidents of disorder. Further measures have recently been introduced (night-time pedestrianisation at weekends) in continued efforts to reduce problems.

### **Impact on Residents**

The presence of these Licensed Premises and their customers' behaviour impacts heavily on those who live in close proximity to Eastgate Street, or live on a 'through-route'. Residents of the City Centre can feel intimidated and 'trapped' in their own homes, particularly the elderly.

City Centre residents also suffer high-levels of Noise Disturbance into the early-hours on a regular basis, causing sleep disturbance and deprivation. In relation to residents, it is important to remember that 2300hours is the start of Night-time Hours under the Noise Act 1996, after which residents are entitled to a "Higher expectation of Peace". Sadly, peaceful enjoyment of their property is not the case for many living in the City Centre, as they regularly suffer from Noise generated by customers after they have left late-night premises (not noise directly from the premises themselves), and over which Premises have little or no control, except that they have (collectively) supplied these individuals with too much alcohol.

### **Impact on local Businesses**

Local businesses can also be adversely affected by Alcohol-fuelled misbehaviour in their vicinity. They regularly suffer the unpleasant experience of someone vomiting or urinating in the doorway of their premises. Alternatively their shop windows are damaged overnight. The latter, if it happens regularly, can have a long-term effect on the viability of the businesses.

### **Impact on the Constabulary**

The impact of these Licensed Premises on the Constabulary should not be under-estimated. Huge amounts of Police resources are expended in policing the streets at night-time, especially at weekends, to deter and to deal with alcohol-led disorder. Front-line Officers patrol the City Centre on foot and in vehicles, constantly intervening to defuse situations and deal with offenders. These Officers are supported by colleagues in the Camera Room who monitor the streets constantly using the Street Cameras. In fact the 'Streetsafe' operation, which takes place every weekend of the year without exception, is by far the largest single-policing-operation in the whole of the Constabulary's workload, and it necessitates Officers from residential areas being temporarily re-located to patrol the City Centre in order to boost the numbers of Officers on the streets during Peak days & times.)

Over and above this 'direct' policing, Front-line Officers and CID Officers spend huge amounts of time investigating alcohol-led crimes after they have occurred in an attempt to bring offenders to justice. For example they have to view CCTV footage, take statements, identify and arrest offenders, carry out ID procedures, prepare files and attend Court if required.

Due to all the above, applications for *new* Licences and *variations to extend* existing Licences of premises located in the 'cumulative impact zone' are reviewed very carefully by the Police Licensing department to determine whether or not the application (if granted) is likely to increase or decrease the current crime & disorder problems.

In relation to this application, the Inspector overseeing local front-line policing who holds the Licensing portfolio (Carole Ajinkya) has also been consulted, along with a front-line Sergeant (Liz Lovell) who was formerly the Licensing Officer for Gloucester.

Additionally, considerable research regarding the levels of Crime & Disorder has also been undertaken.

### **LIBERTY'S SPORTS BAR**

Liberty's is situated in Eastgate Street, which is right at the centre of the cumulative impact zone. The Premises Licence was granted on 9<sup>th</sup> June 2010 on the understanding that it would be a family-friendly, food-led, café-style venue predominantly trading in the daytime and combined with a child-friendly play centre.

Their current application is to increase the Hours for the sale of Alcohol from 0100hrs to 0400hrs. This Application is, therefore, for hours during the Peak Times for Crime & Disorder in Eastgate Street.

A 1-hour meeting was held with the current owners/DPS on 4<sup>th</sup> October to determine the exact nature of their proposed changes to the operation. The owner & DPS, Stephen Turley, stated that the business was not viable in its current form, even though they already operated a disco-style operation at night. He stated that they needed to be able to offer alcohol later into the night in order to compete with other existing outlets.

They were asked if they would consider a condition that '*alcohol only be served with substantial food beyond midnight*', which might help reduce drunkenness in that the food would soak up some of the excess alcohol that customers had consumed. This suggestion was declined on the basis that food sales are already very low, even though they already have good-value food offers (which combine a burger & beer or a pint & pizza for example) and they do not envisage sufficient customers wanting to buy alcohol *only with food*.

