

You have been sent this guidance note because you have, or are considering, making an application for a licence to sell alcohol or provide late night refreshment in the inner west Leeds area.

This information is provided to anyone applying for a licence to sell alcohol or provide late night refreshment in LS12. It may be used to by residents or other interested people who make a representation against an application. It will be provided to the Licensing Subcommittee at any subsequent licensing hearing.

### **Why have you been sent this information?**

Under the Licensing Act 2003 you are required to complete an 'operating schedule'. You are expected to have regard to the council's Statement of Licensing Policy. You must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives and to demonstrate knowledge of your local area when describing the steps you propose to take to promote the licensing objectives.

In order to assist you, Leeds City Council has collated information on this area including any special policies that relate to the area. You should make your own enquiries as well and demonstrate how you have considered the following in your operating schedule:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young persons may congregate.
- Any risk posed to the local area by the your proposed licensable activities; and
- Any local initiatives which may help mitigate potential risks.

### **Scope**

The scope of this guidance includes all premises licensed under the Licensing Act 2003 in post code areas LS12, which is comprised of Armley, Farnley, New Farnley and Wortley.

In LS12, your life expectancy will be lower than that of residents in other areas of Leeds (Joint Strategic Needs Assessment 2012, NHS Leeds). The three contributory factors to a reduced life expectancy are alcohol, obesity and smoking. The Licensing Act 2003 authorises the activity of the sale or supply of alcohol and the provision of late night refreshment and therefore the question is whether reducing people's access to alcohol and high fat content takeaway food will have a positive outcome on life expectancy in LS12.

### **Local Concerns**

Local GP Andrew Sixsmith, who works at the Thornton Medical Centre has expressed his concerns about problematic drinking in the LS12 area and has supported Leeds West Clinical Commissioning Group projects to address this issue. Inner West Community Committee has also expressed concerns about alcohol abuse.

In the LS12 area there is concern about:

#### Alcohol

- The wide and obvious availability of alcohol in convenience stores, newsagents, corner shops and off licences.
- The contributory factor and possible links between violent crime and domestic violence and exacerbated by the availability of alcohol due to the numbers of premises which sell alcohol for consumption off the premises in the area.
- The higher proportion of premises licensed for alcohol for consumption off the premises.
- The ability for persons with mental health or alcohol problems to easily obtain alcohol.
- The ability for persons who are already intoxicated to easily obtain more alcohol.
- The pack size super strength cider is sold in, which leads to people with alcohol dependency issues to drink more than they need to.

#### Protection of children

- The normalisation of alcohol abuse and the effect this has on children living in the area
- The sale and supply of alcohol to young persons and children and the impact this has on their behaviour in the community and impact on their health.

#### Nuisance

- The accumulation of premises providing takeaway food and off sales of alcohol.
- Littering of food wrappers and waste food originating from takeaways.

#### Responsible Retailing

In 2010 the Government introduced a new Mandatory Code for Alcohol Retailing. This was brought into law by the implementation of 5 new mandatory conditions. These were updated in 2014 and further details can be found on the Home Office website: <https://www.gov.uk/alcohol-licensing#mandatory-licensing-conditions>

Specifically the Government brought in a new mandatory condition prohibiting the sale of alcohol below cost. Cost is defined as the cost of the VAT and duty charge. More information can be found on the Government website: <https://www.gov.uk/government/publications/banning-the-sale-of-alcohol-below-the-cost-of-duty-plus-vat>

Responsible retailing, including age related sales of alcohol, has long been promoted by West Yorkshire Trading Standards. More information can be found on their website at <http://www.ts.wyjs.org.uk/wyjs-trading-underage-sales.asp>

Other sources of information can be found at:

<http://www.brc.org.uk/Downloads/FCSG0475ResponsibleRetailingofAlcohol.pdf>

<http://biiab.bii.org/qualifications/qualification-ARAR>

When considering responsible retailing, you may wish to consider what you would do about:

- The sale of large quantities of alcohol
- The sale of super strength alcohol in large containers (2 and 3 litre plastic bottles)
- The sale of alcohol to people who are already drunk
- How to address selling alcohol to people who are pregnant
- How to refer someone who appears to have a drinking problem
- How to display alcohol
- What to name the premises
- Healthy takeaway options available for example low fat versions of popular dishes

- Nutritional information on all takeaway foods.

