

LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON TUESDAY, 8TH JULY, 2014 AT 10.00 AM

MEMBERSHIP

Councillors

K Bruce Rothwell;
N Buckley Alwoodley;

R Downes Otley and Yeadon;

J Dunn Ardsley and Robin Hood;

B Flynn Adel and Wharfedale

B Gettings Morley North;

T Hanley Bramley and Stanningley;

M Harland Kippax and Methley;

G Hussain Roundhay;

M Ingham Burmantofts and Richmond Hill

G Hyde Killingbeck and Seacroft;

A Khan Burmantofts and Richmond Hill;

B Selby Killingbeck and Seacroft;

C Townsley Horsforth;
G Wilkinson Wetherby;

Agenda compiled by: Tel No:

Governance Services

Civic Hall

LEEDS LS1 1UR

John Grieve 224 3836

AGENDA

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded) (*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	
2			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC 1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- RESOLVED - That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			LATE ITEMS	
			To identify items which have been admitted to the agenda by the Chair for consideration	
			(The special circumstances shall be specified in the minutes)	
4			DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS	
			To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.	
5			APOLOGIES FOR ABSENCE	
			To receive apologies for absence (If any)	
6			MINUTES OF THE PREVIOUS MEETING	1 - 10
			To approve the minutes of the previous meeting held on 10 th June 2014	
			(Copy attached)	
7			MATTERS ARISING FROM THE MINUTES	
			To consider any mattes arising from the minutes	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8	City and Hunslet		LEEDS CITY CENTRE BUSINESS IMPROVEMENT DISTRICT UPDATE To consider the report of the Director of City	11 - 20
			Development which provides an update on the progress being made towards the establishment of a Leeds City Centre Business Improvement District. This follows the completion of a detailed feasibility study in February 2014, the private sector supported by the Council has now embarked on the second phase of the programme which will conclude in a BID ballot in February 2015.	
			(Report attached)	
9	Otley and Yeadon		CUMULATIVE IMPACT POLICY FOR OTLEY	21 - 32
			To consider a report by the Head of Licensing and Registration which requests Members to consider if a cumulative impact policy would be appropriate for Otley, in view of the increase in applications and the concern that the current status quo could be affected by just one successful application to vary a licence.	
			(Report attached)	
10	Armley; Beeston and Holbeck; City and Hunslet; Gipton and Harehills; Hyde Park and Woodhouse;		STRONG ALCOHOL SCHEMES To consider a report by the Head of Licensing which explains the progress being made with a voluntary scheme which works with businesses to remove the high strength, low cost alcohol from sale in areas which are experiencing incidents of alcohol related antisocial behaviour.	33 - 46
	Middleton Park		(Report attached)	
11			LICENSING COMMITTEE WORK PROGRAMME 2014	47 - 50
			To note the contents of the Licensing Committee Work Programme for 2014.	
			(Copy attached)	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
12			DATE AND TIME OF NEXT MEETING	
			To note that the next meeting will take place on Tuesday 5 th August 2014 at 10.00am in the Civic Hall, Leeds.	
			Third Party Recording	
			Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.	
			Use of Recordings by Third Parties– code of practice	
			Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.	
			b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.	
				1
2				
a)				
b)				



Licensing Committee

Tuesday, 10th June, 2014

PRESENT: Councillor Harland in the Chair

Councillors K Bruce, N Buckley, R Downes, J Dunn, G Hussain, G Hyde, A Khan, B Selby, C Townsley and G Wilkinson

1 Chair's Opening Remarks

In opening the meeting the Chair welcomed everyone to the first meeting of the Licensing Committee for the new Municipal year.

The Chair congratulated those Members who had been successful in retaining their seats in the recent Local Elections and thanked Councillors Charlwood and Hyde for the Chairing of the Licensing Committee over the past 12 months.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of the inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the confidential nature of the business to be considered.

4 Late Items

The Committee accepted the inclusion of supplementary information in respect Private Hire Operator conditions (Minute No.11 refers) and also Convictions Criteria Hackney Carriage and Private Hire Operators and Drivers (Minutes No.12 refers) Officers reported that the information in question was not available at the time of agenda publication but it was considered to be in the best interests of all parties concerned that the matter be considered without delay

5 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

6 Apologies for Absence

Apologies for absence were received from: Councillor Flynn, Councillor Gettings, Councillor Hanley and Councillor Ingham

7 Minutes of the Previous Meeting

Final minutes approved at the meeting held on Tuesday, 8th July, 2014

The Minutes of the previous meeting held on 8th April 2014 were accepted as a true and correct record.

8 Matters Arising From the Minutes

Shisha Smoking and Smoke Free Legislation – Update Report (Minute 130 refers) – Councillor Hussain referring to Resolution (ii) "That a further update report be brought back to this Committee in 6 months' time (October). An invitation to attend be extended to other multi agency partners" – Councillor Hussain asked which multi agency partners had been invited to attend.

In responding John Mulcahy, Head of Licensing and Registration said no officers from Environment and Neighbourhoods were in attendance at today's meeting but enquiries would be made and Councillor Hussain notified accordingly

9 Licensing Committee - Annual Governance Arrangements

The City Solicitor submitted a report seeking to establish the governance arrangements for the Licensing Committee for the 2014/2015 Municipal Year, namely:

- To note the terms of reference of the Licensing Committee as agreed at the annual Council meeting on 9th June 2014.
- To appoint Licensing Sub-Committees for the 2014/2015 Municipal year.
- To approve terms of reference for the Licensing Sub-Committees.
- To approve the delegation of functions to Officers as appropriate.

Appended to the report were copies of the following documents:

- Licensing Committee Terms of Reference (Appendix 1 refers)
- Membership of each Licensing Sub Committee (Appendix 2 refers)
- Licensing Sub Committee Terms of Reference (Appendix 3 refers)
- The delegation Licensing functions to the Assistant Chief Executive (Citizens and Communities) (Appendix 4 refers)

Mary O'Shea, Section Head, Legal Services, presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

Membership of each Licensing Sub Committee

Members commented on and made amendments to the proposed membership of the Sub Committees as set out in Appendix 2 of the submitted report.

RESOLVED -

Final minutes approved at the meeting held on Tuesday, 8th July, 2014

- (i) To note the terms of reference of the Licensing Committee as approved by full Council on 9th June 2014 as shown at Appendix 1
- (ii) That subject to a number of minor amendments to reflect comments made by Members the five Licensing Sub-Committees hearings required under the 2003 and 2005 Acts be established with the following memberships:
 - A Councillors Bruce, Downes and Gettings
 - B Councillors Dunn, Buckley and G Hussain
 - C Councillors Townsley, Ingham and Hyde
 - D Councillors Hanley, Flynn and Selby
 - E Councillors Khan, Wilkinson and Harland
- (iii) That approval be given to the terms of reference for the Licensing Sub-Committees as set out in Appendix 3 of the report
- (iv) That approval be given to the delegation of Licensing functions to the Assistant Chief Executive (Citizens and Communities) as shown in Appendix 4 of the report.

10 Licensing Procedure Rules, the Code of Practice for Determining Licensing Matters and Prescribed Licensing Training

The City Solicitor submitted a report setting out the draft Procedure Rules relating to hearings and other meetings of the Licensing Committee and Sub-Committees and sought approval for the Rules to be adopted in order to govern committee procedure. The report also highlighted the Code of Practice for the Determination of Licensing Matters, previously approved by Standards Committee, but now within the remit of the Committee to determine.

Member's attention was also directed to the arrangements for the prescribed Member Training on licensing under the provisions of Article 8A of the constitution and the Code of Practice.

RESOLVED -

- (i) That the Licensing Procedure Rules as set out as Appendix 1 of the report be approved
- (ii) That approval be given to the contents of the Code of Practice of or the Determination of Licensing Matters as set out in Appendix 2 of the report and that the Committee agree to follow the Code
- (iii) To note the arrangements for the prescribed training programme.
- (iv) That the Code of Practice for the determination of Licensing Matters be circulated to all Members of Council for information

11 Review of Private Hire Operator (PHO) Conditions - draft policy and conditions proposals following consultation

The Head of Licensing and Registration submitted a report which provided a review of the PHO conditions. The report put forward proposals intended to contribute and uplift the service standards and compliance across the operator licensing base and meet arising public safety challenges.

Appended to the report was a copy of the following documents:

- Existing Private Hire Operator conditions (Appendix 1 refers)
- General advice and guidance notes (Appendix 2 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- Customer focus, business improvements and best practice
- The need to be fair and proportionate
- Operator training (Expected standard of service and safety)
- Out of town drivers
- Electronic booking and despatch systems
- The recording of complaints

Commenting on "Out of Town Drivers", Councillor Dunn suggested that any revised policy should be shared with other local authorities.

In responding Mr Broster said that any change to the Leeds Policy would be viewed with interest by other Local Authorities.

Councillor Khan asked if the conditions applicable to "Out of town drivers" were enforceable.

Referring to section 3.10 of the submitted report Mr Broster said the City Council were powerless to determine "on the spot" if such a driver or vehicle was properly licensed at any time while conducting enforcement activity on the street. Mr Broster said the emphasis was on proportionate safety and not restrictive practices

Commenting on driver welfare, Councillor Khan suggested it was important for a mechanism to be in place to guard against unjustified complaints.

In offering comment Mr Broster said that driver welfare was recognised as part of the Private Hire Driver Training.

Referring to driver protection, Councillor Bruce referred to the need for drivers to be adequately protected.

In responding Mr Broster said that some vehicles had already been equipped with CCTV equipment another option was driver safety shield, the Taxi and Private Hire Section had a budget to fund 50% of the cost but the take up was low.

It was suggested that the trade be made aware that there was financial support on offer to assist in the provision of driver safety shields

Addressing the draft policy and conditions, Councillor Hyde said it was important that the views of the trade, operators and drivers were taken into account.

RESOLVED -

- (i) To approve in principle the policy and conditions and to direct Officers to prepare a report for consideration by the Executive seeking approval of the policy
- (ii) To approve the time scales for implementation of the policy and conditions
- 12 Convictions criteria Hackney Carriage (HCD) and Private Hire Drivers (PHD), Private Hire Operators (PHO) and Hackney Carriage Proprietors (HC) draft policy and conditions proposals following consultation.