The owners suggested that their premises could be used as a 'place of refuge' where clientele could safely remain whilst awaiting a taxi, rather than stand in the street or walk home. They were asked if they would consider a condition that *'customers only be served alcohol after midnight if they booked a Taxi/Private Hire and paid a £5 deposit (non-refundable) towards their Taxi fare'*. Such a condition would help ensure that customers made this premise their last port of call and went home by taxi/private-hire on leaving. The DPS felt this was unworkable, as customers would not want to be 'bound' to remain in this way and may wish to go back onto the streets.

Mr Turley accepted that, without such conditions, an extension of alcohol-hours would provide opportunity for customers simply to consume more alcohol – on its own – and then to go back onto the streets again. It was pointed out that, in the Constabulary's view, an extension of Hours for the sale of alcohol in an unrestricted manner would be *likely to lead to more alcohol being consumed and more problems on the street*. Mr Turley conceded that, although he operates these premises and his nightclub TNT (next door) in a generally responsible manner (for example turning away those who are obviously drunk on their arrival) the service of alcohol at the outlets in Eastgate Street (on top of anything consumed earlier through pre-loading cheap supermarket drinks) contributes to crime & disorder on the streets. (Crime & Disorder for TNT available to Committee on request).

#### CONCLUSION

The Constabulary believes it is important to protect the quality of life for Visitors, Residents and Businesses of the City Centre, especially for those whose homes or businesses are situated within the 'cumulative impact zone'.

The Grant of this Application will, in the view of the Constabulary, lead only to an increase in Crime & Disorder and Public Nuisance both on and off the premises. Additionally, extra problems would arise for the Constabulary if this application was granted. This application is, therefore, strenuously opposed by the Constabulary on all the grounds related above.

Please suggest suitable conditions that the committee could add to the licence (if granted) to remedy your concerns or if agreed in advance of a hearing by the applicant would allow you to withdraw your representation or enter details of any other matters, not commented on elsewhere relating to your representation that you would like the committee to take into account.  
(Please continue on a separate sheet if necessary.)

The Committee is respectfully reminded that, under Section 17 of the Crime & Disorder Act, "it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area".

The Constabulary recommends REFUSAL of this Application on the grounds of the Prevention of Crime & Disorder, the Prevention of Public Nuisance and Public Safety.

In the event that the Committee grants this Licence against Police Objection, the Constabulary seeks the Conditions suggested above, i.e. *'alcohol only be served with substantial food beyond midnight'* and *'customers only be served alcohol after midnight if they booked a Taxi/Private Hire and paid a £5 deposit (non-refundable) towards their Taxi fare'*.