It may be useful for you to make yourself aware of organisations in the area that can help people with alcohol addiction and to get acquainted with the local West Yorkshire Police Neighbourhood Policing Team.

### **Measures to address local concerns**

The availability of alcohol is a major concern, as harmful and hazardous drinking is a contributory factor in many of the concerns mentioned in this document. As such the licensing authority would expect anyone wishing to open or extend premises that sell alcohol, or sell hot food to provide extra measures to ensure these problems are not exacerbated.

It is highly likely that any application which includes the sale by retail of alcohol or the sale of hot food and drink will attract representations from a number of interested people. In order to mitigate the concerns stated in this document, you are encouraged to contact Entertainment Licensing, West Yorkshire Police, Environmental Health and Public Health to see if there are any specific measures that can be adopted. Contact details for agencies are included in the application packs and on the council website.

If you don't contact the responsible authorities, and you do not offer additional measures you can expect to be contacted by a number of the agencies about your application. This may be by phone, email or by way of a formal objection to your application.

Entertainment Licensing provides a Proforma Risk Assessment which is a list of suggested measures prospective licensees may like to include in their operating schedule. In addition you may wish to consider if any of the following measures would be appropriate for your business to adopt. These measures could be offered as part of the operating schedule. A form is attached to the end of this document to assist you with this.

### Crime and Disorder

- All areas of the premises to be used for the display of alcohol are marked on the plan. The display of alcohol will not change without the consent of the licensing authority by way of a minor variation application to the licence.
- The display of alcohol will be in a designated area of the premises which is capable of being supervised from the counter area.
- The display of spirits shall be in an area accessible only by staff
- The display of high-strength beers, ciders and lagers of 7.5% alcohol by volume (abv) or higher will be in an area accessible only by staff.
- There will be no sale of cider and lager of 7.5% alcohol by volume (abv) in 1, 2 or 3 litre plastic bottles.
- All areas where alcohol is displayed shall be covered by CCTV

### Prevention of public nuisance

- Staff will make hourly checks around the premises and remove any litter, including takeaway wrappers, can and bottles.

### Protection of children

- There will be a Check 25 proof of age verification scheme in place.
- Alcohol will not be displayed next to the public entrance/exit of the premises.

- The name of the premises will not contain reference to alcohol.
- There will be no window display posters or similar advertising contained reference to alcohol displayed on the premises shop frontage or the highway abutting the premises.
- All alcohol sale refusals will be recorded in a register which will be retained on the premises for inspection by responsible authorities on request.

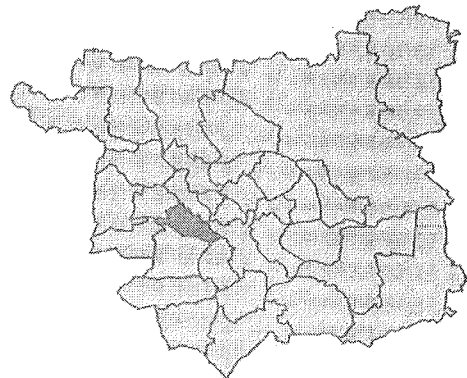
## Local Information

### Area Profile

The area with the postcode LS12 is situated within Farnley and Wortley and Armley wards. However the scope of this guidance relates to any premises with a LS12 prefix on the postcode. It mainly comprises of Armley, Farnley, New Farnley and Wortley.

