

Final Consultation Report

Statement of Licensing Policy
2011 – 2013

Licensing Act 2003

Contents

Executive Summary	3
Introduction	4
Background	4
Purpose of the Statement of Licensing Policy	4
Purpose of consultation	4
Consultation Methodology	5
Change Document	6
Changes to body of document	6
Section 7 - Cumulative Impact Policies	6
Area 1 - City Centre	9
Area 2 - Headingley/Hyde Park	12
Area 3 - Woodhouse	17
Area 4 - Chapel Allerton	17
Area 5 - Horsforth	21
Final changes	24
Consultation Responses	26
Questionnaire Responses	26
Other comments via email or post	37
Annex A - List of consultees	42
Annex B - BRE Code of Practice on Consultation	44

Executive Summary

This report details the findings of the public consultation on Leeds City Council's Licensing Act 2003 Statement of Licensing Policy.

A review was undertaken on the existing policy and three minor amendments were proposed relating to minor variations, community halls and age verification policies.

A more detailed review of Section 7 – Cumulative Impact Areas was undertaken with involvement with ward members, West Yorkshire Police, Crime and Disorder Reduction Partnership and the responsible authorities. Statistics relating to antisocial behaviour, rowdy behaviour and nuisance were gathered which informed proposed changes to the CIPs.

The public consultation will take place between 12th July and 1st October which was a twelve week consultation period. Officers analysed the consultation responses and produced a final draft which will be presented to Executive Board and full Council in November.

The final Statement of Licensing Policy must be published by 7th January 2011.

Introduction

The Licensing Act 2003 came into force in 2005 and brought the licensing of sale of alcohol, regulated entertainment and late night refreshment into one system. Leeds City Council became the licensing authority for premises in the Leeds area and the system is administered by the council's entertainment licensing section.

As part of the Licensing Act 2003 there is a requirement placed on licensing authorities to develop a statement of licensing policy which describes the principles the council will use when determining licences under the Act.

Background

We developed and consulted upon the Leeds City Council Statement of Licensing Policy in 2005 and reviewed it in 2007 for the period 2008-2010. We are required to review the policy on a three yearly basis and it is due for review again this year.

An initial review determined that the policy only required minor amendments to reflect recent changes within the Licensing Act 2003. These amendments were made and a draft policy was distributed to the responsible authorities. No comments have been received on these minor changes.

In 2007 the council made a commitment to thoroughly review the cumulative impact policies (CIPs) that affect the city centre, Headingley, Hyde Park, Chapel Allerton and Horsforth at the next review of the policy in 2010. This review was started in February 2010 and involved consultation with ward members, West Yorkshire Police and Leeds City Council's City Development Department. The concerns of the residents were taken into consideration (via the relevant ward members) as well as statistics provided by West Yorkshire Police and Leeds City Council's Health and Environment Action Service.

The five existing CIPs were scrutinised and amendments were agreed which generally increased the areas involved and, in some cases, increased the scope to include other premises which have created an adverse impact on those areas.

The Council presented these changes in a public consultation.

Purpose of the Statement of Licensing Policy

The purpose of the policy is to set out the principles upon which the licensing authority will exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the Licensing Authority will refer to the policy when making decisions.

Purpose of the consultation

It is a requirement of the Licensing Act 2003 that licensing authorities consult with people affected by the policy. Specifically the Act states:

Before determining its policy for a three year period, a licensing authority must consult –

- (a) the chief officer of police for the licensing authority's area,
- (b) the fire authority for that area,
- (c) such persons as the licensing authority considers to be representative of holders of premises licence issued by that authority

- (d) such persons as the licensing authority considers to be representative of holders of club premises certificate issued by that authority,
- (e) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- (f) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

Consultation Methodology

In order to meet the requirements of the Act the council has undertaken the following steps:

1. Undertook an officer review of the policy, made a number of amendments and resolved to thoroughly review the CIPs to ensure they are still relevant and proportional regarding the issues experienced in those areas.
2. Held a series of meetings with the relevant ward members, officers from West Yorkshire Police, officers from City Development, including local planning officers, forward planning and regeneration and the Crime and Disorder Reduction Partnership.
3. Scrutinised crime figures relating to rowdy behaviour, anti-social behaviour and violent crime.
4. Scrutinised Environmental Health nuisance figures relating to noise nuisance and littering.
5. Examined data relating to the number of new and variation applications.

This work produced a first draft of the revised policy which was sent to all the responsible authorities for comment. It was also sent to the ward members who were involved in the review. This consultation took place between 9th and 30th June. The council did not receive any comments.

The public consultation ran from 12th July to 1st October 2010. This consultation included:

- A postal consultation to the trade, support groups, religious groups, ward members and local MPs.
- A press release
- Copies of the policy and the public consultation report placed in libraries, one stop shops and leisure centres for the public to access along with postage paid envelopes and a short questionnaire.
- A webpage on the Leeds City Council website which provided the consultation documents and online questionnaire.
- Public meetings in Horsforth, Chapel Allerton and Headingley to discuss the changes to the CIPs.
- Attendance at PubWatch meetings in Headingley to consult with the trade directly.

Change Document

After an officer review of the policy, we added three paragraphs which reflect changes in the law.

Community Halls

- 9.13 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc) Order 2009 amends the Licensing Act 2003 to allow management committees of community premises to make an application for a premises licence or to vary an existing premises licence which includes an application to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder.
- 9.14 The council has issued guidance to community premises on this process which can be accessed on the council's website.

Minor Variations

- 9.15 It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives.
- 9.16 The council has issued guidance on this process which can be accessed on the council's website.
- 9.17 The DCMS has also provided guidance which can be accessed on their website at <http://www.culture.gov.uk>

Age Verification Policy

- 12.40 It is mandatory for premises who sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25/Check 25 type schemes and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.

Section 7 – Cumulative Impact Policies

We reviewed the introductory section which explains what a cumulative impact policy is. We wanted to provide some clarity about what cumulative impact policies are. This section also gives advice to applicants on how applying for a licence for a premises may need to be different is that premises is in a cumulative impact area.

Deleted:

- 7.3 The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. Any policy adopted from time to time on the cumulative impact of licensed premises will impose restrictions only to the extent that they are justified by the available evidence having regard to the Guidance issued by the Secretary of State.

Added:

- 7.4 A cumulative impact policy creates a rebuttable presumption that applications within the cumulative impact areas for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received.
- 7.5 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.
- 7.6 To assist this process applicants are encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued under section 182 of the Act.
- 7.7 Despite the presumption against grant, responsible authorities and interested parties will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy. For example, if no representation is received, the application must be granted subject to any conditions that are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003. Responsible authorities and interested parties can make written representation referring to information which had been before the council when it developed its statement of licensing policy.
- 7.8 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

Deleted:

- 7.4 The council is applying a special cumulative impact policy to five areas of the Leeds district. Namely the city centre (Area 1), Headingley (Area 2), and also to the A660 corridor (Area 3) which runs through the Hyde Park/Woodhouse area joining the city centre policy with the Headingley policy. In addition the council is also applying a special cumulative impact policy to a defined area of Chapel Allerton (Area 4) and to Horsforth (Area 5).