#### TENS

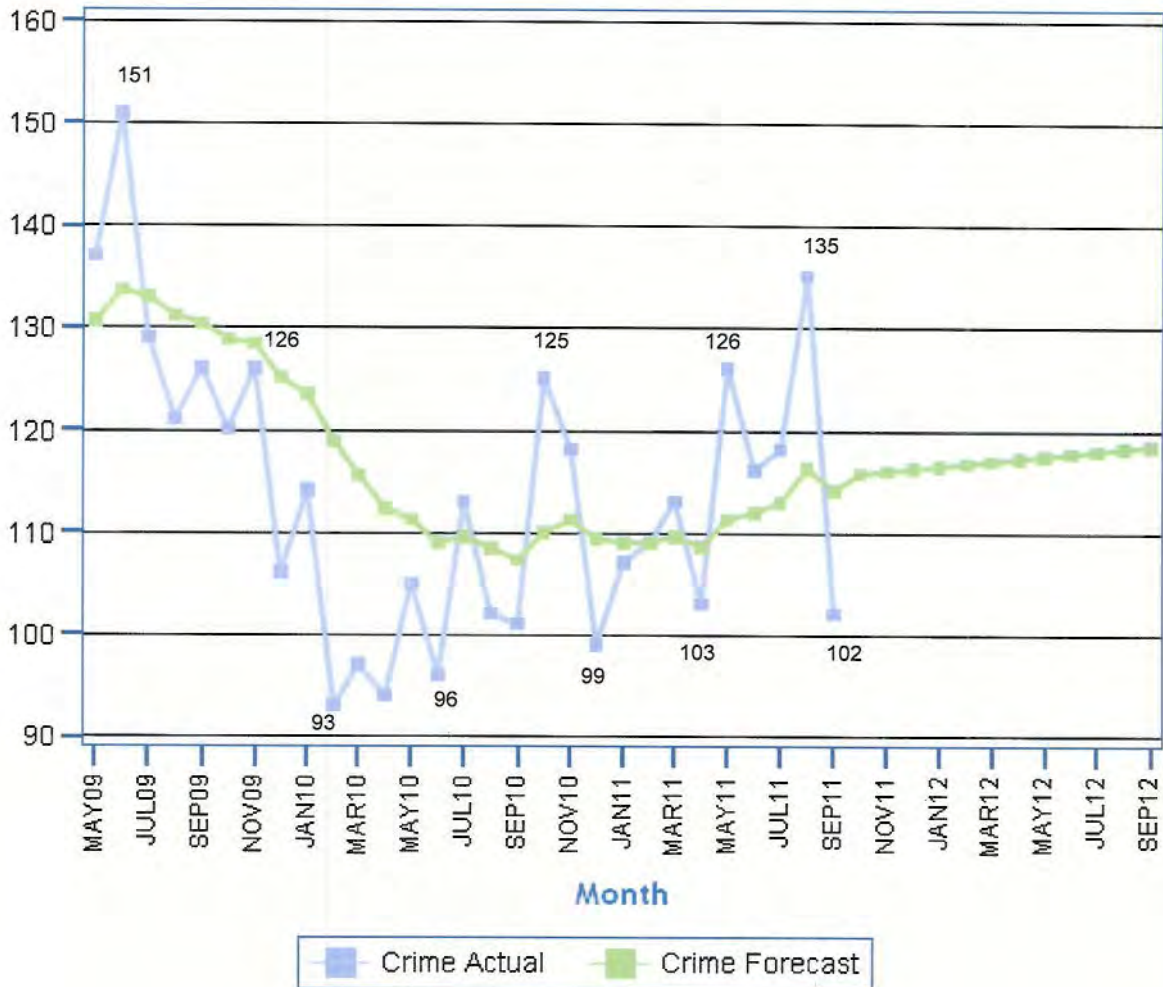
It is timely to remind the Committee that Temporary Event Notices may be used (over and above the Premises Licence) to enjoy extended hours. This can happen up to 12 times per year so, potentially, this Bar can already remain open one day each Month until well into the early-hours, and Neighbours would not be entitled to object.

<b>Signed:</b>	<i>A. S. Cook</i>	<b>Dated:</b>	10 <sup>th</sup> October 2011
<b>Position:</b>	Licensing Manager.		

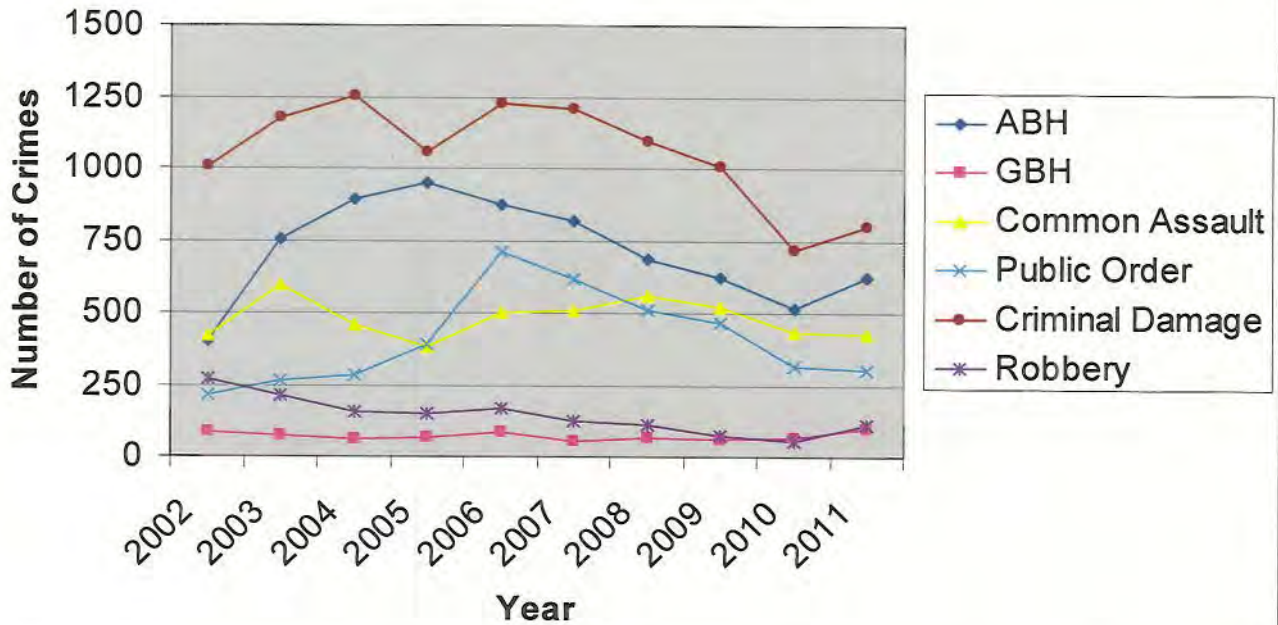
Crime Trend and Forecast  
 Crime Band : 1 - Violence