The Head of Licensing and Registration submitted a report which identified the current relevant legislation and the public safety benefits in having a clear and defendable policy that would meet the statutory obligations for protecting the public and which provides clear public information and a decision making criteria and process for Members, Officers and the Courts

Appended to the report was a copy of the following documents:

- Current Convictions Criteria Points Criteria Table (Appendix 1 refers)
- Proposed Indecency Table (Appendix 2 refers)
- Proposed Violence Table(Appendix 3 refers)
- Proposed Dishonesty Table (Appendix 4 refers)
- Proposed Drugs Table (Appendix 5 refers)
- Racially Motivated Offences (Appendix 6 refers)
- Current Policy Guidelines on Motoring Convictions and Disqualifications (Appendix 7 refers)
- Newspaper articles to illustrate the issues at national level (Appendix 8 refers)
- Driver convictions and penalty point Accumulation (Appendix 9 refers)
- Offences covered under motor convictions (Appendix 10 refers)
- Convictions consultation (Appendix 11 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- The distinctions between criminal convictions and driving convictions
- Additions to the convictions criteria

In offering comment Councillor Selby welcomed the report and proposals suggesting that under the new proposals alcohol should be treated in the same way as drugs

Councillor Townsley suggested using the trade newsletter to make drivers aware that the Council would be demanding higher standards.

Councillors Wilkinson and Hussain referred to the totting up process and the build-up of penalty points. It was noted that a number of drivers appeared to exceed 12 points which should result in disqualification from driving.

In responding Mr Broster referred to "Exceptional Hardship" paragraph 3.24 of the submitted report, suggesting that if the driver could demonstrate "Exceptional Hardship" how it might affect the driver and "others" (partner, business partner, family or dependent relative) the Courts may not decide to disqualify.

RESOLVED -

- (i) To approve in principle the amendments to the policy and new policy proposals in respect of the "convictions criteria" and to direct Officers to prepare a report for consideration by the Executive
- (ii) To approve in principle the amendments to the policy and new policy proposals in respect of the "motoring convictions generally and disqualification from driving" and to direct Officers to prepare a report for consideration by the Executive

13 Hackney Carriage Proprietors (HCP) - Appropriate Suitability Assessment.

The Head of Licensing and Registration submitted a report which informed Members of the legislation applicable to Hackney Carriage Proprietors, the existing policy of the Licensing Committee, legal advice and the recommendation of the Licensing Committee Working Group on the issue of an appropriate suitability assessment.

Appended to the report was a copy of the following documents:

- An extract from a report produced by the Director of Legal and Democratic Services "Knowledge Testing for the Private Hire and Hackney Carriage Trade – Supplementary Report (English literacy, language & numeracy skills) (Appendix 1 refers)
- Vehicle Transfer Policy: who does my Hackney Carriage Licence transfer to in the event of my death? (Appendix 2 refers)
- Response to consultation (Appendix 3 refers)

Final minutes approved at the meeting held on Tuesday, 8th July, 2014

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- English comprehension requirement
- Non English speaking wives of HCP could be financially disadvantaged
- Equality requirements
- Existing policy had not raised any notable problems

In offering comment Councillor Hussain said that individuals should not be put at a disadvantage.

Referring to section 3.6 of the submitted report Councillor Wilkinson suggested that the existing policy had not raised any notable problems

It was the general opinion of Members that anyone taking over the business should be able to understand English or be able after a short transition period

Councillor Selby said there could be possible effects on a business as a consequence of a beneficiary owner not speaking English

RESOLVED -

- (i) That consideration of this item be deferred for further clarification around inheritance issues and possible effects on the business as a consequence of the owner not speaking English
- (ii) That a further report be brought back to the August meeting of this Committee

14 3 year driver licences for Private Hire and Hackney Carriage drivers.

The Head of Licensing and Registration submitted a report which informed Members of the consultation undertaken with the Private Hire and Hackney Carriage Trade in order that further consideration may be given to the Committees previous "in principal" approval in light of the consultation feedback

Appended to the report was a copy of the following documents:

- Draft three year Licence Policy (Appendix 1 refers)
- Consultation Feedback (Appendix 2 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

Public Safety considerations

Final minutes approved at the meeting held on Tuesday, 8th July, 2014

- The starting point for obtaining a 3 year licence (the essence of the policy) including 5 years continuous 'good service' and what makes up 'good service'
- The necessity for continuous annual on line DBS checks and DVLA checks for drivers;
- The process steps
- When or how a licence might be suspended
- Financial implications

In seeking clarification Councillor Khan asked if payments could be made by instalment

In responding Mr Broster reported that the issue of paying by instalments had been investigated, section 3.4 of the submitted report referred, but currently there were no plans to introduce payments by instalments.

RESOLVED -

- (i) To approve in principal the 3 year Licence Policy for Driver Licences for Private Hire and Hackney Carriage Drivers
- (ii) That officers be requested to prepare a report for the Executive seeking approval of the Policy

15 De-Regulation Bill 2013

The Head of Licensing and Registration submitted a report which informed Members of the relevant issues which would enable them to determine what actions they may consider appropriate in order to voice their concerns about the De-Regulation Bill 2013

Appended to the report was a copy of the proposed De-Regulation legislation (Appendix 1 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

 The relaxation of the legislation on who could drive a licensed Private Hire vehicle for social domestic, pleasure purposes and the significant public safety issues arising from this In offering comment Councillor Selby said that awareness needs to be raised about the significant public safety issues which could arise with the de-regulation of the legislation and suggested writing to all Leeds Members of Parliament, The Local Government Association, Neighbouring Authorities and the Secretary of State highlighting the City Council's concerns.

Members were supportive of Councillor Selby's suggestion

RESOLVED – That the Head of Licensing and Registration be requested to write to all Leeds Members of Parliament, the Local Government Association, Neighbouring Local Authorities and the Secretary of State highlighting the City Council's concerns about the significant road safety issues which could arise as a consequence of the de-regulation of the legislation

16 Licensing Committee Work Programme 2014

Members considered the contents of the Licensing Committee Work Programme for 2014/15

RESOLVED – That, subject to the inclusion of any additional items of business identified at this meeting, the contents of the Licensing Committee Work Programme be noted

17 Date and Time of Next Meeting

RESOLVED –To note that the next meeting will take place on Tuesday 8th July 2014, at 10.00am in the Civic Hall, Leeds.



Agenda Item 8



Report author: John Ebo

Tel Ext: 74714

Report of Director of City Development

Report to Licensing Committee

Date: 8th July 2014

Subject: Leeds City Centre Business Improvement District Update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City and Hunslet	⊠ Yes	☐ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	⊠ No
Is the decision eligible for Call-In?	☐ Yes	⊠ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	⊠ No

Summary of main issues

- 1. The purpose of this report is to provide Licensing committee with an update on the progress being made towards the establishment of a Leeds City Centre Business Improvement District (BID). Following completion of an outline feasibility study in February 2014, the private sector supported by the Council has now embarked on the second phase of the programme which will conclude in a BID ballot in February 2015. A potential City Centre BID could operate from April 2015.
- 2. The Council and private sector partners have a shared aspiration to improve the value and quality of the evening economy however the Council faces significant challenges with reduced public sector funding. Due consideration has been given to what should be the appropriate mechanism to help deliver an improved night time economy offer. In September 2013 Executive Board considered the late night levy but withdrew the report and referred the matter to Scrutiny Board. Scrutiny Board made recommendations that we do not progress with a Late Night Levy at this time and the recommendation was supported by Executive Board. Executive Board concluded that the Late night levy be referred back to Licensing Committee for reconsideration.
- 3. Executive Board in April 2014 approved recommendations inviting the private sector to come forward with proposals for BIDs. Executive Board indicated support for BIDs developing successfully in line with the Council's strategic objectives. A group of major private sector investors, with the Council's involvement, formed a working

group under the Chamber of Commerce Property Forum. A feasibility study commissioned and completed in February 2014 (listed as a background document). concluded that there is strong support within the business community and across a range of sectors for a Leeds City Centre BID. Since then, the Leeds City Centre BID has progressed to the next development phase which will include formal consultation, development of a business plan, campaign and a BID ballot in February 2015. If successful the city centre BID will operate from April 2015.

- 4. The private and public sectors are working together to make a step change in generating investment and providing leadership to improve and promote Leeds City Centre as a destination of choice. A Business Improvement District for Leeds City Centre could generate up to £2.2million annually from business and other occupiers, and could lever in further funding from bodies such as the Local Enterprise Partnership. This could be used to enhance the city centre experience including the value and quality of the evening economy, drive increased footfall and spending, attract a wider range of visitors to Leeds, make the city centre more attractive as a place to work, improve the street environment, and be a catalyst for investment in major improvement projects.
- 5. A BID is where businesses vote to levy additional business rates (typically between 1% and 1.5% additional) to create funds earmarked for improvements to an area. Small businesses can be excluded from paying the additional rates.
- 6. Leeds City Centre is an economic powerhouse. It is the location for over 115,000 jobs. It is at the centre of the largest concentration of financial and professional services jobs in the UK outside London. It is home to two of the city's universities and its main hospital. It is the main retail, leisure, cultural and visitor destination in Leeds City Region and the evening economy plays a key role as part of an attractive city centre offer.
- 7. Significant progress has been made in the past few years in improving and developing Leeds City Centre as a leading centre for retail, leisure, culture, innovation, and jobs in major business sectors. Leeds City Centre is the most significant and fastest growing major location for jobs and businesses in Leeds and Leeds City Region. Progress has included developments such as Trinity Leeds and the First Direct Arena which completed in 2013, Victoria Gate which will complete in 2016, and the office schemes at Sovereign Street and Wellington Place on site.
- 8. But we must not be complacent. The competition is not standing still. The internet, out-of-town shopping centres and supermarkets all pose threats. Leeds competes with other UK and European cities in attracting visitors, shoppers, talented workers, and business investment. Increasingly, successful city centres will be those that provide an integrated quality offer encompassing retail, leisure and visitor and cultural attractions, and office locations. Businesses and people have increasingly high expectations of the quality of cleansing, safety and quality of activities in the places they operate, work and visit. Trinity Leeds and the First Direct Arena have raised the bar, and other projects such as Victoria Gate, Sovereign Square and Wellington Place are following suit. The rest of the city centre, including its shopping streets, office quarters, public spaces and gateways need to be of the same quality.