Added:

- 7.9 The council has applied a cumulative impact policy to five areas of the Leeds district:
- the city centre (Area 1)
 - Headingley (Area 2)
 - Hyde Park/Woodhouse (Area 3)

- Chapel Allerton (Area 4)
- Horsforth (Area 5)

Deleted

7.5 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas are, and in respect of areas 1 to 4, which were identified in the council's previous statement of Licensing Policy, continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

Added

7.11 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

Deleted

7.6 A summary of the evidence of the problems being experienced in these areas is given in the cumulative impact policy below. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

Added

7.12 A summary of the evidence of the problems being experienced in these areas is provided at Appendix 3. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

After consulting with ward councillors, West Yorkshire Police, Health and Environmental Action Service, City Development and the Crime and Disorder Reduction Partnership, the council has made changes to the cumulative impact policies in the city centre, Headingley, Chapel Allerton and Horsforth.

These policies, which seek to reduce the impact of licensed premises on specific areas, have been extended to include surrounding areas which the evidence shows are suffering from the accumulation of certain types of premises. The scope of several CIPs has been extended to include other types of premises and the wording of the policies has been simplified to remove ambiguity.

Area 1 – City Centre

Summary of proposed changes

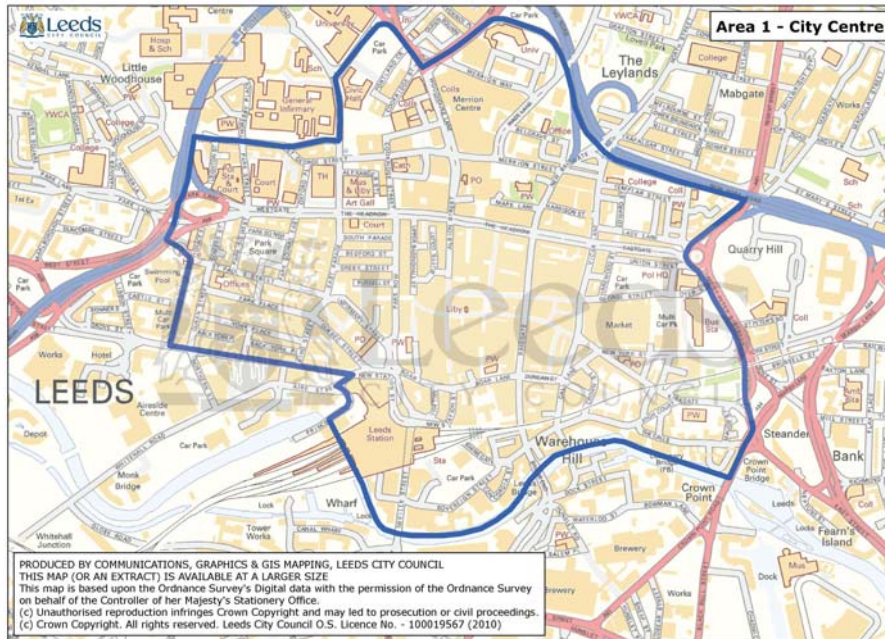
1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.

2. Increase the scope of the policy to include all premises licensed for the sale of alcohol and remove the restriction that the CIP only applies to late night vertical drinking establishments.
3. Clarify that all applications (new and variation) are included within the scope of the CIP.

Proposed Text

Area 1 as defined on the map relates to the city centre.

Fig 1



In the five years since the cumulative impact policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:

1. Call Lane, Boar Lane and the area behind the Corn Exchange
2. Woodhouse Lane, Merrion Way and Wade Lane
3. The east end of The Headrow and New Briggate

Other areas of concern include the Eastgate area and Briggate.

The council has noticed an increase in applications for premises licences in the Park Square area. It is feasible that this is due to displacement from the East Parade/Greek Street/Park Row part of the cumulative impact policy.

On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots and the Park Square area.

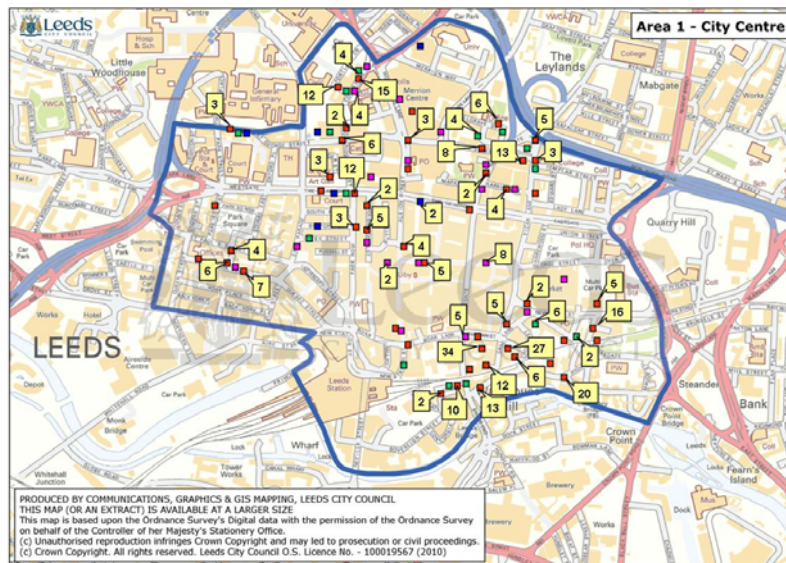
In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led licensed premises can contribute to crime and disorder in the area, not just those that are classified as "high volume vertical drinking" establishments.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

Fig 2



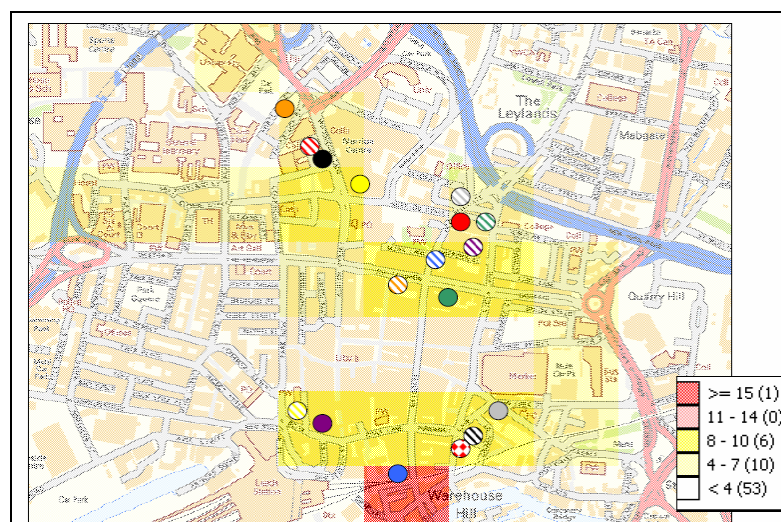
Nuisance reports in Area 1 (2005 – 2010)

Fig 2 shows the number and location of nuisance reports received by Leeds City Council, relevant to licensed premises in Area 1 since 2005.

Police analysis has shown the following key findings relating to serious crime in Area 1:

- 94% of serious violent offences have been committed in the night-time economy (NTE) period.
- 63% of offences committed in the NTE are affected by alcohol
- 20% of offences committed in the NTE are committed within licensed premises
- Between 2008 and 2009 incidents have increased by 26 equating to a 32% rise.