Area=Gloucester City LPT

Crime



## Gloucester City: Crimes per Year (1 Oct - 30 Sep)

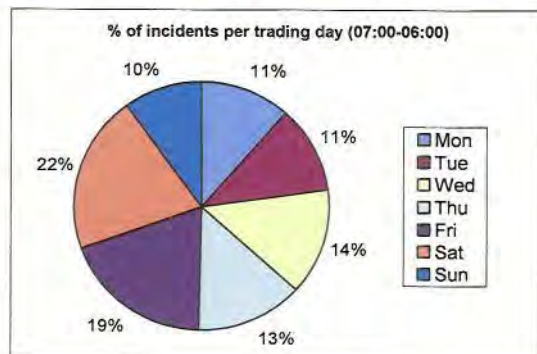
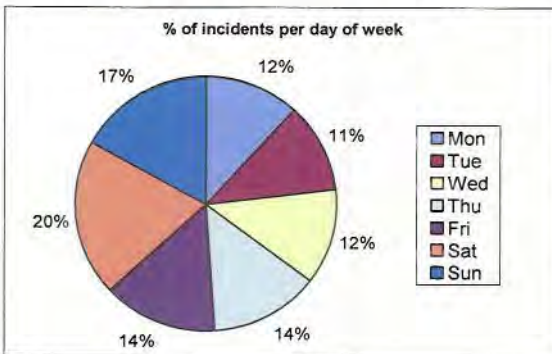
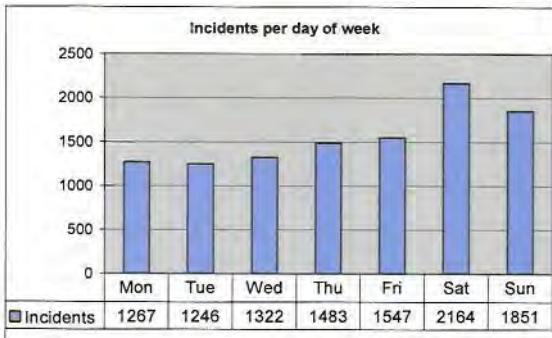
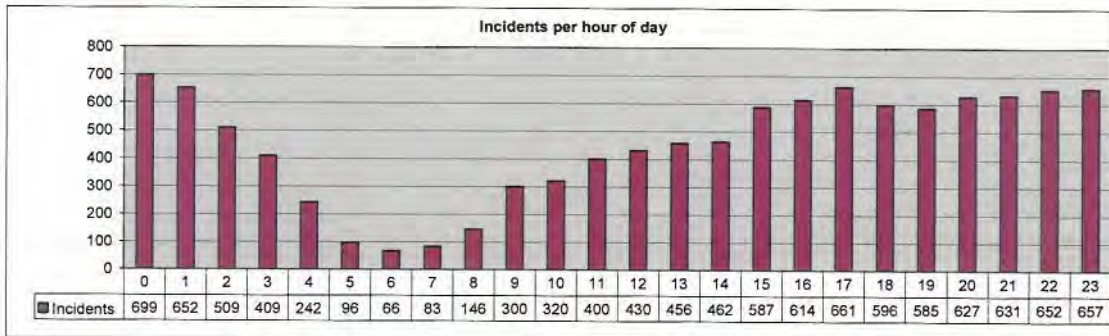


### Note

- ABH includes Indecent & Sexual Assaults
- GBH includes Rapes
- Common Assault includes Assault on Police
- Public Order includes Threats to Kill, Harassment, Violent Disorder and Indecent Exposure.
- Criminal Damage includes Arson.