9. It will be difficult for Leeds City Council to meet these rising expectations in the context of budget pressures. With a BID the Council would commit to an operating agreement to provide a baseline of services, to which the BID could add to.

Recommendations

Licensing committee are recommended to:

- a. Note the progress being made to develop a Leeds City Centre BID;
- b. Note the proposed timescales for implementation and the stages required as outlined in section 4 of this report; and
- c. To await the completion of the work on the proposed approach of the BID, including in relation to the night time economy, which will be reported to Executive Board in September or October 2014.

1 Purpose of this report

1.1 This report provides Licensing committee with an update on the progress being made towards the establishment of a Leeds City Centre Business Improvement District (BID). Following completion of a detailed feasibility study in February 2014, the private sector supported by the Council has now embarked on the second phase of the programme which will conclude in a BID ballot in February 2015. If successful, a BID will operate from April 2015.

2.0 Background Information and context

- 2.1 A Business Improvement District (BID) is a defined geographical area where partners work together to create and promote a better place as a business location. BIDs can only be set up by a ballot of business in the relevant geographical area. For a BID to be approved the vote needs to deliver a majority in favour both in terms of the number of businesses and the rateable value of the business premises. Over 200 BID proposals have been developed in towns and cities throughout the UK. 178 (85%) have so far voted in favour of a BID. Each BID proposal is different depending on local needs and priorities, but usually undertake activities including:
 - Improving safety and security;
 - Enhanced cleaning and maintenance to create a quality street environment;
 - Running events and marketing to attract and retain visitors;
 - Promoting a vibrant and safe evening economy;
 - Investment in signage, way finding, and small scale public realm schemes;
 - Articulating a business voice within an area;
 - Acting as a catalyst for securing major capital investment in city centre improvement projects;
 - Providing a welcoming and orientation service for visitors;
 - Attracting major events and
 - Skills and employment initiatives to connect people to city centre job opportunities.
- 2.2 For a BID to be successful it must be driven by businesses and other occupiers (such as universities, hospitals, cultural organisations) in partnership with the public sector. The BID is steered by a private sector board. Typically, a BID company is formed by the private sector, working in partnership and sharing resources with the Local Authority.

A clear geographical boundary (yet to be determined by formal consultation) would be identified and each rateable unit within the area assessed for a levy, typically 1% to 1.25% of the rateable value to be paid into a fund for projects to be determined by the BID board. There is scope to introduce a minimum rateable value below which businesses do not pay the levy, ensuring additional costs are not imposed on small businesses. A BID can include all businesses in an area, or it can be focused on particular sectors (eg. retail).

2.3 Executive Board of April 2014 received The Director of City Development's report on Business Improvement Districts (BIDs), setting out the next steps for

consideration by the Council following the completion of a detailed feasibility study regarding the potential establishment of a Leeds City Centre Business Improvement District (BID). In addition, the report presented the recommendations from the study and sought in principle support for a Leeds City Centre BID, subject to a full proposal being submitted by the private sector steering group. Members welcomed the principle of a Leeds City Centre BID.

2.3.1 Executive Board resolved:

- (a) That the principle of a Leeds City Centre BID, with the aim of improving and promoting Leeds City Centre as a leading European business location, be supported;
- (b) That agreement be given to consider the Council's support for the final bid boundary following the next phase of consultation;
- (c) That the principle of occupiers of small business units (below a certain rateable value yet to be determined) being exempted from paying additional rates be supported;
- (d) That the Chief Economic Development Officer be instructed to submit a further report to a future meeting of Executive Board (likely to be September 2014) in order to seek approval on the proposed BID business plan, and to progress to a BID ballot.

3.0 Main Issues

3.1 Late Night Levy

Scrutiny Board (Resources and Council Services) held an inquiry in late 2013 into a possible Late Night Levy on licensed premises. The report of Scrutiny Board (Scrutiny Inquiry Report: Late Night Levy, Scrutiny Board – Resources and Council Service, November 2013) recommended "that the Executive Board reiterates its openness to support a BID which includes an element of initiatives to manage the night time economy." The Feasibility Study into a city centre Business Improvement District recommended that licensed premises are included as levy payers, and that a BID could include initiatives to manage the night time economy. Formal consultation will take place in July 2014 and the BID steering group which includes Leeds City Council will give consideration to the activities of the BID.

3.2 Formal Consultation

Options relating to the Leeds City Centre BID on Boundary, Levy, Value and Threshold have been considered in the Feasibility study and will form part of the formal consultation in this current phase of developing a BID.

The BID steering group will give consideration to the BID levy percentage (1% - 1.25%) and could choose to levy a higher rate on licensed premises. It will need to ensure that such a decision is considered in light of the need to secure a positive outcome (Yes vote) at the BID ballot from participating businesses.

3.3 **Partnership and Ambition**

There is a growing sense of confidence and ambition in Leeds City Centre following the opening of major projects such as Trinity Leeds and Leeds First Direct Arena Momentum will be sustained in 2014 when Leeds hosts Le Grand Depart, and beyond with the Victoria-Gate project, and the Kirkgate Market improvements.

Partnership between business and the Council is strengthening, around the shared aim to be the "best city centre", in the "best city" in the UK. Now is the time to build on this momentum, and for the private sector to take the lead, with the support of the Council, in securing the long-term future success of Leeds City Centre.

If we do not change our approach it will be difficult for Leeds City Council to meet these rising expectations in the context of budget pressures. With a BID the Council would commit to an operating agreement to provide a baseline of services, to which the BID could add to.

3.4 National Comparisons

Leeds is the largest city not to have a BID in the UK. Heart of Manchester has a £5m BID commencing on 1st April 2013, Birmingham currently has 10 BIDs and London has 25. Liverpool, Nottingham, Newcastle, Reading and Bristol have functioning BIDs and Sheffield is a year into the planning for a BID proposal. Central London has highly successful BIDs, including the New West End Company covering Oxford Street and Regent Street, and the Heart of London BID covering the West End leisure area. There are over 170 BIDs operating currently in the UK. Leeds is lagging behind in this respect. This needs to be addressed, particularly in the light of the significant challenge of the continued reduction in City Council funding.

3.5 Boundary and Scope of a potential City Centre BID

Some BIDs (such as the several in Birmingham City Centre) have tight boundaries and a narrow focus (eg. retail). Others, such as Newcastle City Centre, have a wider boundary and focus that encompasses a range of sectors. The recommendation from the feasibility study is that a Leeds City Centre BID should have a wide boundary and a strategic focus on improving the area as a business and investment location. It should encompass, retail, leisure, hotels, tourism, culture, universities, hospitals and office based sectors. This would reflect the strategic economic importance of Leeds City Centre, and latest research and thinking on the economic role of city centres extending far beyond retail (see the September 2013 "Beyond the High Street" report by Centre for Cities). The final boundary will be subject to further consultation.

3.6 **Small Businesses**

Leeds City Centre is location to a wide range of small businesses, including independent retailers and market traders. This enhances the diversity and vibrancy of the retail offer in the City Centre. These businesses are facing increased costs and competition. It is therefore recommended that occupiers of small premises with a rateable value below a specified threshold (to be determined through further work) are exempted from a potential BID levy.

3.7 Role of Leeds City Council

- The City Council would need to work with the Leeds City Centre BID to arrive at agreed positions in two areas. There will be a need to establish two agreements with a new BID company: BID operational agreement - which establishes the Council's responsibility to collect the BID levy via the business rates mechanism on behalf of the BID proposer; and the responsibility to organise a BID ballot.
- BID baseline agreement which identifies those services which the City Council currently provides in a specific BID geographical area.
- There will need to be alignment between planning, capital investment and operational strategy of the Council and BID proposals. The Council will also play an important role as a strategic partner in BIDs. It will continue to set the strategic direction for the city centre and town centres, and play a key role in BIDs. BID proposals will need to be aligned with this.
- The BID business plan will need to bring forward proposals that are aligned to the planning and capital investment strategy of the Council.

3.8 **Governance**

It is usual for a BID to have governance arrangements that is representative of BID levy payers and strategic partners. It is proposed that the Council's representatives on the Leeds City Centre BID will be the Executive Member for Development and Economy and the Director of City Development or their nominated representatives.

3.9 Night time Economy

A BID could decide to address issues of safety and security relating to the night time economy. The activities funded by the BID would need to be in addition to those specified in a baseline agreement as core public service, which could include policing. The decision whether to address nigh time economy issues would be for the steering group promoting the BID, which would include the Council, alongside private sector business leaders.

The typical BID levy of 1% to 1.5% of rateable value per annum would raise significantly less from late opening licensed premises than a Late Night Levy. However it would be possible to propose a higher BID levy, which would apply only to late opening liscenced premises, to raise levels of funding commensurate with what would be raised by a Late Night Levy. However, because the majority of businesses would need to vote in favour of a BID there would be a need to ensure that the businesses affected would be supportive of the proposals. It would also be necessary to ensure that the proposed BID boundary, and the approach to exempting small businesses from contributing, make sense from a night time economy perspective.

The details of the proposed approach in relation to the BID and the night time economy will be clearer in September or October 2014, when a report will be taken to Executive Board on progress with the BID.

4.0 Corporate Considerations

The setup of a BID by the private sector can only be successfully achieved through working in partnership with the Council. Relevant Council services such as Business rates are already involved in provision of rates information. A number of other council services will become involved as a proposal is developed and brought forward to the Council by the private sector.