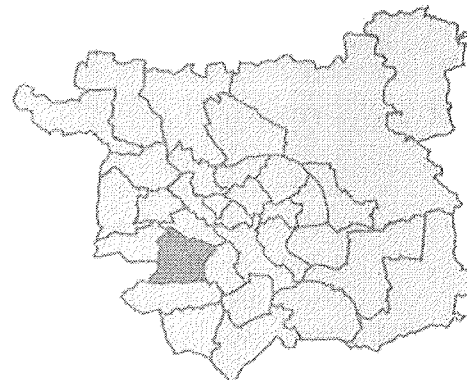
#### Armley

Size	607 hectares	
Dwellings	11,311	
Population	24,958	
Religion (top 3)	Christian	16,148
	No religion	5,010
	Religion not stated	2,358



#### Farnley and Wortley

Size	1,240 hectares	
Dwellings	10,131	
Population	23,184	
Religion	Christian	16,700
	No religion	4,065
	Religion not stated	2,000



### Leeds Observatory

The Leeds Observatory is a tool for everyone to explore strategic data, information and intelligence about Leeds' communities and geographies. The observatory provides a clear evidence base for communities and professionals to determine the needs of people in Leeds which will shape decision making and services.

The following links provides statistical data on demographic profile, economic activity, education and skills, community safety, housing and health in this area.

#### West North West area

#### Armley

#### Farnley and Wortley

### Neighbourhood Plans

The Localism Act 2011 introduced major reforms to the planning system that gives local communities new rights to shape and plan their neighbourhood. The Act introduces a new initiative called the neighbourhood plan. These plans are optional – if local communities choose, they can be used to set out policies for the development or use of land but they must be ‘pro development’.

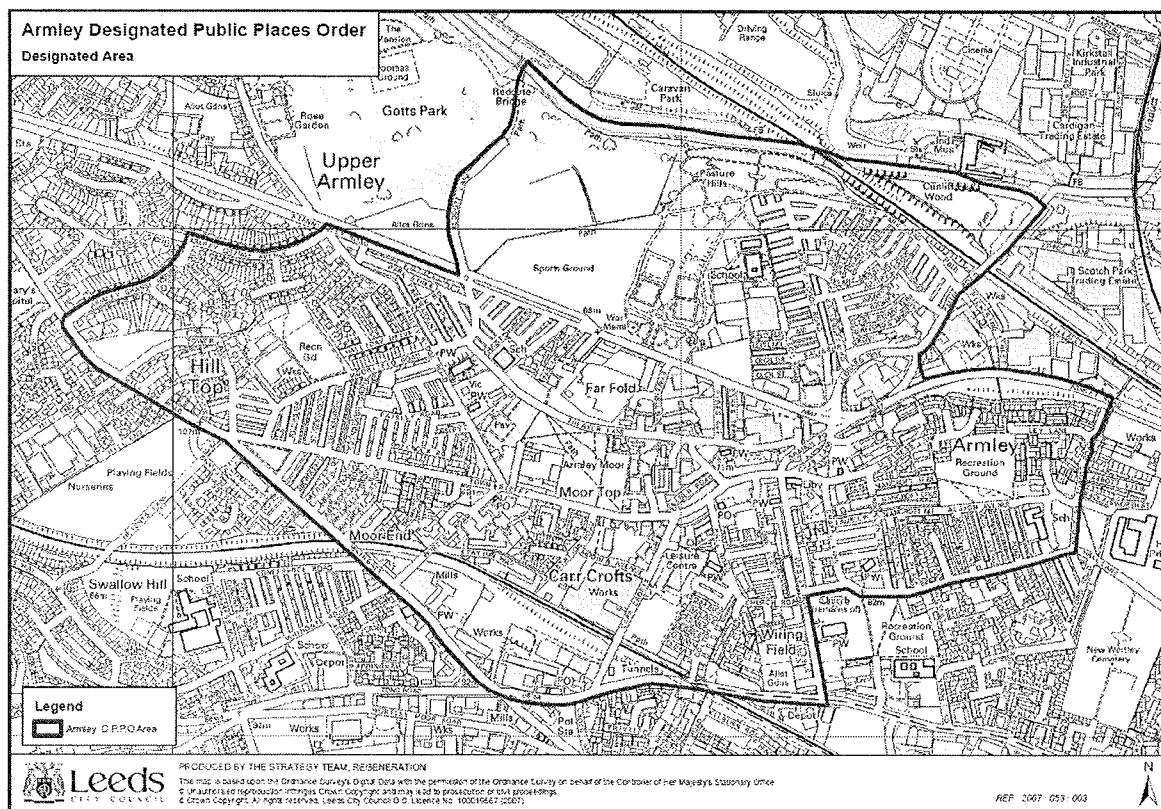
The Act also includes new powers for local communities to prepare a Neighbourhood Development Order (NDO) for their area, which will be able to promote a particular type of development. Related to the NDO, is the Community Right to Build Order (CRtB) and this will provide for community-led site development.