**Gloucester City Centre**  
**Incidents of Crime & Disorder (B24,B25,B31,C01,C06 & C07)**  
 01 September 2009 - 31 August 2011

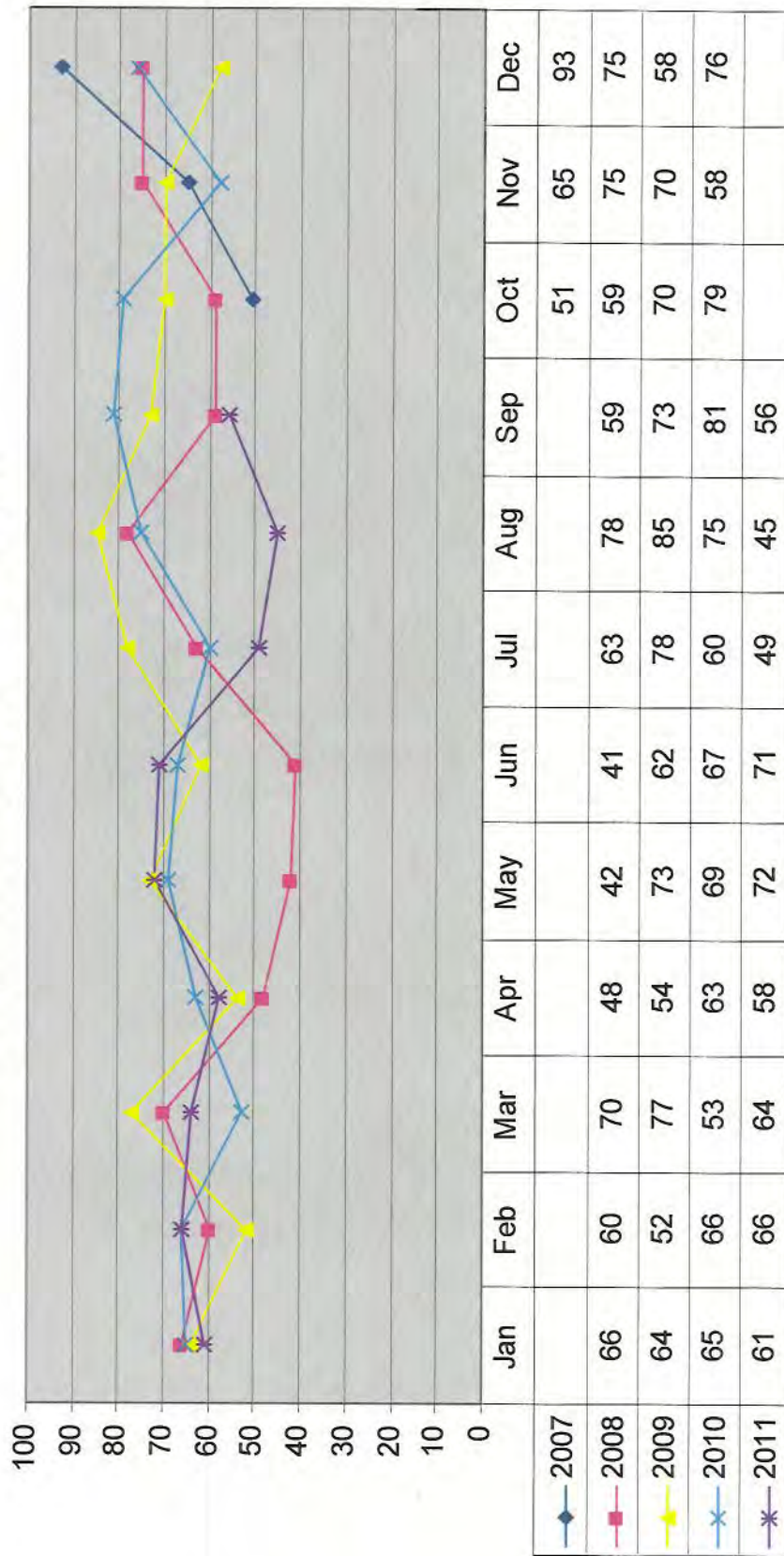
Day	Hour																								Total
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
Monday	47	38	20	19	7	3	7	21	16	44	53	60	68	60	60	80	99	109	91	79	93	70	75	48	1267
Tuesday	47	32	10	13	6	7	11	10	21	48	58	55	59	74	71	97	92	82	74	72	92	86	71	58	1246
Wednesday	35	38	25	10	10	3	7	5	22	40	46	57	69	59	64	84	98	105	81	94	89	86	103	92	1322
Thursday	78	71	70	80	36	10	7	13	25	38	39	61	59	76	74	84	80	109	87	90	84	86	56	70	1483
Friday	60	54	58	27	16	2	8	12	30	44	54	61	56	61	70	92	91	83	99	80	83	122	129	155	1547
Saturday	209	197	167	118	72	27	13	12	15	52	44	55	58	74	63	85	85	102	95	95	98	102	146	180	2164
Sunday	223	222	159	142	95	44	13	10	17	34	26	51	61	52	60	65	69	71	69	75	88	79	72	54	1851
<b>Total</b>	<b>699</b>	<b>652</b>	<b>509</b>	<b>409</b>	<b>242</b>	<b>96</b>	<b>66</b>	<b>83</b>	<b>146</b>	<b>300</b>	<b>320</b>	<b>400</b>	<b>430</b>	<b>456</b>	<b>462</b>	<b>587</b>	<b>614</b>	<b>661</b>	<b>596</b>	<b>585</b>	<b>627</b>	<b>631</b>	<b>652</b>	<b>657</b>	<b>10880</b>