BID development timeline and decision making

The plan is for a Leeds City Centre BID to be launched from April 1st 2015. This has a timeline of significant milestones being met for this to be achieved, as follows:

- Issuing of notice to the Secretary of State and Local Government of intention to hold a ballot, including notice of the ballot date;
- Extensive consultation on the prospectus from July 2014;
- Production of final business plan from August 2014 based on consultation feedback;
- Approval of business plan by the Council Executive Board in Sept/Oct 2014;
- Council to issue public notice of intention to hold a ballot in Nov/Dec;
- Launch of voting campaign and issue of ballot papers in Jan 2015 with
- Ballot date of February 2015;
- Leeds City Centre BID starts operating in April 2015, subject to a "YES" vote.

4.1 Consultation and Engagement

The BID steering group have initiated consultation with nearly 200 stakeholders, through 30 meetings, five presentations and three consultation workshops. There is strong support for a BID for Leeds. A discussion was held with the City centre Partnership Board. The Council has also been consulted including CLT, LMT, the Directors of Environment & Neighbourhoods and City Development, Executive member for Development and the Economy, The Chief Executive, The Leader of the Council and Cabinet Portfolio Holders and various Council officers in appropriate related roles.

4.2 Equality and Diversity / Cohesion and Integration

An equality and diversity screening has been completed. It indicates that there are no specific implications for equality and diversity as a result of the development of a Leeds BID. The Leeds City Centre BID is private sector led and Council backed.

4.3 Council policies and City Priorities

This project will support delivery of the best Council Plan 2013-17 objective "Promoting sustainable and inclusive economic growth" and the city Priority Plan objective, "Best city for business" by raising the profile of Leeds nationally and supporting the sustainable growth of the Leeds economy. Specifically, it will support

the delivery of the following City Priority Plan priorities and Core Strategy Objectives:

- Support the sustainable growth of the Leeds' economy;
- Raise the profile of Leeds nationally;
- Support the continued vitality, economic development and distinctiveness of the City Centre as the regional centre; and
- Promote the role of town and local centres as the heart of the community which provide a focus for shopping, leisure, economic development and community facilities and spaces.

Proposals for BIDs are aligned with our planning framework for managing towns and districts and the city centre.

4.4 Resources and value for money

The City Council could benefit from the purchase of additional resources by the BID from Council services should the BID be successful. This will be to top up those services that the Council already provides in a BID selected area. Examples could include cleansing, marketing and promotion, funding of projects by the BID. There is however, no obligation on the part of the BID to use Council services particularly.

4.6 Risk Management

The development of a BID proposal is not a guarantee of a successful BID ballot. The risks involved are borne by the private sector BID proposer.

5 Conclusion

- 5.1 BIDs are proven mechanism for supporting investment in the trading environment through additional funding of city centre maintenance type projects, support for the night time economy, promotion and marketing, led by the private sector and supported by local authorities.
- 5.2 It is important that the city seizes the opportunity of a step change brought about by important developments of Leeds Arena, Trinity Leeds and Victoria-Gate to support the establishment of a city Centre BID.
- 5.3 There is now considerable momentum driving the development of a BID in Leeds City Centre. The opportunity in Leeds is now, enabling the city to build on positive developments and ensuring we future-proof the return on investment of our new and emerging developments in the city centre.
- 5.4 BIDs in Leeds could form part of a cohesive approach that brings together management and operational support for town and district centres and a holistic approach to supporting business sectors, particularly retail. A robust policy framework will provide consistency and clarity for both the private sector and the City Council in progressing BIDs citywide to a successful conclusion.

6 Recommendations

Licensing committee are recommended to:

- a) Note the progress being made to develop a Leeds City Centre BID;
- b) Note the proposed timescales for implementation and the stages required as outlined in section 4 of this report; and
- c) To await the completion of the work on the proposed approach of the bID, including in relation to the night time economy, which will be reported to Executive Board in September or October 2014.

7. Background Papers¹

7.1 Leeds BID Feasibility Study - February 2014

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¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Agenda Item 9



Report author: Susan Holden

Tel: 0113 395 1863

Report of the Head of Licensing and Registration

Report to Licensing Committee

Date: 8th July 2014

Subject: Cumulative Impact Policy for Otley

Are specific electoral Wards affected?	⊠ Yes	□No
If relevant, name(s) of Ward(s): Otley & Yeadon		
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	⊠ No
Is the decision eligible for Call-In?	☐ Yes	⊠ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	⊠ No

Summary of main issues

- 1. Otley has a busy and vibrant nightlife, with the largest number of licensed premises outside of the city centre. It is also has a low incidence of crime and nuisance compared to other areas of the city.
- 2. In February Licensing Committee requested that officers undertake further work in researching the supporting evidence and designing a cumulative impact policy for Otley.

Recommendations

3. Members of Licensing Committee to consider if a cumulative impact policy is appropriate for Otley town centre taking into consideration the supporting evidence and the ability to successfully defend a CIP on appeal

1 Purpose of this report

1.1 This report requests that Licensing Committee consider if a cumulative impact policy would be appropriate for Otley, in view of the increase in applications and the concern that the current status quo could be affected by just one successful application to vary a licence.

2 Background information

- 2.1 Otley is a market town with a resident population of around 14,000. It lays north west of Leeds. The town centre has a mix of residential accommodation and commercial premises.
- 2.2 Potentially there are 42 premises in the centre of Otley that could be affected by a cumulative impact policy:

6 Registered clubs

6 Off licences (including the two supermarkets)

30 On licensed premises

- 2.3 The latest alcohol is sold in Otley, for consumption on the premises, is 2:30am (Rose and Crown, 20 Bondgate). The majority of premises cease selling alcohol at midnight, especially in the very centre of the town (10 premises).
- 2.4 In 2013 the licensing authority received an application to vary the licence for the Red Lion. The variation sought was to extend the hours that alcohol was sold to 4am. This raised concerns amongst the residents of Otley who were concerned that this could lead to an increase in the opening hours of other licensed premises and a subsequent rise in crime and antisocial behaviour.

3.0 Main issues

3.1 West Yorkshire Police's view is that, although predominantly Otley is a residential market town, which can properly accommodate licensed premises with appropriate licensed hours, the residential makeup of the town is such that any late night opening could cause a disproportionate effect on crime and disorder, and lead to public nuisance.

Nuisance Statistics

- 3.2 Environmental Health has provided a report of the complaints received (appendix 1). In summary 54 relevant complaints were received between 2011 and 2013. A disproportionate number of complaints were received in 2012 and related to noise and nuisance at 4 premises. This pattern has not been repeated in subsequent years.
- 3.3 Entertainment Licensing have received 10 complaints about 8 premises in the same time period (appendix 2). These complaints ranged from noise nuisance, use of

outside area to operating beyond permitted hours.3.4 A breakdown of the complaints is as follows:

Year	Env Health	Ent Licensing	
2011	1	3	
2012	45	4	4 premises responsible for 21 of the complaints.
2013	8	3	

Crime and Disorder Statistics

- 3.4 West Yorkshire Police have provided a restricted Crime and Incidents report for Otley and Yeadon ward, with specific detail about Otley centre.
- 3.5 Otley and Yeadon Ward has very low levels of crime, disorder and nuisance, despite having the second largest concentration of licensed premises in Leeds. Compared to other areas, such as Headingley, the crime level in Otley centre is low, with 42 incidents of serious violent crime with an alcohol flag over a three year period. This is compared to the 572 incidences of alcohol related assault experienced in Headingley between 2010 and 2012.
- 3.6 The crime report clearly shows there was a problem with one premises. It was responsible for 7 incidents of violent crime most of which are in 2013. That matter was dealt with, without the need for a costly review, through partnership working between the pub company, Ward Members, the Police and Entertainment Licensing.
- 3.7 Overall levels of offending are down each year, by 40% in 2013 when compared to 2011. The crimes which have an alcohol flag have reduced from 25 in 2011, 17 in 2012 and 14 in 2013.

Other measures

- 3.8 There is no evidence to prove that there is nuisance in the residential areas occurring at a time when it can be linked to closing time, and therefore justify putting in place a CIP to refuse applications to extend operating hours.
- 3.9 However this does not mean that operating hours in the area can't be taken into consideration. This is now possible due to a change in the statutory guidance issued by HM Government which now allows licensing authorities to take into consideration opening hours of other businesses in the area.
- 3.10 As a consequence of this change in guidance and the issue highlighted by the Red Lion application, the Licensing Act 2003 Statement of Licensing Policy 2014-2018 introduced the concept of usual opening hours. All subcommittee reports now include an appendix which includes the usual opening hours for the area. Therefore it is now possible for a licensing sub-committee to take the usual opening hours into consideration when considering any application in Otley.

4.0 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Within the council the matter of a CIP for Otley has been considered by the Otley and Yeadon ward members, as well as the Community Safety Sub Group of 17th September 2013 and the Area Committee at the meeting on 4th November 2013.
- 4.1.2 The introduction of a CIP would necessitate an amendment of the Statement of Licensing Policy. This would require a public consultation but this could be proportionate to the change, and therefore take place in the Otley area.
- 4.1.3 As the imposition of a CIP requires a change to the Statement of Licensing Policy, the revised policy would be recommended to Council by Licensing Committee.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no implications for equality in the imposition of a cumulative impact policy; however the consultation will be so designed as to take into consideration religious and cultural events.

4.3 Council Policies and City Priorities

- 4.3.1 The licensing regime, in general, contributes to our best council objectives of:
 - Building a child friendly city improving outcomes for children and families
 - Promoting sustainable and inclusive economic growth improving the economic wellbeing of local people and businesses
 - Ensuring high quality public services improving quality, efficiency and involving people in shaping their city

4.4 Resources and Value for Money

4.4.1 The consultation and implementation of the CIP has a cost implication. However the increase in enforcement activity that would be required should operators apply for later licences would far exceed the cost of implementing a CIP.

4.5 Legal Implications, Access to Information and Call In

4.5.1 A cumulative impact policy is a concept described in the Guidance issued under S182 of the Licensing Act 2003, produced by the Home Office. Although a CIP states that the council will refuse licence applications, it can only do so if it appropriate for the promotion of the licensing objectives. Therefore a CIP is supported by statistical evidence provided by the Police and the council which shows a direct link between a cumulative impact of licensed premises and the licensing objectives. This, in itself, ensures the CIP is robust to legal challenge.