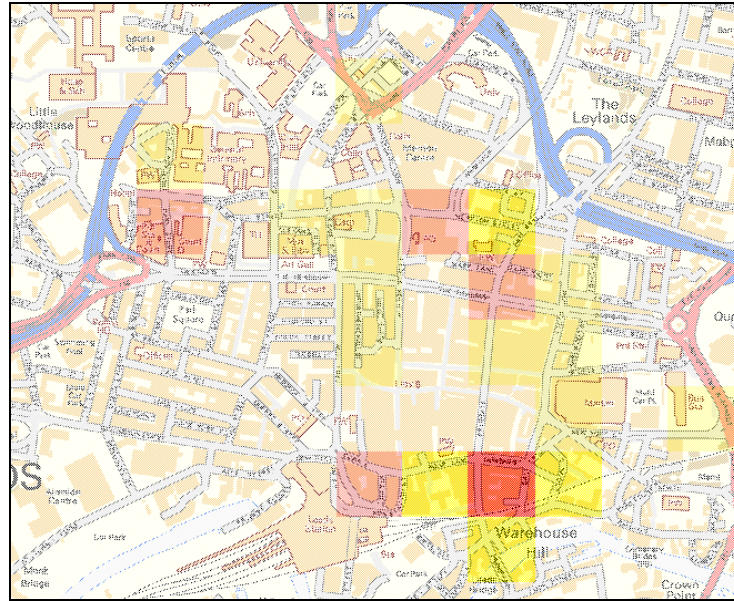
Fig 3



Serious Violent Crime hot-spots

Fig 3 shows density of serious violent crime offences in Area 1. The coloured dots are licensed premises however, have not been identified individually by name.

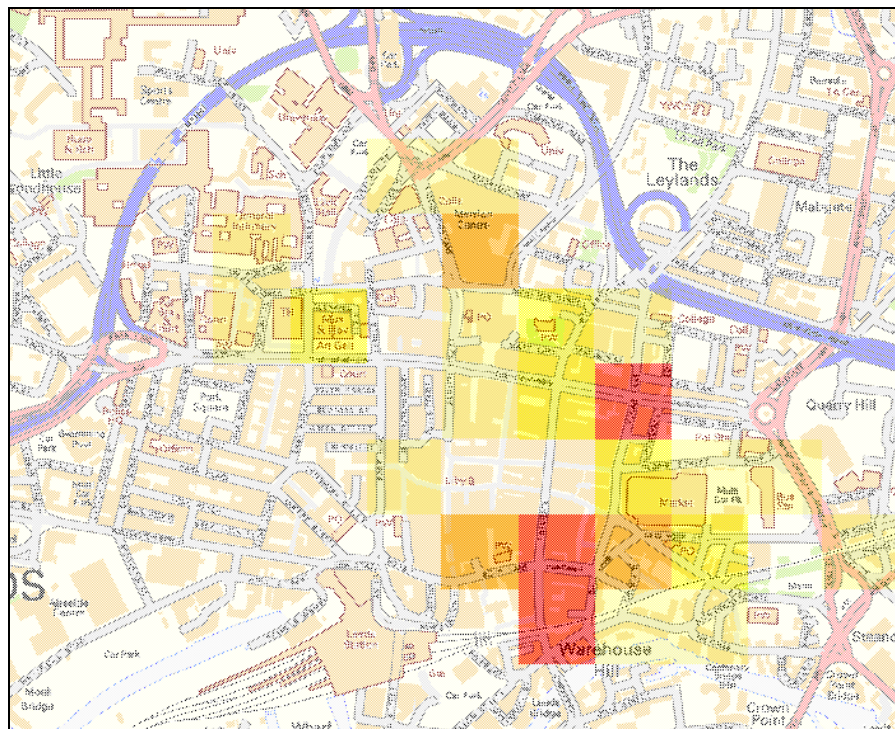
Fig 4



Assault hot-spots

Fig 4 shows density of assault offences in Area 1.

Fig 5



Anti-Social Behaviour hot-spots

Fig 5 shows density of anti-social behaviour offences in Area 1.

The current CIP for Area 1 (Licensing Act 2003 Statement of Licensing Policy 2008-2010) does not cover large parts of the city centre which currently suffer from nuisance and crime attributable to licensed premises.

NB: The key findings and maps relating to crime in Area 1 have been extracted from a restricted report from West Yorkshire Police. If you wish to view a full copy of this

report, please contact the Entertainment Licensing Section of Leeds City Council, and we will liaise with West Yorkshire Police and advise whether it can be released in full.

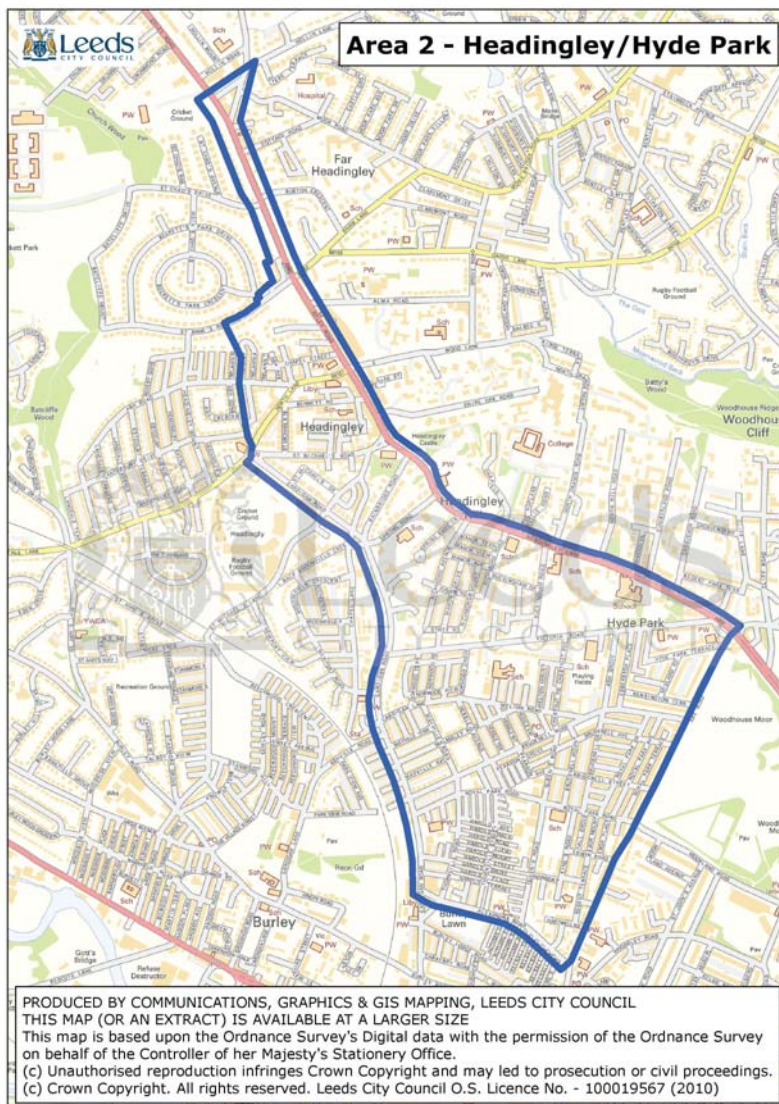
Area 2 – Headingley/Hyde Park

Summary of proposed changes

1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.
2. Increase the area to include the Hyde Park area.
3. Include variation applications within the scope of the CIP.
4. Change of name to reflect the increased area.

Proposed Text

Area 2 relates to the Headingley district of Leeds.



The Headingley cumulative impact policy was put in place in 2005 and has worked well in ensuring that the adverse effect of an accumulation of licensed premises in Headingley has not increased.