**NOTE:**

- Research conducted on Noise, Rowdy Behaviour, Nuisance, Violence, Criminal Damage & Drugs.
- Busiest day is Saturday. Second busiest trading-day is Friday.
- Peak Times are Midnight - 0200hrs Saturday & Sunday early-hours.

**EASTGATE STREET, GLOUCESTER**  
**Incidents of Crime & Disorder (B25,B31,C01,C06,C07 & C13)**  
**for the period 05 Oct 2007 - 30 Sep 2011**

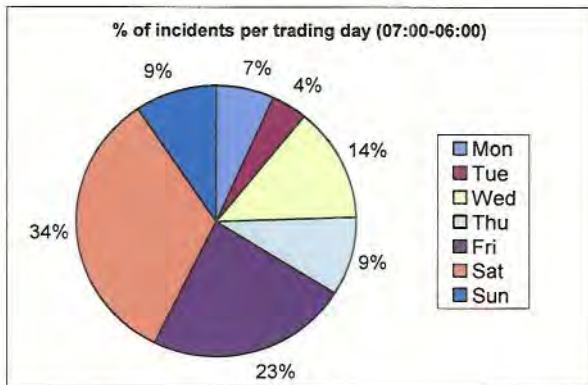
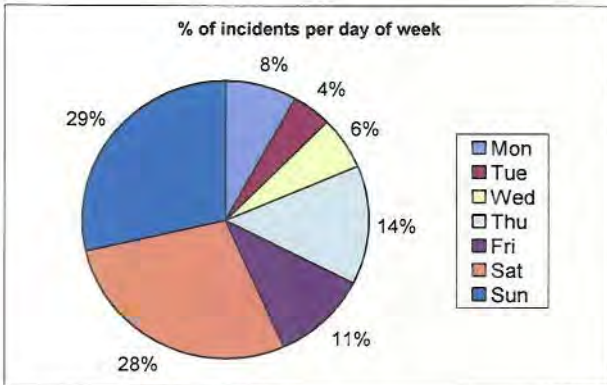
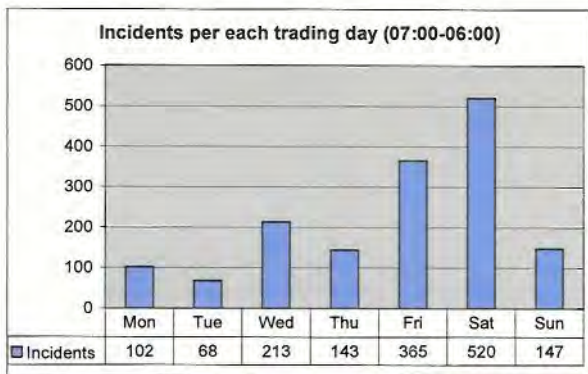
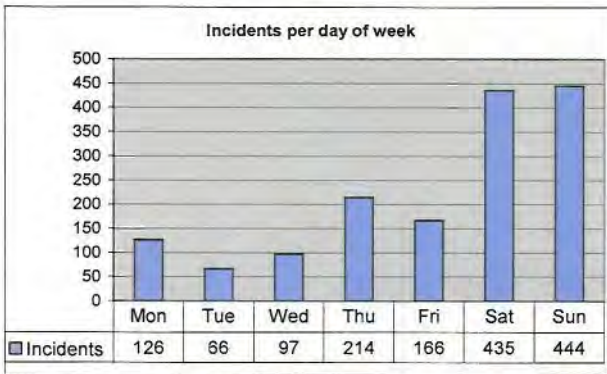
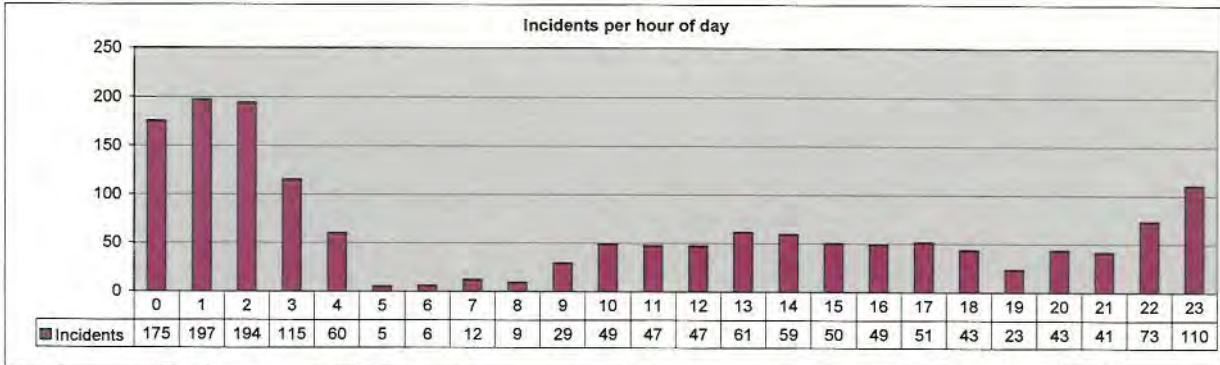