4.6 Risk Management

4.6.1 A CIP must be supported by evidence which shows the necessity for such a policy. In addition existing businesses will be consulted before an amendment to the Statement of Licensing Policy is made and will be able to make their views known on the proposal.

5 Conclusions

- 5.1 Otley has a vibrant and busy night time economy that, at the moment, has a low level of crime associated with the late night premises. Recent applications have brought into focus the fragility of this situation. The statistics from Environmental Health and Entertainment Licensing regarding complaints, and the crime statistics provided by West Yorkshire Police confirm this, especially the spike in complaints to Environmental Health in 2012.
- 5.2 The decision as to whether these statistics are robust enough to withstand a legal challenge would be for Licensing Committee to make, however there are alternative measures that can be taken, and the situation can be reviewed should there be a repeat of the 2012 nuisance figures.
- 5.3 With any solution, the aim is not to put a blanket ban on new premises but rather to reflect the nature of the town by creating a closing time which reflects local practice and reduces impact on residents of people returning home after a night out.

6 Recommendations

6.1 Members of Licensing Committee to consider if a cumulative impact policy is appropriate for Otley town centre taking into consideration the supporting evidence and the ability to successfully defend a CIP on appeal

Background documents¹

None

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¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



Environmental Health Complaints Appendix 1

REFVAL 11/16608/NOICOM 12/14787/NOICOM 11/15165/XNOCOM 10/30229/NOILIC	SRCUSTTYPE PUBLIC PUBLIC PUBLIC PUBLIC	RECEPD SUBJECT ADDRESS 01/07/10 Premises 9 28/03/11 Premises 7 21/02/12 Premises 21 06/03/12 Premises 11	SRRECTYPE NOICOM NOICOM XNOCOM NOILIC	DETAILS Party with Live music, Electric guitars and amplifiers Noise from cars until 1am Loud music festival going on loud music and druks till 1am on a sunday morning
10/20858/NOILIC	PUBLIC	06/03/12 Premises 11	NOILIC	ive told you before and its 10pm kicking footballs at my home dunks (drunks2) hit the roof and wall stil
11/11388/NOICOM	PUBLIC	10/03/12 Premises 11	NOICOM	Shouting
13/34349/XNOILI	PUBLIC	12/03/12 Premises 11	XNOILI	Loud music
13/36699/NOILIC	CLLR	09/05/12 Premises 12	NOILIC	Noise from concert
13/36699/NOILIC	PUBLIC	10/05/12 Premises 12	NOILIC	Noise from concert
12/19212/NOILIC	PUBLIC	24/05/12 Premises 6	NOILIC	xxxxx is complaining about noise nuisance caused regularly on a Tuesday night when live music is being played at the Junction. Apparently doors and windows are sometimes open when the music is being played which is clearly audible causing disturban
1 3 /21610/NOICOM	PUBLIC	24/05/12 Premises 12	NOICOM	Noise from Loud Music at the LS21Live festival. Started at approx 11:00.
(청) 14832/NOILIC (N)	PUBLIC	21/06/12 Premises 16	NOILIC	Loud music on a Friday and Saturday night, starting after 2230hrs until 0030hrs. I have to adjust the volume on my TV as it is so loud.
12/28748/XNOILI	PUBLIC	24/06/12 Premises 16	XNOILI	Loud music
11/10879/NOILIC	PUBLIC	27/06/12 Premises 16	NOILIC	Loud music
12/41574/XNOILI	PUBLIC	27/06/12 Premises 16	XNOILI	Noise from party
12/47805/XNOILI	PUBLIC	30/06/12 Premises 16	XNOILI	Music
12/35167/NOICOM	PUBLIC	03/07/12 Premises 2	NOICOM	Customer reporting noise from xxxxx which is a new takeaway next to xxxxx. The noise is coming from a large chimney which the customer said houses some kind of exrtractor unit in it . It is loud and goes on from 6:00pm until late every night apar
11/10725/XNOILI 10/17623/NOICOM	PUBLIC PUBLIC	07/07/12 Premises 13 08/07/12 Premises 3	XNOILI NOICOM	Loud music The take away owners and drivers slam their car doors outside my flat hard enough to shake the building, they rev their engines and generally harrass me and my family as much as they can on a now daily basis. The shop attracts a large volume of drunks whi

13/30286/ODOOTH	PUBLIC	09/07/12 Premises 20	ODOOTH	xxxxx has an extractor fan on its wall that is covered in grease and fat, when the extractor is running it is releasing extremley smelly oily smoke and a very bad odour. the extractor blows straight int the footway. also states his neghbour has bre
11/18449/NOICOM	PUBLIC	16/07/12 Premises 17	NOICOM	Advice re Otley Festival 2011
12/38249/NOILIC	PUBLIC	09/08/12 Premises 5	NOILIC	Noise from pressure washer cleaning eating/drinking area early in the morning
10/22294/ODOOTH	PUBLIC	10/08/12 Premises 5	ODOOTH	smell and smoke from extractor fans
10/22541/ODOOTH	PUBLIC	11/08/12 Premises 5	ODOOTH	Smell and smoke from extractor fans
10/21656/NOILIC	PUBLIC	13/08/12 Premises 5	NOILIC	There appears to be some extractor fans in a roof, that are creating a continuous
				background noise, especially noticable at night or when the
11/06835/NOILIC	PUBLIC	15/08/12 Premises 5	NOILIC	Noise from emptying bottles late at night
11/26355/XNOILI	PUBLIC	22/08/12 Premises 8	XNOILI	Loud music from live band outside
13/26076/NOILIC	PUBLIC	24/08/12 Premises 8	NOILIC	Loud music past 1am - patrons in beer garden shouting
11/01156/NOILIC	PUBLIC	27/08/12 Premises 8	NOILIC	Noise and disturbance
11/07302/NOILIC	PUBLIC	31/08/12 Premises 8	NOILIC	We are in receipt of another complaint(Previous Complaint GE/001394) alleging after
ີບ ໝູ່/16344/XNOILI				hours drinking, noise and anti social behaviour from the above premises
(D	PUBLIC	01/09/12 Premises 15	XNOILI	very loud music from juke box
183/21519/XNOILI	PUBLIC	17/09/12 Premises 18	XNOILI	MASTER 13/21492/NOILICMusic
12/40930/NOILIC	PUBLIC	23/09/12 Premises 18	NOILIC	Music
12/40929/NOILIC	PUBLIC	26/09/12 Premises 18	NOILIC	Muisc
10/26887/XNOILI	PUBLIC	02/10/12 Premises 15	XNOILI	Loud music
13/18084/XNOILI	PUBLIC	09/10/12 Premises 18	XNOILI	Music
13/18090/XNOILI	PUBLIC	19/10/12 Premises 18	XNOILI	Music
13/21492/NOILIC	PUBLIC	29/10/12 Premises 18	NOILIC	Music
10/37602/XNOILI	PUBLIC	29/10/12 Premises 18	XNOILI	Loud Music
12/29917/XNOILI	PUBLIC	01/11/12 Premises 18	XNOILI	Music
13/05149/XNOILI	PUBLIC	30/11/12 Premises 18	XNOILI	Music/ Party
10/22924/NOILIC	PUBLIC	07/01/13 Premises 1	NOILIC	Loud Music
13/29016/E_LITR	CLLR	19/03/13 Premises 17	E_LITR	xxxxx has reported that xxxxx puts a picnic table out on the pavement for smokers but never clears up after them. Possible obstruction to the highway and litter problems.
13/00062/XNOILI	PUBLIC	19/03/13 Premises 17	XNOILI	Shouting outside
10/00134/NOILIC	PUBLIC	22/03/13 Premises 19	NOILIC	Noise from Children In Need Event

13/31767/XNOILI	PUBLIC	01/06/13 Premises 4	XNOILI	②Linked to 13/27006/XNOILI②Music
13/27006/XNOILI	PUBLIC	03/06/13 Premises 4	XNOILI	Noise from music
14/16697/XNOILI	PUBLIC	13/06/13 Premises 10	XNOILI	Loud music



Entertainment Licensing Complaints Appendix 2

Ref	Premises	Date received	Complaint
GE/001207	Premises 3		Complainant states that the premises are trading beyond their permitted hours. On Friday, Saturday and Sunday evening tradiing until approximately 4am the following morning. Includes deliveries and people purchasing food for consumption off the premises. The complainant also infromed us that the premises are now trading as Ali's Spice with no notification of a change of name submitted to this department.
GE/001264	Premises 22		Complainant states that extremely loud music can be heard coming from these premises and she has reported this to EVH.Ms Reeves claims that on Friday/Saturday 2nd/3rd July the music carried on until well after 1:00amOn Friday 9th July loud music again until after 1:00am and on Saturday 10th July until after midnight
GE/001678	Premises 7		xxxxx is complaining about noise from customers at these premises until 01:00am. Uniform checked and premises do not appear to have a premises licence
GE/001799	Premises 8		Complainant stated that premises had been playing music upto 0115 on Sunday 9th Sept.Licence states Live music and Recorded music cease at 2330 hours. Also stated there was a notice board outside advertising Bands while 1am.
GE/001438 ay ge 31	Premises 8		Complainant has given operators opportunity to improve situation. This has not happened. 3 incidents since Jan.0145 on 19 Feb, male outside comps house acting like a drill sergeant, shouting and marching up and down street. Comp states he had just come out of pub.0040 on 28 Feb, argument in pub spilled out onto street. female outside shouted profanities. male had brought a glass of red wine out, thrown at comp's door.0135 on 12 Mar, drill sregeant again. Comp states she has complained to all agencies for months now and she is having Greg Mulholland
GE/001394	Premises 8		xxxxx is complaining about the premises with regard to noise, urinating, vomit, bad behaviour, litter and general distrubance.Mrs Dean complains about hearing the thumping of the bass, I have advised this would be an EHO issue however, I would make note of this.Since the licence holder has been at the premises, the problems have been constant. Mrs Dean does not have problems during the week it is purely at the weekend.
GE/002073	Premises 23	10/10/2013 11:29	Complainant states that the premises are opening until 2:30am.
GE/002040	Premises 23		The complaint is regarding the use of the outside area during the bank holiday weekend . The complainant has provided a picture of patrons utilising the area drinking alcohol from open topped vessels which is prohibited as there is a condition which does not allow drinks to be taken off the premises.
GE/002163	Premises 10		xxxxx appeared to have a party which went on until 1am Saturday just gone (5th Apri)Have you received any TENS for these premises? I can't see any on the licensing module.CPREM Latest time for Alcohol supply is 2300 Mon Sat