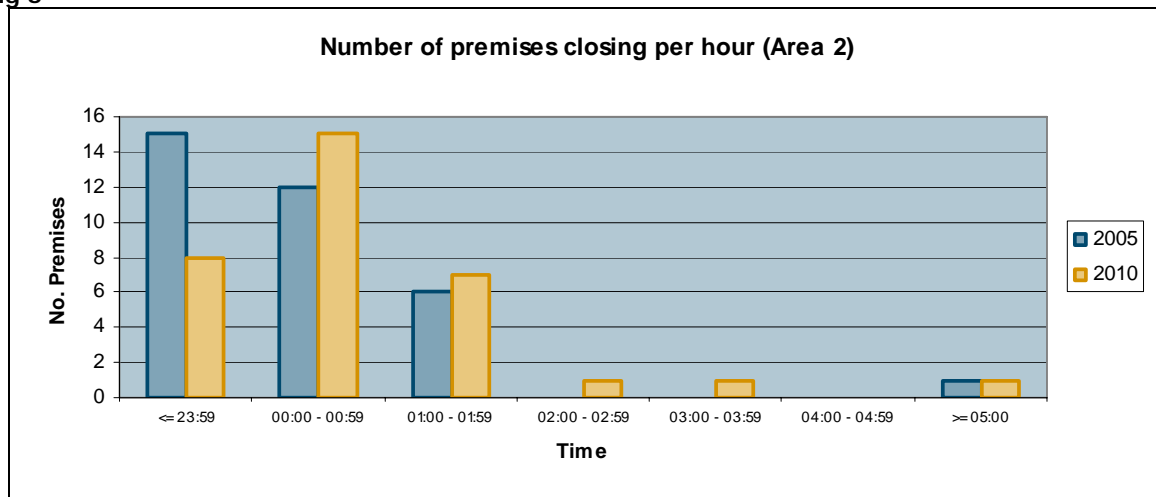
There have been ongoing problems, both public nuisance and anti-social behaviour in the Hyde Park area which can be attributed to licensed premises. For this reason the geographical area of the CIP has been increased to include the problem areas.

There is some evidence that the lengthening of the opening hours of premises has had an impact on the area. For this reason the scope of the policy has been increased to include variation applications.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

Fig 6



As Fig 6 shows, there has been a gradual 'creep' over the past 5 years with respect to the latest terminal hour for premises in Area 2.

Since 2005, there has been a 44% decrease in premises closing prior to midnight and a 33% increase in the number of premises closing after midnight, distributed between midnight and 5am. The net result is that, in effect, 7 more premises are closing after midnight than in 2005.

This correlates with residents concerns that some premises are very slowly increasing their hours by small increments.

Fig 7

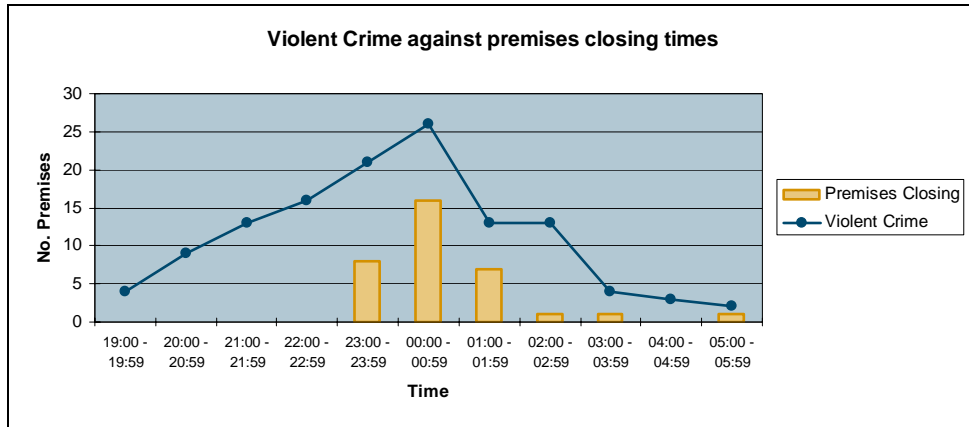
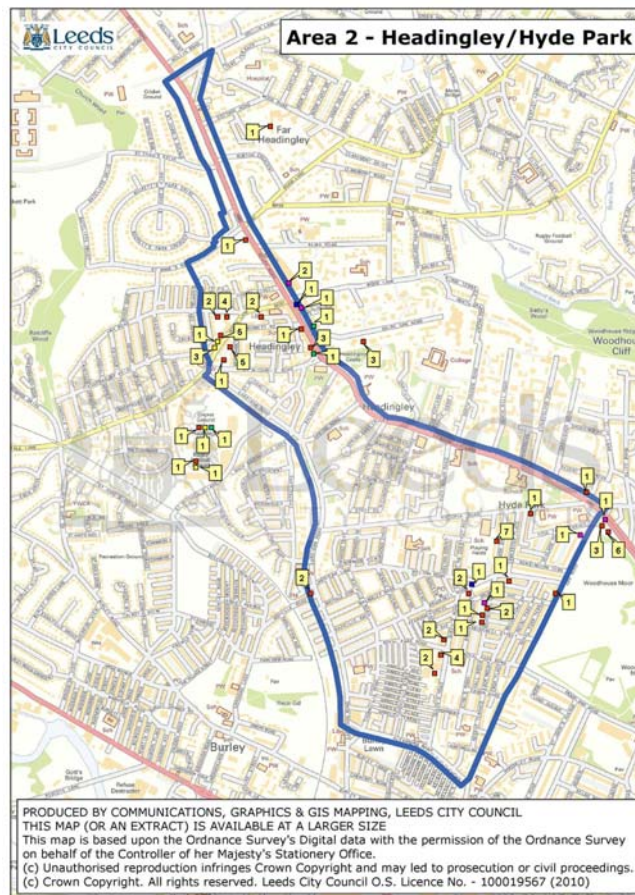


Fig 7 shows the number of violent crimes in the period between 1st May 2009 and 30th April 2010, compared to the total number of premises closing per 1-hour time slot on any given day of the week (as at 1st May 2010).

Although it would be difficult to attribute the violent crime incidents directly to licensed premises (with customers being outside the control of the premises management after closing), the peak times for violent crime incidents corresponds tightly to the volume of premises closing.

Taking this information in conjunction with that from Fig 6 above, it would be reasonable to assume that should the gradual creep experienced in Headingley so far continue, the violent crime would creep accordingly.