Local communities may also be interested in applying to the Council to have a valued area designated as a Local Green Space.

For regular updates on neighbourhood planning check <http://www.leeds.gov.uk/council/Pages/Neighbourhood-planning.aspx>

### Additional measures already in place

A designated public places order is in place. Designated Public Place Orders (DPPOs) give police officers discretionary powers to require a person to stop drinking and confiscate alcohol or containers of alcohol in public places. Failure to comply with alcohol restrictions in DPPOs can result in arrest and/or a fine of up to £500. DPPOs are implemented by local councils in order to address alcohol-related crime and disorder in public places under section 13 of the Police and Criminal Justice Act 2001.



### Licensing Profile

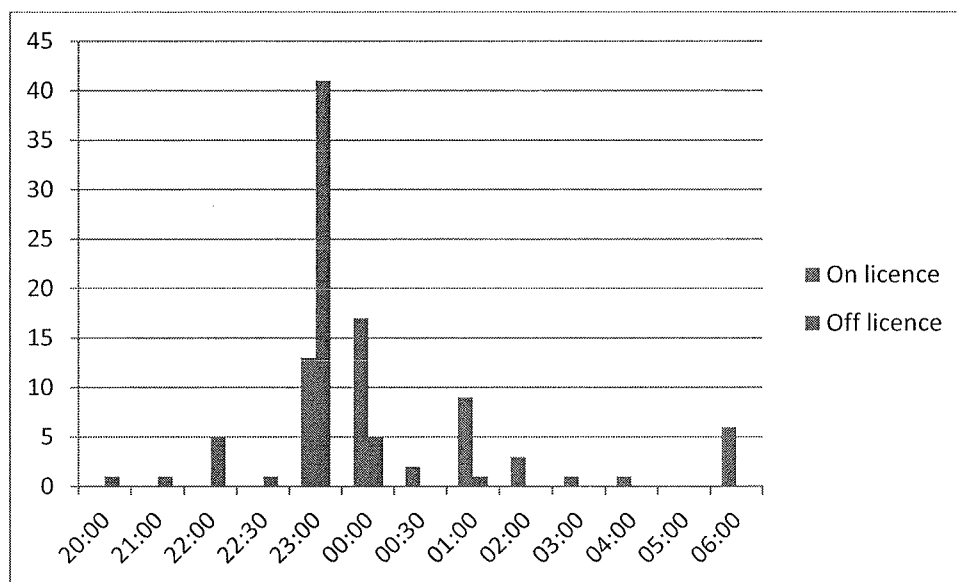
As of January 2014, the profile of licensed premises in this area is as follows:

LS12	Off licences	Pubs/bars/ nightclubs	Registered clubs	Sports/social club	Restaurants	Takeaways with alcohol sales	Gambling premises	Hotel	Other
Armley	52	25	9	4	2	2	2	1	6

Although the number of on licence premises has decreased, there has been a steady increase in the number of premises selling alcohol for consumption off the premises in LS12. Overall the total number of premises selling alcohol has remained steady.