GE/001795 Premises 17	06/09/2012 16:24 Complainant alleges premises is to open 1st floor Funtion which is unsafe and unlicensed alterations taken place walls removed and front of building to have letting bedrooms thinks fire service have a notice on building. Also states advertising on Facebook as opening new Function room from sat. 22nd September for Otley folk weekend. and nightclub opening while 3am.
GE/001209 Premises 15	03/06/2010 11:04 We are in receipt of a complaint submitted by e-mail regarding patrons taking drinks outside the premises. The Premises Licence does contain a condition that reads 'The external area of the premises will not be used for consumption of alcohol or food at any time on any day.
GE/001896 Premises 15	04/02/2013 10:46 Dear Head of Licensingl am writing to you in regard to xxxxx. I will briefly summarize our complaint. About five years ago I contacted your department regarding the above landlord with regard to his loud music, allowing of alcohol to be consumed outside his premises, the large groups of very vociferous youngsters congregating on the road and the use of our property as a urinal for his customers. We would witness several people on a Friday & Saturday night walk across the road, urinate against my sons bedroom wall and then go back outside his premises to finish off their drinks / cigarettes. Mr George Clark, who I now believe has retired, dealt with the matter along
Page G	with the local police (who we contacted with regard to the urination) and we were told basically that there was nothing they could do and in effect we would have to put up with the situation. However, last year by chance, we discovered a copy of the landlords licence on-line. This stipulated that he should not have his music audible after
GE/001186 Premises 24 GE/001611 Premises 16	06/05/2010 15:09 Premises advertising promotions that are conflictig with the new mandatory conditions. 14/12/2011 15:25 A complaint about the above named premises not providing drinking water to a paying customer. The customer was force to buy a bottle of water as the bar person refused to get them a glass of water. Apparently there is not tap water available in the bar area and the customer was farced to buy a bottle of water.
GE/001714 Premises 6	31/05/2012 14:38 xxxxx is complaing about noise nuisance caused regularly on a Tuesday night when live music is being played at the Junction. Apparently doors and windows are sometimes open when the music is being played which is clearly audible causing disturbance to nearby residents
GE/001192 Premises 25	14/05/2010 11:45 xxxxx are advertising via their website Sunday to Thursday 23:30 and Friday and Saturday until Midnight. I have checked the website and the details are as they have stated.

GE/001223 Premises 13

14/06/2010 15:19 Complainant - who would not give contact details - alledges that these premises are trading till around 2:00am on a

Friday/Saturday. Premises Licence only permits trading until 1:00 on a Friday and Saturday

Agenda Item 10



Report author: Susan Holden

Tel: 51863

Report of Head of Licensing and Registration

Report to Licensing Committee

Date: 8 July 2014

Subject: Strong Alcohol Schemes

Are specific electoral Wards affected?	⊠ Yes	☐ No
If relevant, name(s) of Ward(s): City and Hunslet, Armley, Harehills & Gipton, Hyde Park and Woodhouse, Middleton Park, Beeston, Holbeck		
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	⊠ No
Is the decision eligible for Call-In?	☐ Yes	⊠ No
Does the report contain confidential or exempt information?	☐ Yes	⊠ No
If relevant, Access to Information Procedure Rule number: Appendix number:		

Summary of main issues

- 1. Ipswich is reporting success with a voluntary scheme that asks off licences and supermarkets to remove the high strength, low cost alcohol from sale in order to affect antisocial behaviour in their area.
- 2. This success and the introduction of the scheme in a number of other areas, including Wakefield, suggest that Leeds should also consider this scheme as a solution to antisocial behaviour being experienced by residents and users of the city centre.
- 3. Work has been undertaken to assess the viability of a scheme in Leeds and the results indicate that the principles should be incorporated into existing schemes to achieve the best results.

Recommendations

3. That Licensing Committee note the contents of this report.

1 Purpose of this report

1.1 To inform Licensing Committee on the progress being made with a voluntary scheme which works with businesses to remove the high strength, low cost alcohol from sale in areas which are experiencing incidents of alcohol related antisocial behaviour.

2 Background information

2.1 'Super strength' alcohol is often described as lager, beer and cider with an alcohol volume of 6.5% or over that is sold very cheaply. It is mostly bought by people with alcohol-dependency problems. Excessive consumption of these drinks can lead to health problems for the individual, can make them vulnerable to various types of crime and can lead to anti-social behaviour and community issues.

Reducing the Strength - Ipswich

- 2.2 Partners in Suffolk have launched a campaign to stop the sale of super strength alcohol from off-licences in Ipswich. Off-licence owners have been asked to become Ipswich 'superheroes' by becoming 'super strength free' and removing these products from their stores. Suffolk Constabulary, NHS Suffolk, Ipswich Borough Council, Suffolk County Council, the East of England Co-operative Society, Tesco and Martin McColl work together in an effort to end the sale of this kind of alcohol, which has serious effects on consumers and communities.
- 2.3 The campaign is targeting the sale of these items only in off-licence premises. Licensees in Ipswich have been asked to join the campaign by voluntarily removing the sale of these products from their stores. Twenty-three independent stores in Ipswich are already 'super strength free'. In total there are 130 off-licences in Ipswich, 53 of which were super-strength free following the launch.
- 2.4 A year after its launch, the campaign has helped cut crime. The Reducing the Strength campaign signed-up two thirds of the town's shops to the project. The Police advised the number of identified street drinkers dropped from 78 to 38 in a year. The force's statistics for the first six months of the scheme showed the number of anti-social "incidents of concern" dropped from 191 to 94 compared to the same period the previous year.

Reducing the Strength - Wakefield

2.5 Wakefield are launching a Reducing the Strength Scheme in two areas in the borough. The pilot initiative will be introduced in two wards, Normanton and Airedale & Ferry Fryston, as these wards have some of the highest levels of harmful and hazardous drinking, and anti-social behaviour outside of the city centre. The wards are ideally positioned to pilot such an initiative as they are sufficiently isolated to prevent people going to neighbouring areas to purchase cheap, super strength alcohol. In total 23 retailers will be involved. It is hoped that the scheme will reduce alcohol consumption and drunkenness in the ward areas, especially amongst young people. This in turn will lead to improved community safety.

Other Areas

- 2.6 Other areas to have introduced the scheme are:
 - High Wycombe <u>Super Strength Alcohol Initiative</u>
 - Westminster Westminster have sought to ban the sale of high strength alcohol since 2008
 - Nottingham Super strength free
- 2.7 The Grocer reports that over 20 authorities are seeking to introduce a similar scheme. Our research shows that the areas that are considering the scheme include:
 - Brighton and Hove
 - Cambridge
 - Coventry
 - Derby
 - Lincoln

- Northampton
- Plymouth
- Portsmouth
- Sudbury
- 2.8 A voluntary scheme isn't the only way to address the issues of very cheap alcohol. Examples of other actions taken by licensing authorities include:
 - Newcastle introduced a voluntary scheme on alcohol promotions suggesting a minimum price be observed
 - Ealing Imposed condition on Sainsbury Local when applying for extended hours to stop the sale of high strength alcohol
 - Watford Convenience store licence suspended for one month, and condition imposed banning the sale of high strength alcohol

3 Main issues

- 3.1 Since the last report to Licensing Committee in December 2013, a working group has been researching the issue of super strength. The group has been made up from officers from Public Health, Acute Trust, Area Committees, Community Safety and Licensing.
- 3.2 The group, meeting monthly, has undertaken the following:
 - Identification of the areas in Leeds that are vulnerable to antisocial behaviour by people who are alcohol dependant
 - Identification of premises which sell alcohol for consumption off the premises
 - Audit of premises to establish prevalence of super strength alcohol
 - Identification of super strength products
 - Gathering of evidence to link antisocial behaviour and super strength
 - Gathering of anecdotal evidence relating to the effect super strength alcohol has on people who are alcohol dependant
 - Discussion about possible solutions and unintended consequences

Evidence to link Super Strength with Antisocial Behaviour and Poor Health Outcomes

- 3.3 Before the Council can consider any scheme, voluntary or otherwise, there must be clear evidence that this will have a positive outcome. The initial request for work to be undertaken into a super strength scheme came from the Police, in reaction to anti-social behaviour connected to people with alcohol dependency problems in the city centre.
- 3.4 There does not seem to be any published research into the effect of super strength products. It is difficult to differentiate between crime, disorder and health harms associated with lower strength and high strength alcohol. White cider products, which are higher strength but more importantly lower priced, are relatively new.
- 3.5 As part of the research into this issue in Leeds, the working group sought the opinion from alcohol workers on a scheme which concentrated on the city centre. St Anne's, LAU and ADS are the three main providers of alcohol dependency treatment in Leeds and York Street Practice, who provides primary care and drug and alcohol treatment for the homeless.
- 3.5.1 "Our clients have always sought to drink the strongest and cheapest available alcohol such is the nature of dependency. 15-20 years ago, the favoured drink was 15% QC Sherry. This has changed over the years to strong beers and lagers, with strong white cider being the most common drink amongst our clients.

With regards to the proposal around city centre premises, although the impact of city centre drinking is visible and concerning, only a small percentage of our clients drink in the city centre – the vast majority drink at home and would be unaffected by these proposals.

We are certainly supportive of such a scheme, as it will benefit residents, but would like it city-wide."

- 3.5.2 "We think our service users have always sought out high strength alcohol; the reduction in price of high strength alcohol and its growing promotion has resulted in more people purchasing it for its greater effect. Logically there must be a huge benefit to Leeds residents from restricting its availability, given that its primary purpose is to induce intoxication as rapidly as possible. There must be an evidence base and this would be a good question for a student of public health to research."
- 3.5.3 "I would very much like to support any restrictions on selling of high strength, low cost alcohol in Leeds, e.g. the white ciders etc. Unfortunately we can't provide any evidence of how many of our clients drink it, but anecdotally I would suggest that a significant number (e.g. more than half) of service users that are dependent on alcohol would drink either high strength cider or lager.