**NOTE**  
 Incident Codes above: Anti-social Behaviour, Nuisance, Violence, Criminal Damage, Drugs & Theft (Other than shoplifting).



**EASTGATE STREET**  
**Incidents of Crime & Disorder for the period**  
**04.10.09 - 03.10.11**

Day	Hour																							Total	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		23
Monday	5	9	10	0	1	0	1	3	0	3	5	8	6	11	12	10	10	6	6	2	8	2	6	2	126
Tuesday	1	0	1	0	0	0	0	2	1	5	4	4	3	8	5	8	6	3	0	2	5	7	1	0	66
Wednesday	0	1	1	0	1	0	1	1	1	0	6	3	9	4	3	4	8	7	7	5	5	4	11	15	97
Thursday	25	25	31	30	7	0	2	1	2	6	8	4	5	8	9	7	4	9	5	5	8	3	6	4	214
Friday	5	13	13	4	3	0	1	2	0	1	4	4	6	11	12	8	4	10	6	1	3	10	18	27	166
Saturday	62	61	66	33	14	2	0	1	3	7	8	10	8	12	8	5	8	11	10	4	8	11	27	56	435
Sunday	77	88	72	48	34	3	1	2	2	7	14	14	10	7	10	8	9	5	9	4	6	4	4	6	444
<b>Total</b>	<b>175</b>	<b>197</b>	<b>194</b>	<b>115</b>	<b>60</b>	<b>5</b>	<b>6</b>	<b>12</b>	<b>9</b>	<b>29</b>	<b>49</b>	<b>47</b>	<b>47</b>	<b>61</b>	<b>59</b>	<b>50</b>	<b>49</b>	<b>51</b>	<b>43</b>	<b>23</b>	<b>43</b>	<b>41</b>	<b>73</b>	<b>110</b>	<b>1548</b>



**Note**

- Incident types - Nuisance, Rowdy behaviour, Violence, Criminal Damage, Drugs & Theft.
- Red 'highlights' in top box are 5-times average and above.
- Peak Days & Times are **Saturday: 2300hrs - 0400hrs** and **Friday: Midnight - 0300hrs**.
- A further mini-peak is evident on Weds night from Midnight - 0400hrs (Thursday).