	2006	2007	2008	2009	2010	2011	2012	2013	2014
On the Premises	59	62	60	60	55	52	51	53	48
Off the Premises	43	43	43	49	51	54	56	57	57
Total	102	105	103	109	106	106	107	110	105

The majority of "on licensed" premises cease selling alcohol at midnight with a smaller number ceasing alcohol sales at 11pm or 1am. This is significantly earlier than the city centre, but in keeping with other residential areas. In the main off licensed premises cease selling alcohol at 11pm.



### Crime Profile

The table shows the number of alcohol related violent crimes offences committed over the last year with comparisons to the previous year.

Offence		2012/13	2013/14	% change
Burglary Dwelling	Armley	221	168	-24%
	Farnley & Wortley	137	175	28%
Burglary Elsewhere	Armley	153	184	20%
	Farnley & Wortley	151	155	3%

Criminal Damage	Armley	435	517	19%
	Farnley & Wortley	278	342	23%
Drugs Offences	Armley	162	157	-3%
	Farnley & Wortley	71	66	-7%
Fraud & Forgery	Armley	98	32	-67%
	Farnley & Wortley	74	24	-68%
Robbery	Armley	37	41	11%
	Farnley & Wortley	17	22	29%
Violent Crime	Armley	428	520	21%
	Farnley & Wortley	259	309	19%

There have been 107 alcohol related violent crime offences recorded in the Armley district over the last year.

Domestic violence, which often has a causative link to alcohol consumption, is shown below.

Ward Name	DV Incidents (2012/13)	% of Leeds	DV Repeats (2+)	% DV Repeats
Armley	734	5.53	300	40.9

## Health data

### Alcohol prevalence data

Alcohol specific admission rates in this area are split roughly between being above or around the Leeds rate; the Bramley Hill Top, Raynville and Wyther Park MSOA has the 5<sup>th</sup> highest rate in Leeds overall, and for men also.

The above data is not broken down into age or ethnicity however GP records from the Inner West ward show that there are larger proportions of 'white background' (73%) than Leeds (66%).

LS12	Average	Male	Female
<b>Leeds average</b>	5.9	8.11	3.8
<b>Deprived quintile</b>	10.6	14.5	6.3
Farnley and Wortley	13.5	21.4	6.8
Armley (Bramley Hill Top, Raynville, Wyther Park)	13.2	20.5	5.6
Armley and New Wortley	11.4	15.2	7.4
Upper Armley	7.6	12.0	3.4

Alcohol specific hospital admissions - overall crude rate per 1,000 (MSOA data 2009/10)

## Public Health Commissioned Alcohol Treatment Services Performance

### Numbers in Treatment

The specialist alcohol treatment services report activity to the National Monitoring Data System (NDTMS). The numbers in structure specialist alcohol treatment for Quarter 2, 2013/14 were 1364.

### Quarterly Comparisons 12-13 vs 13-14:

Provider	No. in Treatment (YTD)			
	Q1 12/13	Q1 13/14	Q2 12/13	Q2 13/14
ADS	419	471	642	608
LAU	671	555	795	626
St Anne's	79	69	125	130

Year to Date Numbers in Treatment for both ADS and LAU were lower by the end of Q2 2013/14 than at the same point in 2012/13. The difference for ADS was only 5% but the decrease for LAU was 21%. St Anne's shows a slight decrease between the two Q1 figures and a slight increase by the end of Q2.

Provider	Average Waiting Time			
	Q1 12/13	Q1 13/14	Q2 12/13	Q2 13/14
ADS	12 days	13 days	10 days	14 days
LAU	20 days	16 days	16 days	19 days
St Anne's	47 days	41 days	39 days	34 days

Average waiting times haven't changed much for ADS and LAU, with the most noticeable change being a reduction in waiting times for St Anne's.