I think it would be beneficial primarily because if it was not available it would prevent people drinking as many units of alcohol and therefore reduce people's level of dependency. We have had people come to us with benefits cuts saying that they want to cut down because they can't afford to drink as much. I am sure that if the cost of the alcohol would rise to people then this would force them to reduce their intake similarly.

If people drank less they would not damage their own health as quickly. This would hopefully be less of a burden then on the health services of Leeds and so beneficial for other residents.

I would not be able to provide any evidence about crime and disorder, however based on work with ATRs and some street drinkers I would suggest that a lot of alcohol related offending is linked to dependencies that are more easily supported through cheap alcohol, e.g. antisocial behaviour."

3.6 It was clear that the problem was not restricted to the city centre. In fact a preliminary audit of city centre off licences showed that there are few super strength products on sale in the city centre itself. The working group wanted to explore the situation in the inner areas of the wider district.

<u>Identification of vulnerable areas</u>

- 3.7 In conjunction with the Area Community Safety Officers and Health and Wellbeing Managers, areas were identified where street drinking is an issue for both health outcomes and antisocial behaviour. These areas are:
 - Armley
 - Harehills
 - Hyde Park
 - Middleton
 - Belle Isle

Super Strength Audit

- 3.8 With the assistance of the local neighbourhood policing teams, volunteers and officers visited off licences in the vulnerable areas to establish how prevalent the super strength products are in these areas.
- 3.9 It became clear that there are two forms of retailing. Some premises had one or two lines of super strength product which constituted a small percentage of their alcohol sales. These were generally the multiple retailers and medium sized convenience shops. Some of the smaller newsagents/convenience shops that are sometimes described as corner shops also sold perhaps one or two products but again their overall alcohol sales were low.
- 3.10 However there were other premises which sold a large range of these products and it was clear that these were businesses that relied on the sale of these products.
- 3.11 To provide some context, the teams audited 102 off licences and the following list provides the top 15 products in terms of availability.

Rank	Brand	Pack Size	Places Available
1	Frosty Jacks	3 litre bottle	49
2	Special Brew	1 x 500ml can	48
3	White Ace	3 Litre Bottle	42
4	Skol Super	1 x 500ml can	38
5	Tennants Super	1 x 500ml can	36
6	White Ace	2 litre bottle	32
7	White Ace	1 litre bottle	28

Rank	Brand	Pack Size	Places Available
8	Oranjeboom XS	1 x 500ml can	26
9	White Ace	1 x 500ml can	24
10	Tennants Super	4 x 500ml cans	20
11	Kestrel Super	1 x 500ml can	18
12	Special Brew	4 x 500ml cans	17
13	Skol Super	4 x 500ml cans	15
14	Frosty Jacks	1 Litre Bottle	14
15	Kestrel Super	4 x 500ml cans	10

3.12 Officers asked the shop owners who is buying super strength products. The majority of responses stated that older people or people with alcohol dependency problems were their main customers for these products. Some of the descriptions were:

- 3.13 During the audit in Armley, officers discussed with shop owners a possible voluntary scheme to remove the larger pack sizes from sale. There was considerable resistance to the idea. The concern was that they would lose customers who would go elsewhere, most likely to a neighbouring shop.
- 3.14 In general the shops did not experience problems with antisocial behaviour in their premises and had no issues with selling this type of alcohol to their customers.

Identification of products

3.15 Through the audit, we have identified a list of products that could be considered to be super strength. These are predominantly lager and cider. The cider products (known as white cider) are generally 7.5% abv. The strength of the lager products range from 7.5 to 10% abv. In addition there is a small resurgence of perry products such as Lambrini, or similar, which are higher strength but low cost. A full list of super strength products is attached at **Appendix 1**.

Possible Solutions

3.16 Having spoken with people in recovery, it is apparent that people who are alcohol dependent must drink a specific amount of alcohol each day to reduce the effects of alcohol withdrawal. If the high strength product is not available it is likely that people will move from super strength cider and lager to spirits such a sherry, vodka and other forms of alcohol. A lack of money may lead people to resort to counterfeit products.

[&]quot;British, mostly males, 35-65 yrs old"

[&]quot;Not a great deal sold, 4-5 customers, males, 40-50, 1 female 30-40"

[&]quot;Local residents"

[&]quot;Regular drunks, alcoholics"

[&]quot;Street drinkers"

- 3.17 Comments were sought from alcohol workers at the York Street Practice who deal with people with alcohol dependency issues. Specifically they were asked if withdrawing the larger quantity pack sizes would be useful and if there were any unintended consequences to withdrawing all super strength products from sale. They expressed support for a system that retained the single cans but reduced availability for 3 litre plastic bottles, and suggested that unintended consequences would be insignificant, bearing in mind the risks that are taken by people with alcohol dependency issues on a regular basis.
- 3.18 Therefore it is proposed that there should not be an effective outright removal of these products from sale. Many people are dependent on them, but they should not be so cheap or readily available in large quantities as this encourages people to buy and consume more than they need.
- 3.19 Any solution must come hand in hand with support from the treatment services in Leeds, so that should people wish to reduce their alcohol consumption they can do so with help from experts.
- 3.20 There are a number of measures, schemes and programmes already in place which work with retailers. For example:
 - Local Licensing Guidance used when new or variation applications are received in vulnerable areas to encourage responsible retailing.
 - Retailing Forum being set up as part of Town and District Centres Regeneration Scheme.
 - Responsible Retailing a Trading Standards initiative that works with retailers around under age sales.
- 3.21 The proposal is that rather than having a single scheme that tackles super strength products in isolation, retailers are approached as part of other schemes and programmes. Material can be produced which provides information on the issues relating to higher strength products and the benefits of removing them from sale.
- 3.22 Although it would take longer to see the impact of this approach, it is the view of the working group that this approach would be more successful at effecting a culture change and this would provide longer lasting results than a specific scheme that would require an investment of extra resources, but would have a limited success.
- 3.23 Specific attention should be given to businesses in the most deprived areas of Leeds, such as Little London, Armley, Middleton, Belle Isle, and Harehills.
- 3.24 Baseline information has already been gathered on the types of products and the related antisocial behaviour. This research can be repeated at intervals to see if the stepped approach is having an impact.
- 3.25 The evidence can be kept under review and should the approach not be having the desired impact, further consideration could be given to a Super Strength Scheme.

Unintended Consequences

3.26 There is concern about people who are alcohol dependant migrating onto other, more harmful alcohol products like spirits, counterfeit alcohol or other alcohol products not designed for human consumption. However this consequence is reduced by only removing the products sold in plastic bottles. People who are alcohol dependant would still be able to buy smaller quantities of stronger alcohol.

Impact on Low Income Families

- 3.27 There is no evidence to show that people are buying super strength alcohol and drinking it because it is preferable to the lower strength alcohol. There is some anecdotal evidence to show that people who are alcohol dependant buy it as it is the most cost effective way of consuming the required number of units, but those on low incomes are far more likely to buy multipacks of lower strength lager, cheap spirits and wine.
- 3.28 This was confirmed, anecdotally, by the shop owners during the audit, especially one who expressed that the biggest sellers to his regular customers are the multipacks of 12 cans of standard strength lager such as Fosters or Stella.

Other Options

- 3.29 The government has introduced legislation that will **ban below cost sales** of alcohol. Cost is defined as duty plus VAT. At the moment, in general the lager products are already retailed at a higher price than the white cider products and so would be unaffected by the ban on below cost sales. However white cider is sold considerably cheaper than super strength lager, with a 3 litre bottle of White Ace being promoted at £4.05. There is some difficulty in determining if white cider is classed as "sparkling cider and perry" or "sparkling wine and made wine" for duty purposes, or indeed "still cider or perry". Clarification is being sought from HMRC.
- 3.30 If this is the correct duty classification for white cider, it is possible that the increase in price that would be required to bring these products into line would be enough to deter people from buying the product and they will migrate onto other products. For example the difference in cost would be as follows:

Brand	Type	Abv	Pack size	Current Price	Cost Price
3 Hammers	Cider	7.50%	3 litre bottle	£3.49	£9.53
Frosty Jacks	Cider	7.50%	3 litre bottle	£4.00	£9.53
White Ace	Cider	7.50%	2 litre bottle	£2.99	£6.36

3.31 Should any premises be linked with crime and disorder or public nuisance it can be subject to Entertainment Licensing enforcement action. This would be a proportionate approach, which starts with liaison with the premises licence holder. However should a satisfactory resolution not be found Entertainment Licensing or anyone else has to option to request that the premises licence be reviewed in light of the negative impact on the licensing objectives. The options open to the licensing subcommittee could be revocation of the licence to applying more stringent conditions on the licence.

3.32 This would not address wider health concerns about dependant drinking, or general antisocial behaviour caused by the drinking of super strength products but it will address concerns about specific premises in an area if there is evidence that their management practices lead to adverse impact on the licensing objectives..

Detailed Proposal

- 3.33 As part of existing schemes, the council can provide information and encouragement to retailers to effect a culture change within the off trade in the deprived areas of Leeds so that selling high strength, low cost alcoholic products to people who are alcohol dependent is no longer acceptable.
- 3.34 The aim of this would be to reduce the health harms associated with alcohol dependency and the incidence of antisocial behaviour related to people with alcohol dependency.
- 3.35 The project would have the following measurable objectives:
 - to reduce the overall amount of super strength lager and cider that is available overall.
 - to remove from sale 1 litre, 2 litre and 3 litre plastic bottles of super strength white cider (i.e. Frosty Jacks, White Ace).
 - to reduce the incidence of antisocial behaviour associated with people with alcohol dependency.
 - to provide information to customers on treatment services, and to keep this information on site should staff be concerned about customers welfare.
- 3.36 Specific attention should be given to businesses in the most deprived areas of Leeds, such as Little London, Hyde Park, Armley, Middleton, Belle Isle, Holbeck, Burmantofts, Richmond Hill, Seacroft, Meanwood and Harehills.
- 3.37 The benchmark data gathering should be repeated in 12 months to ensure this is the right approach and that it is effective.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 An officer working group was formed to investigate a super strength scheme. Consultation was undertaken with Community Safety, Acute Trust, Police, Locality Teams, Health and Wellbeing Teams and Licensing. 102 off licences were visited and a scheme was briefly discussed with a number of operators.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no implications for equality and diversity/cohesion and integration.