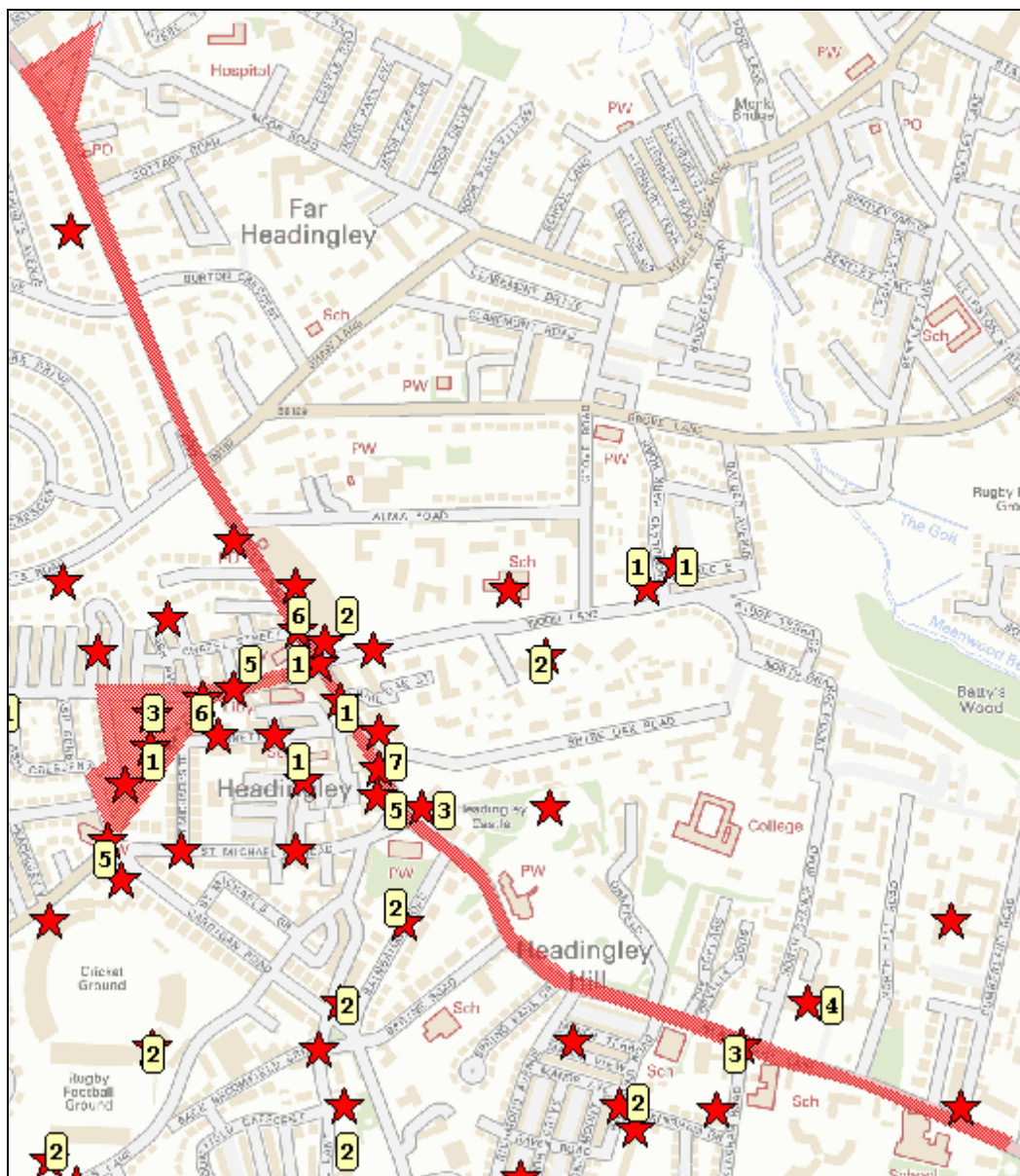
Fig 8



Nuisance reports in Area 2 (2005 – 2010)

Fig 8 shows nuisance reports received by Leeds City Council, relevant to licensed premises since 2005.

Fig 9



Violent Crime Offences (2009/10)

The above map shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

Fig 10

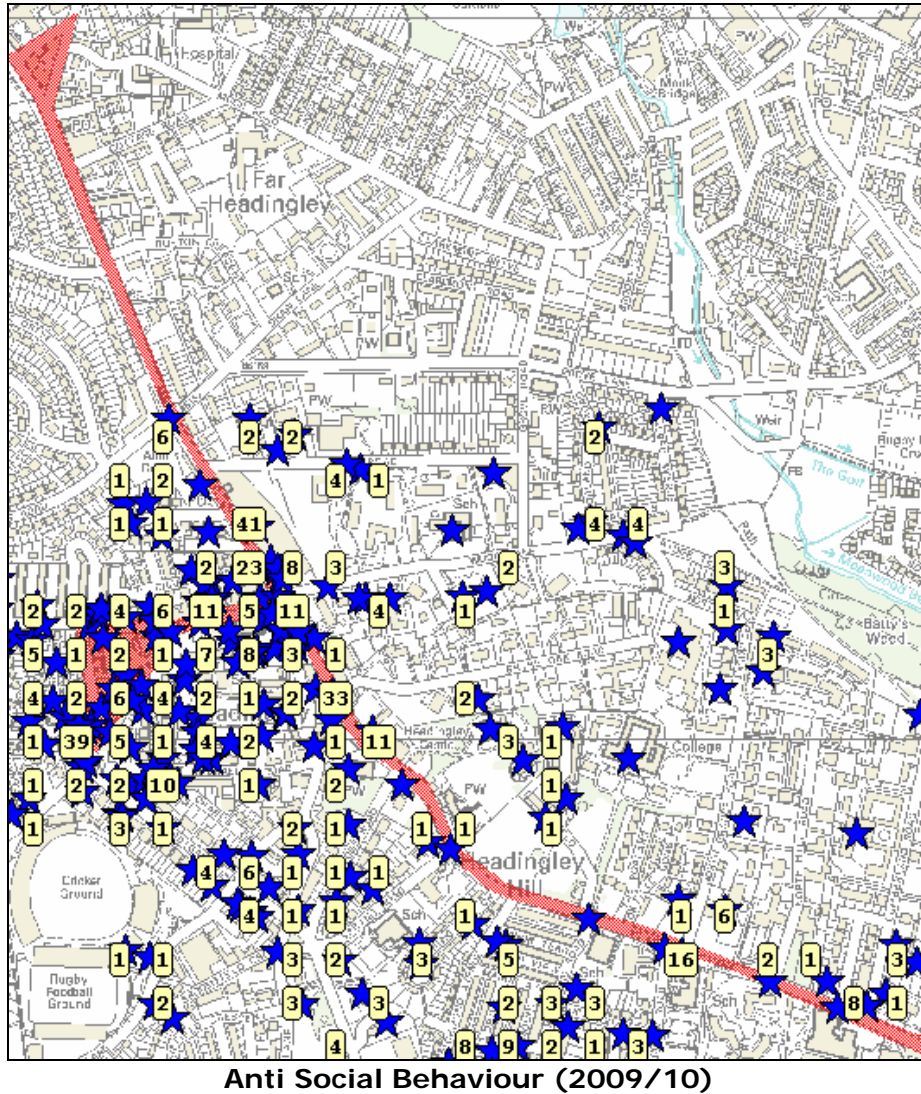


Fig 10 shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

As demonstrated above, the current focus of the CIP is around the central part of Area 2, and this continues to be a problem with respect to nuisance. Also, the area around Brudenell Grove & Hyde Park Corner has proven to be a problem spot for public nuisance and anti social behaviour, which correlates with residents concerns about this particular part of Area 2.

Area 3 – Woodhouse

There has been no change made to Area 3, other than a reduction in length so that it fits between Area 1 and 2, and a name change to remove the reference to Hyde Park (which now forms part of Area 2).