### ADS

Numbers in treatment has remained consistent, with a decline in new presentations and discharges. There has been a slight increase in average waiting times; however 90% are under 3 weeks and 10% within 3-6 week wait. The number of successful completions has declined from 2012/13 baseline of 284 to 249 quarter 1 and 245 quarter 2 of this year.

#### Postcode data from ADS (YTD)

Tier 3 assessments	LS12	57 patients
Tier 2 assessments	LS12	34 patients

### Leeds Addiction Unit

The numbers in treatment dropped between April and October 2013. There was less than half the number of new presentations in September and October than in April. Between April and October there has been a decrease in discharges.

Waiting times do not appear to have not changed significantly in quarter 2, however, waiting times for 32% of people were between 3-6 weeks, 2% 6-9 weeks and 1% greater than 9 weeks. Therefore 35% of people waited longer than the national target of 3 weeks.

Between 1 April 2013 to 31<sup>st</sup> January 2014 had 150 active clients who come from LS12.

### St Anne's

Numbers in treatment have remained consistent, but there was a decline in new presentations and a slight increase in discharges. There has been a reduction in waiting times and the numbers for successful completions remain constant, people usually remain in treatment through residential or community rehabilitation. St Anne's have 34 clients in treatment who come from LS12.



## Fires

Most alcohol related fires in Leeds happen between 21:00 and 03:00 at night with 90% of incidences occurring in residential properties. The majority of incidences are related to cooking. 52% of the injuries occurred in an area of Leeds ranked in the 10% most deprived nationally. Between 2008/09 and 2010/11 56 people suspected of being under the influence of drink or drugs were injured by fires and of these 31 were suspected to be under the influence of alcohol.

## Drinking while pregnant

The UK Chief Medical Officer's advice to women is:

'Women who are pregnant or trying to conceive should avoid alcohol altogether. However, if they do choose to drink, to minimise the risk to the baby, we recommend they should not drink more than 1-2 units once or twice a week and should not get drunk.'

The National Institute for Health and Clinical Excellence (NICE) advises healthcare professionals (GPs and nurses):

- Pregnant women and women planning to become pregnant should be advised to avoid drinking alcohol in the first three months of pregnancy, because there may be an increased risk of miscarriage.
- Women should be advised that if they choose to drink alcohol while they are pregnant, they should drink no more than 1-2 units of alcohol once or twice a week. There is uncertainty about how much alcohol is safe to drink in pregnancy, but at this low level there is no evidence of any harm to their unborn baby.
- Women should be advised not get to drunk or binge drink (drinking more than 7.5 UK units of alcohol on a single occasion) while they are pregnant because this can harm their unborn baby.
- If women want to avoid all possible alcohol-related risks, they should not drink alcohol during pregnancy because the evidence on this is limited.

## Obesity

Tackling obesity is one of the most significant public and personal health challenges facing our society. Obesity is a serious threat to health with 22% of men and 23% of women now classed as clinically obese (BMI greater than 30kg/m<sup>2</sup>). Among people aged 55 – 74 years two thirds of women and three quarters of men are overweight or obese.

The Leeds Joint Strategic Needs Assessment (JSNA) outlines key lifestyle behaviours that are of significance, which includes obesity. The findings suggest obesity levels are rising. The JSNA describes obesity as the second most important preventable cause of death after smoking. The cost to NHS in Leeds was £205m in 2010. In relation to children, 1 in 10 in reception class and this rises to 1 in 5 for those children in Year 6 (primary school) are obese.

The National Obesity Observatory's Report on Obesity and alcohol states that the relationship between obesity and alcohol consumption is complex. Associations between the two are heavily influenced by a number of factors including: patterns and levels of drinking; types of alcoholic drinks consumed; gender; body weight; diet; genes; physical activity levels and other lifestyle factors.