4.3 Council policies and City Priorities

- 4.3.1 The licensing regime contributes to the following Best Council Plan 2013-17 outcomes:
 - Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
 - Make it easier for people to do business with us.
- 4.3.2 The licensing regime contributes to our best council objective:
 - Ensuring high quality public services improving quality, efficiency and involving people in shaping their city.

4.4 Resources and value for money

4.4.1 The imposition of a voluntary scheme would be resource intensive. Funding for such a scheme would have to be found within existing budgets. There would not be a cost saving to the council in the short term, although there may be a reduction in disorder and health harms, which would lead to cost saving for agencies who deal with these issues.

4.5 Legal Implications, Access to Information and Call In

4.5.1 A super strength scheme could only be operated as a voluntary scheme. Health is not a licensing objective, and so a condition relating to the removal of certain products could not be included in licences on that basis. However the sale of super strength products has been linked to disorder caused by people who are dependent on alcohol. Individual premises could be subject to a review of their premises licence should disorder be linked directly to them and their sales practices.

4.6 Risk Management

4.6.1 The imposition of any scheme that restricts a person's ability to trade or which imposes a blanket licensing conditions may be subject to challenge. As such any scheme must be entirely voluntary.

5 Conclusions

- 5.1 The working group looked at other schemes in operation around the country. Comparison was drawn to the areas where the schemes are operating and determined these were confined to town centres, or isolated locations.
- 5.2 The working group audited off licences in the inner areas and discovered that the sale of super strength cider and lager was widespread and retailers were resistant to any scheme that may affect their customers even though sales and profits from this type of products were low.
- 5.3 As part of existing schemes, the council could provide information and encouragement to retailers to effect a change within the off licence trade in the deprived areas of Leeds so that selling high strength, low cost alcoholic products to people who are alcohol dependent is no longer acceptable.

5.4 Additionally, benchmarking has been completed, which can be repeated annually to see if there is a shift in the retailing of the products, and the reduction of antisocial behaviour.

6 Recommendations

6.1 That Licensing Committee note the contents of this report.

7 Background documents¹

7.1 There are no unpublished background documents that relate to this matter.

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¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Appendix 1

List of Products

Brand	Туре	Abv	Pack size	Average price
3 Hammers	Cider	7.50%	1 litre bottle	£1.49
	Cider	7.50%	2 litre bottle	£2.97
	Cider	7.50%	3 litre bottle	£4.13
Amorino Bianco	Perry	7.50%	0.75 litre bottle	£1.49
	Perry	7.50%	1.5 litre bottle	£2.79
Barley Gold	Barley wine	7.40%	1 x 330ml can	£1.89
Bavaria	Lager	8.60%	1 x 500ml can	£1.99
Black Ace	Cider	7.50%	1 x 500ml can	£0.99
Crest Super	Lager	10.00%	1 x 500ml can	£1.79
Crest Super	Lager	10.00%	4 x 500ml cans	£6.50
Diamond White	Cider	7.50%	1 x 500ml can	£1.53
	Cider	7.50%	4 x 500ml cans	£4.55
	Cider	7.50%	2 litre bottle	£3.89
Frosty Jacks	Cider	7.50%	1 x 500ml can	£0.87
	Cider	7.50%	1 litre bottle	£2.15
	Cider	7.50%	2 litre bottle	£3.62
	Cider	7.50%	3 litre bottle	£4.19
	Cider	7.50%	2 x 3 litre bottles	£7.25
	Cider	7.50%	4 x 3 litre bottles	£13.00
Frosty Jacks Amber	Cider	7.50%	3 litre bottle	£4.59
HSL Kings	Lager	7.50%	1 x 500ml can	£1.75
K Cider	Cider	8.40%	1 x 500ml can	£1.46
	Cider	8.40%	2 x 500ml cans	£2.00
	Cider	8.40%	4 x 500ml cans	£5.17
Karpackie	Lager	9.00%	1 x 500ml can	£1.34
	Lager	9.00%	4 x 500ml cans	£5.00
Kestrel Super	Lager	9.00%	1 x 500ml can	£1.82
	Lager	9.00%	4 x 500ml cans	£6.61
	Lager	9.00%	6 x 500ml cans	£10.00
Lambrini	Perry	7.50%	1.5 litre bottle	£3.54
Lynx	Lager	9.00%	1 x 500ml can	£1.69
	Lager	9.00%	4 x 500ml cans	£1.79
Omega	Cider	7.50%	2 litre bottle	£2.89
	Cider	7.50%	3 litre bottle	£3.54
Oranjeboom XS	Lager	8.50%	1 x 500ml can	£1.45
	Lager	8.50%	4 x 500ml cans	£5.09
Perla Extra Strong	Lager	7.60%	1 x 500ml can	£1.10
Redrow Cider	Cider	7.50%	1 x 500ml can	£1.39
Skol Super	Lager	9.00%	1 x 500ml can	£2.00
	Lager	9.00%	4 x 500ml cans	£6.64
	Lager	9.00%	24 x 500ml cans	£46.07
Special Brew	Lager	9.00%	1 x 500ml can	£2.04
	Lager	9.00%	4 x 440ml cans	£7.99

Brand	Туре	Abv	Pack size	Average price
	Lager	9.00%	4 x 500ml cans	£7.28
	Lager	9.00%	6 x 500ml cans	£10.00
	Lager	9.00%	24 x 500ml cans	£46.07
Tennants Super	Lager	9.00%	1 x 500ml can	£2.17
	Lager	9.00%	4 x 500ml cans	£6.82
	Lager	9.00%	6 x 500ml cans	£10.00
Union Black	Cider	8.40%	4 x 500ml cans	£3.99
White Ace	Cider	7.50%	1 x 500ml can	£0.99
	Cider	7.50%	4 x 500ml cans	£3.95
	Cider	7.50%	1 litre bottle	£1.75
	Cider	7.50%	2 litre bottle	£2.89
	Cider	7.50%	3 litre bottle	£4.09
White Star	Cider	7.50%	4 x 500ml cans	£3.36
	Cider	7.50%	1 litre bottle	£1.80
	Cider	7.50%	2 litre bottle	£3.34
	Cider	7.50%	3 litre bottle	£3.66
Zeppelin Cider	Cider	7.50%	3 litre bottle	£3.89



LICENSING COMMITTEE WORK PROGRAMME 2014/15 - LAST UPDATED 25/06/14 (JG)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Items Currently U	nscheduled		

ITEM	DESCRIPTION	Officer	TYPE OF ITEM			
		•				
Meeting date: 10 JUNE 2014 . HELD PH operator Conditions Review, HC Proprietors Suitability Assessment, 3Year Driver Licensing, Convictions Criteria and De Regulations						
Meeting date: 8 JULY 20	14					
BID UPDATE (Late Night Economy)	To receive a report back on the of Voluntary Initiatives and or the BID	S Holder/M Farrington	DP			
Strong Alcohol Schemes	To receive a report back on the strong alcohol schemes	S Holden	DP			
Otley Cumulative Impact Policy	To consider proposals for the introduction of a Cumulative Impact Policy for Otley	N Raper	DP			
Meeting date: 5 AUGUST	2014	!				
Entertainment Licensing Section Activity update	To receive an update on activities of the Entertainment Licensing Section for the period January to June 2014	N Raper	PM			
TPHL Section Activity Update	To receive a 6 monthly update on the activities of the TPHL Section	D Broster	PM (
TPHL Equality Monitoring	To receive an update on the data collection levels achieved so far (January to June 2014) in respect of HC and PH applicants and licence holders,	D Broster	PM			
Leeds Festival 2014	To provide an update on the arrangements for the Leeds Festival 2014	S Holder	В			

Key: RP – Review of existing policy

DP – Development of new policy

PM – Performance management

B – Briefings

SC – Statutory consultation

LICENSING COMMITTEE WORK PROGRAMME 2014/15 - LAST UPDATED 25/06/14 (JG)

Tree Description Tree
Proprietors - Appropriate Suitability Assessment Hackney Carriage Trade
WYP Presentation Employment of a Police Constable Inner East and Inner West Local Licensing guidance To consider a report on the Inner East and Inner West Local Licensing guidance Meeting date: 7 th OCTOBER 2014 Wi-Fi in licensed To receive the 6 monthly update B B B B B B B B B B B B B
Employment of a Police Constable Inner East and Inner West Local Licensing Guidance To consider a report on the Inner East and Inner West Local Licensing Guidance To consider a report on the Inner East and Inner West Local Licensing S Holden B Meeting date: 7 th OCTOBER 2014 Wi-Fi in licensed To provide a report exploring proposals for free Wi-Fi in Private Hire D Broster D Broster D Broster D Broster
Constable Inner East and Inner To consider a report on the Inner East and Inner West Local Licensing S Holden B
West Local Licensing guidance Meeting date: 7 th OCTOBER 2014 Wi-Fi in licensed To provide a report exploring proposals for free Wi-Fi in Private Hire D Broster DP
Wi-Fi in licensed
To provide a repet experime proposition in the rest of
vehicles vehicles
Meeting date: 11 th NOVEMBER 2014
Meeting date: 9 TH DECEMBER 2014
Meeting date: 6 TH JANUARY 2015
Meeting date: 10 TH FEBRUARY 2015

Key:

RP – Review of existing policy

DP – Development of new policy

PM – Performance management

B – Briefings SC – Statutory consultation

LICENSING COMMITTEE WORK PROGRAMME 2014/15 - LAST UPDATED 25/06/14 (JG)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM	
Meeting date: 10 TH MARCH 2015				
Meeting date: WEDNESDAY 8 TH APRIL 2015				
Meeting date: WEDNESDAY 6 TH MAY 2015				