Area 4 – Chapel Allerton

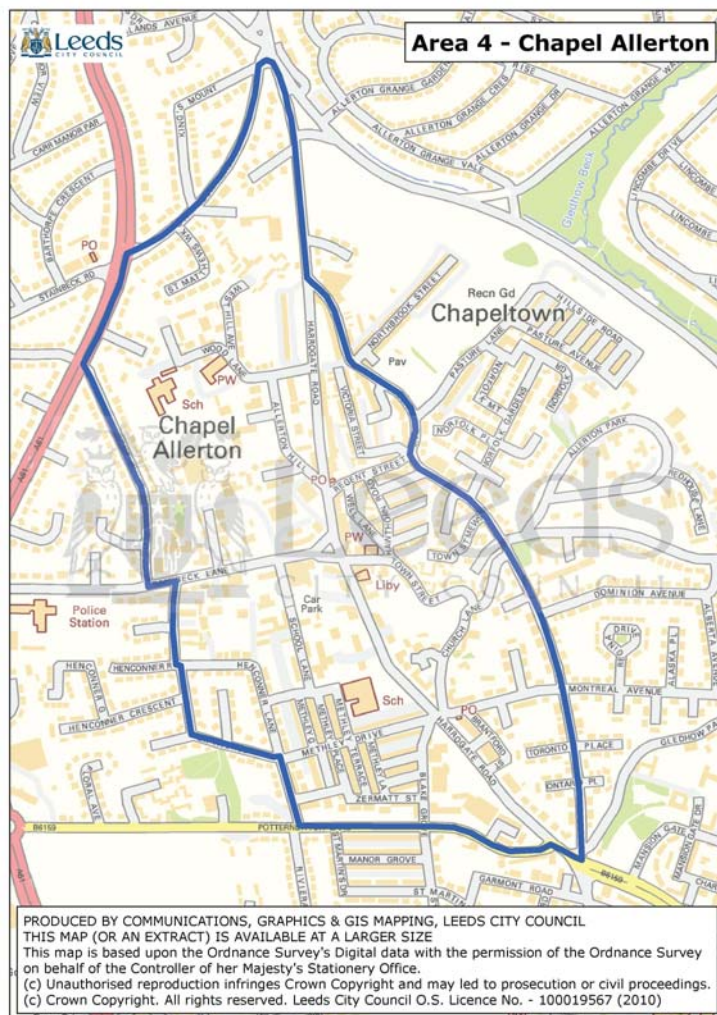
Summary of proposed changes

1. Add takeaways and variation applications within the scope of the CIP

Proposed Text

Area 4 relates to the Chapel Allerton district of Leeds.

Fig 11



The Chapel Allerton CIP has performed well in the four years since its inclusion in the Statement of Licensing Policy. However, over the past four years residents of Chapel Allerton have noticed an increase in the amount of takeaway litter. There is also a concern relating to premises applying to vary their licence to increase the licensed area of their premises. In some cases this includes altering conditions to allow the use of the outside area to facilitate smokers following the smoking ban. This has a knock on effect on nuisance issues.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

Fig 12

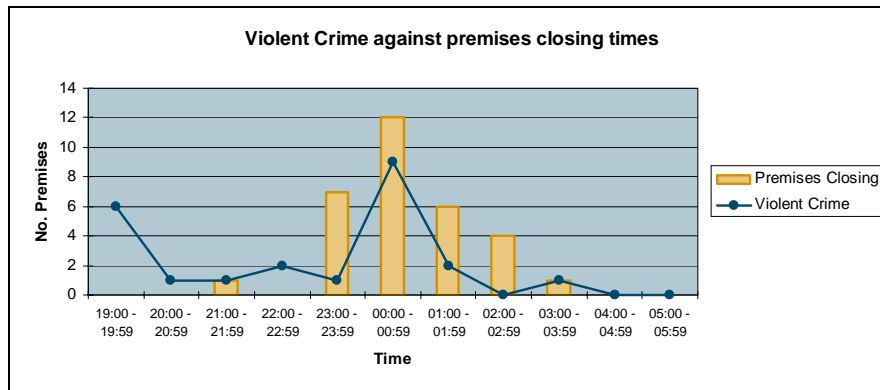
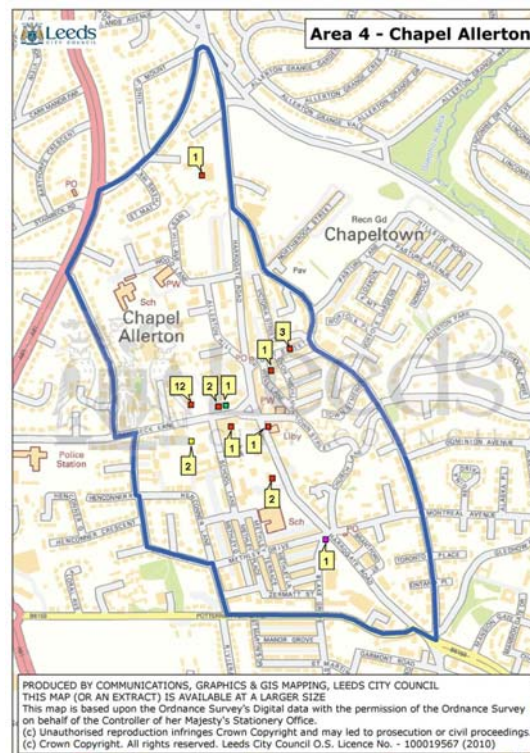


Fig 12 shows the number of violent crimes in the period between 1st May 2009 and 30th April 2010, compared to the total number of premises closing per 1-hour time slot on any given day of the week (as at 1st May 2010).

As with the comments against the same analysis for Area 2, it is difficult to attribute the violent crime directly to premises which have no control over customers once they have closed.

Although not as closely matched as the figures for Area 2, the above would still suggest that violent crime numbers are affected by the number of premises which close at a given time. Should the number of premises increase, or existing premises extend their hours, it would be expected that the violent crime would react accordingly.

Fig 13



Nuisance reports in Area 4 (2005 – 2010)

Fig 13 shows the number and location of nuisance complaints received by Leeds City Council relevant to licensed premises in Area 4 since 2005.

Fig 14

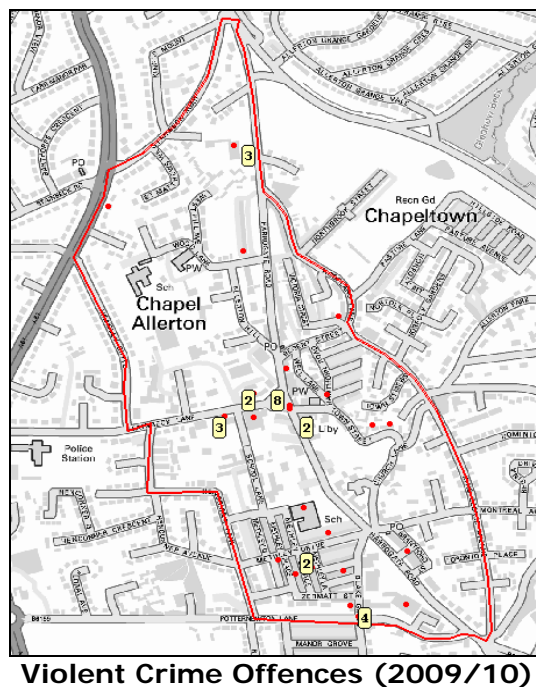


Fig 14 shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

Fig 15

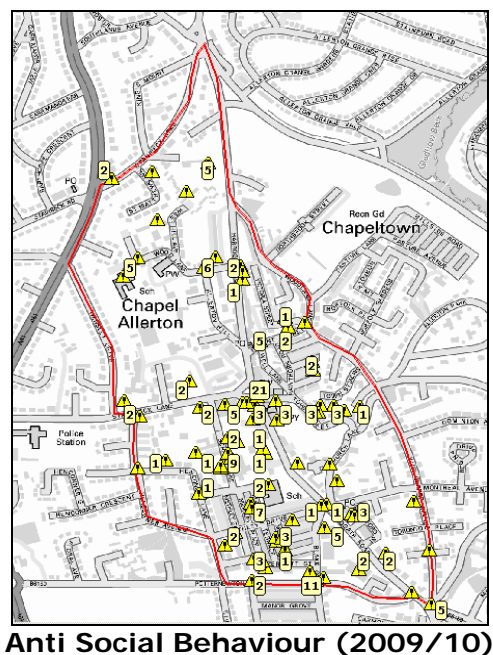


Fig 15 shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

As can be seen from the above three maps of Area 4, there is a clear concentration of nuisance and violent crime problems around the locations dominated by licensed premises, while anti social behaviour is prevalent in the entire of Area 4 – although still with a clear concentration in numbers around licensed premises.