Some of the key points from the report include:

- Many people are not aware of the calories contained in alcoholic drinks
- The effects of alcohol on body weight may be more pronounced in overweight and obese people
- Alcohol consumption can lead to an increase in food intake
- Heavy, but less frequent drinkers seem to be at higher risk of obesity than moderate, frequent drinkers
- The relationships between obesity and alcohol consumption differ between men and women
- Excess body weight and alcohol consumption appear to act together to increase the risk of liver cirrhosis
- There is emerging evidence of a link between familial risk of alcohol dependency and obesity in women

All of this leads to a concern about the availability of alcohol and unhealthy foods.

### Sources

Local information	provided by <a href="http://openlylocal.com">http://openlylocal.com</a>
Additional data	provided by <a href="http://www.westyorkshireobservatory.org/home">http://www.westyorkshireobservatory.org/home</a>
Licensing information	provided by Entertainment Licensing (extracted October 2012)
Crime data	provided by West Yorkshire Police
Health information	provided by NHS Leeds (Leeds Alcohol Harm Reduction Action Plan 2011-2015, Alcohol Needs Assessment Info 2011 & Tackling Alcohol and Community Safety in South Leeds – Summary Findings) Joint Strategic Needs Assessment 2012, NHS Leeds

### Contact Details

Entertainment Licensing Section	Phone:	0113 378 5029
Leeds City Council	Fax:	0113 336 7124
Civic Hall	Website:	<a href="http://www.leeds.gov.uk/licensing">www.leeds.gov.uk/licensing</a>
Leeds LS1 1UR	Email:	<a href="mailto:entertainment.licensing@leeds.gov.uk">entertainment.licensing@leeds.gov.uk</a>

This document should be used as a guidance tool. Only the courts can give an authoritative opinion on statute law. Every effort has been made to ensure this document is both comprehensive and accurate but in an attempt to simplify the law omissions have been made. Please refer to the Licensing Act 2003 and associated regulations for full details of the law. You should seek your own legal advice on the matters raised in this guidance note.

## Risk Assessment Proforma – Inner West Leeds

Premises name: \_\_\_\_\_

Premises Address: \_\_\_\_\_

Applicants Name: \_\_\_\_\_

Please be advised I wish to amend my application to add the following measures to the operating schedule.

### Crime and Disorder

<b>Suggested measures</b>	✓
All areas of the premises to be used for the display of alcohol are marked on the plan. The display of alcohol will not change without the consent of the licensing authority by way of a minor variation application to the licence.	
The display of alcohol will be in a designated area of the premises which is capable of being supervised from the counter area.	
The display of spirits shall be in an area accessible only by staff	
The display of high-strength beers, ciders and lagers of 7.5% alcohol by volume (abv) or higher will be in an area accessible only by staff.	
There will be no sale of cider and lager of 7.5% alcohol by volume (abv) in 1, 2 or 3 litre plastic bottles.	
All areas where alcohol is displayed shall be covered by CCTV	

### Prevention of public nuisance

<b>Suggested measures</b>	✓
Staff will make hourly checks around the premises and remove any litter, including takeaway wrappers, can and bottles.	

### Protection of children

<b>Suggested measures</b>	✓
There will be a Check 25 proof of age verification scheme in place.	
Alcohol will not be displayed next to the public entrance/exit of the premises.	
The name of the premises will not contain reference to alcohol.	
There will be no window display posters or similar advertising contained reference to alcohol displayed on the premises shop frontage or the highway abutting the premises.	
All alcohol sale refusals will be recorded in a register which will be retained on the premises for inspection by responsible authorities on request.	

**Please return this page to Entertainment Licensing, Civic Hall, Leeds, LS1 1UR  
or by email to [entertainment.licensing@leeds.gov.uk](mailto:entertainment.licensing@leeds.gov.uk)**