Residents have raised concerns about premises making slight variations to their premises licences, which while individually seem relatively minor, collectively have a large impact on the area. Following further analysis, it has been found that since 2005 there has been 11 variations in Area 4, these can be summarised as follows:

- 4 applications to extend hours
- 3 applications to allow or alter activities in external areas following the introduction of the smoking ban
- 2 applications to increase structural size
- 1 application to remove redundant licence conditions

Area 5 - Horsforth

Summary of proposed changes

1. Increase geographical area to include New Road Side
2. Add takeaways and variation applications within the scope of the CIP

Proposed Text

Area 5 relates to the Horsforth district of Leeds centred on Town Street. It includes all areas inside the green boundary, but also the premises on the south side of New Road Side.

Fig 16

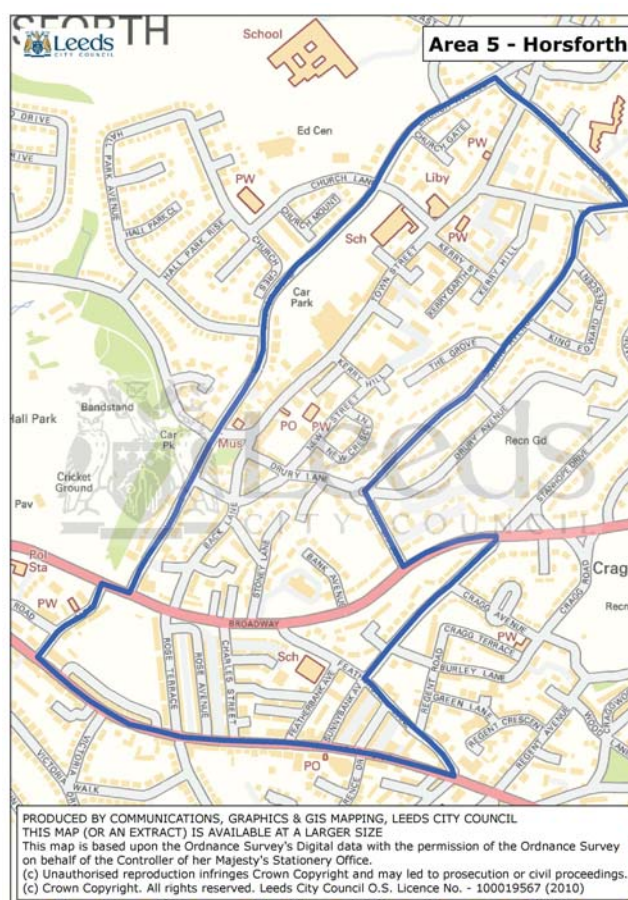
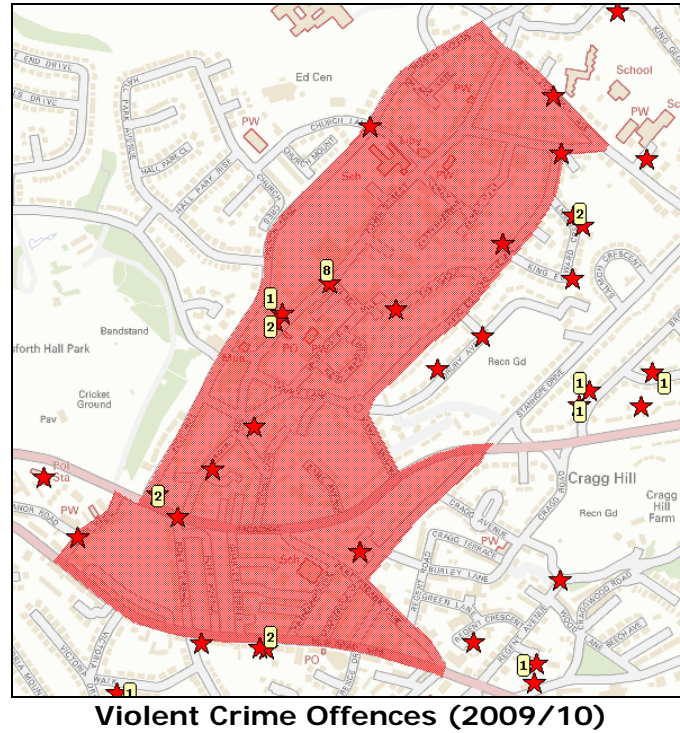
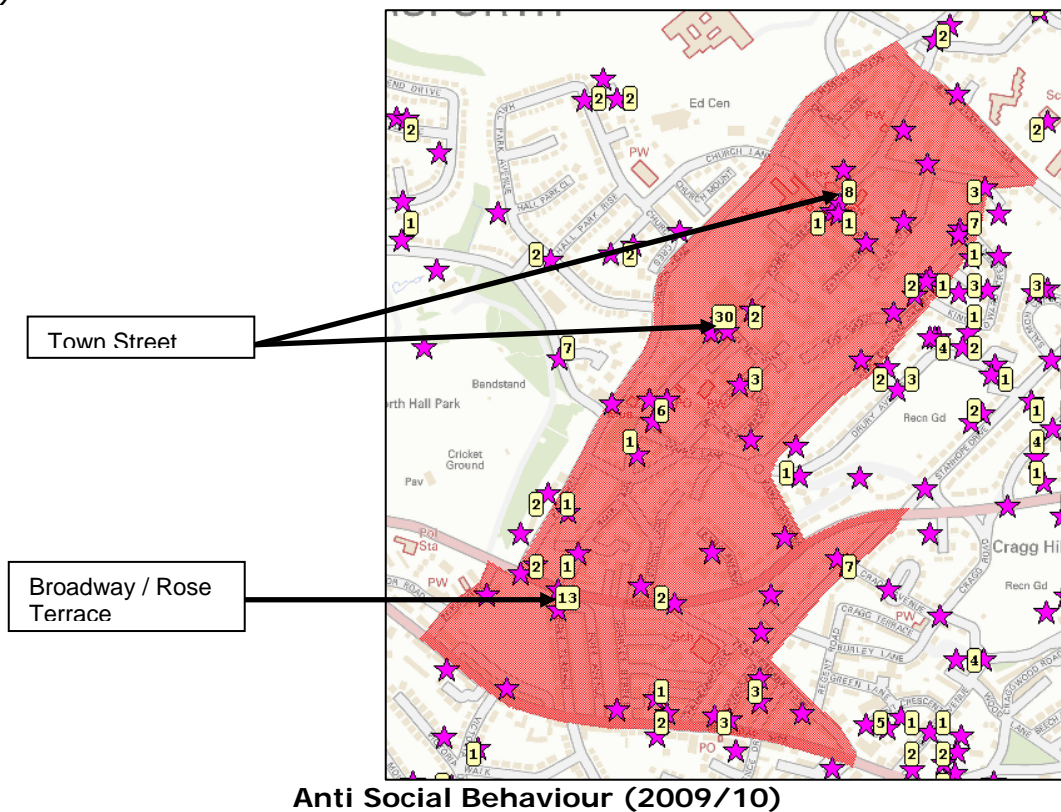


Fig 18



The above map shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

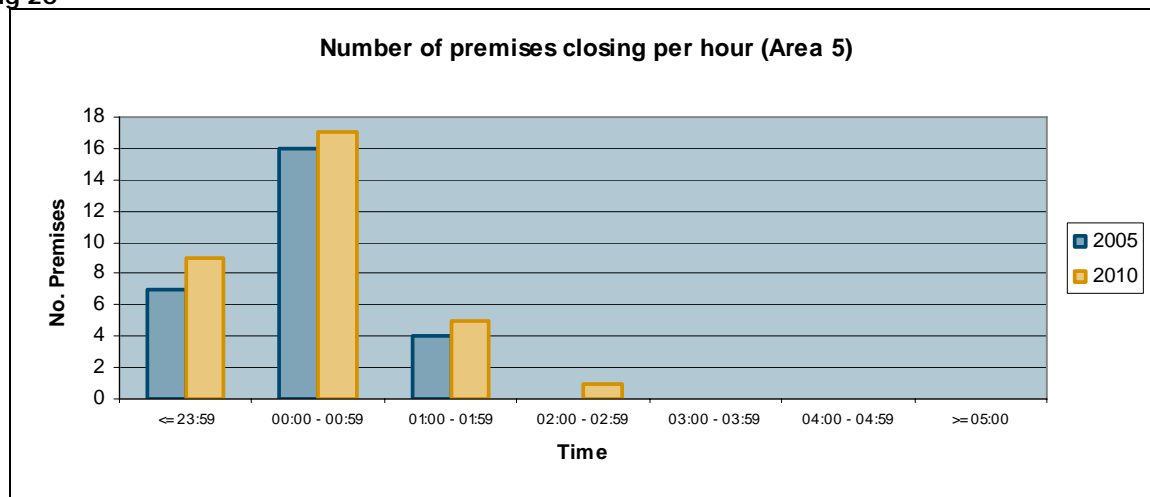
Fig 19



The above map shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

As can be seen from the above maps, there is a concentration of nuisance reports, anti-social behaviour and violent crime in the areas dominated by licensed premises. The concentration is less pronounced with violent crime however, is still apparent in the area around Town Street.

Fig 20



As Fig 20 shows, there has been a very slight and gradual increase over the past 5 years with respect to the number of premises and latest terminal hour for premises in Area 5.

In real terms the numbers are very small and can be summarised as – 2 extra premises which close prior to midnight, and 1 extra premises each for the three following 1 hour time slots. Unlike Area 2, these are not premises which have, in effect, moved their hours later, but rather extra premises on top of what already existed.

While the actual numbers are small, this is to be expected as Area 5 is geographically a small area, where one premises can make a large difference.

Even with reduced numbers, the pattern of increased numbers of premises opening later is evident. Overall, Area 5 now has three more premises open beyond midnight than it did in 2005 (15% increase) – echoing the concerns of local residents that premises are very slowly increasing their hours by small increments.

NB: The above analysis includes the proposed area around New Road Side, as this is an area of concern for residents, and also is the focus of a good proportion of the nuisance complaints.

Final Changes

During a final review of the policy at the end of the consultation, there were a small number of minor changes identified.

Excessive Consumption of Alcohol/Binge Drinking

It was noted that the section on Drinks Promotions is now out of date due to the introduction of new mandatory conditions in the Act. Therefore the section 6.18 to 6.24 was replaced with the following and subsequent paragraphs renumbered:

- 6.18 The council is acutely aware of the link between the supply of alcohol, that is subject to certain promotions and the possibility of resultant incidents of alcohol

related crime and disorder and implications for public safety, public nuisance and the risk of harm to children.

- 6.19 The council also recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an indirect impact on public health.
- 6.20 The British Beer and Pub Association states that a promotion is irresponsible where it encourages or incites individuals to drink to excess, behave in an anti-social manner or fuels drunkenness. The council as Licensing Authority will use the powers contained within the Licensing Act to ensure operators' promotional activities do not undermine the licensing objectives.
- 6.21 From April 2010 new mandatory conditions came into effect which:
- Ban irresponsible promotions;
 - Ban the dispensing of alcohol directly into the mouth; and
 - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.22 The legislation makes it clear that an irresponsible promotion is one that is "carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children".
- 6.23 As a consequence any premises which participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council's "Leeds Responsible Authority Liaison and Joint Enforcement Protocol - Licensing Act 2003" which is available from the Leeds City Council website.
- 6.24 The council expects applicants to consider the issues relating to the irresponsible drinks promotions when completing risk assessments or operating schedules.

Area 3 – Woodhouse

The following paragraph was removed as it refers to the work undertaken for the previous policy.

- 7.28 The most recent evidence and public consultation responses gathered in respect of Area 3 shows that the A660 corridor still experiences a greater proportion of alcohol related crime and antisocial behaviour than the rest of the Hyde Park/Woodhouse area. The police attribute this trend to the high concentration of licensed venues in the area. There are also worrying signs that displacement of problems may be taking place as evidenced by the strong responses received during the consultation process about public nuisance problems and alcohol fuelled anti social behaviour and criminal damage.

Minor typographical errors were corrected, including altering the wording on the CIP policy slightly to provide consistency with the rest of the report, i.e. "their application would not impact on the cumulative impact of such licensed premises" to "their application would not add to the cumulative impact of such licensed premises".

Consultation Responses

Questionnaire Responses

Statement of Licensing Policy - Main Body

After an officer review of the policy we added three new paragraphs as detailed on page 6 of the Public Consultation Report (note: the changes can be found on pages 6,7 & 8 of this report).

Question 1 - Do you have any comments to make about the addition of these three paragraphs.

1. Good and are better.
2. No.
3. It is good that some flexibility can be built in to allow community and church venues to hold functions with occasional licences without undue restriction and complexity. We feel that the ability to vary and review licences quickly and cheaply is beneficial as long as the necessary controls are observed. An age verification policy and its enforcement is also essential.
4. Useful - adds further clarity.
5. We support the changes regarding Community Halls and Age verification but object to the proposals to widen the scope of minor variations - we feel that the last is a "back door" way of extending licences and should be very strongly controlled, with appropriate opportunity being given for representations to be made by local people and interest groups.
6. Age verification certainly needs to be as unambiguous as possible. If regulations are simplified for communities and related bodies then the changes are sensible.
7. I think they are very sensible...
8. I think you mean under 25
9. No, they seem sensible
10. Pleased about community halls especially as this is problematic having one named person. The management committees will be in favour of this I should think.
11. The North Hyde Park Neighbourhood Association has no comment on the first two additions and welcomes the third.

Comments: Regarding response no. 5. the change relating to Minor Variations explains the new secondary legislation that came into effect in 2009 and allows premises to make an application to change terms on their licence which will not adversely impact on the four licensing objectives. Any application made under the minor variation process which affects the licensing objectives is rejected as not being within scope of this process. However applicants must still advertise the application by way of a site notice, and this allows members of the public to make comments on the application should they wish to.

Action: None

Section 7 - Cumulative Impact Policies

We have reviewed the introduction to the section on Cumulative Impact Policies (Page 6 of the Public Consultation Report and detailed in page 6 of this report). We wanted to provide some clarity about what cumulative impact policies are. Starting at the bottom of page 6 of the Public Consultation Report (titled Section 7 – Cumulative Impact Policies) we have listed each of the paragraphs we have deleted and those that have been added. If this isn't easy to understand you might like to look at this section in the draft policy.

Question 2 - Do you have any comments to make about the new wording?

1. It is better.
2. No.
3. The new wording in 7.9, 7.11 and 7.12 is good because it gives greater clarity. The new wording in 7.4 - 7.8 does give a fuller explanation of the aims and objectives of the process and the responsibility of the applicant and interested parties.
4. 7.9 Area 2 should be "Headingley /Hyde Park", Area 3 should be "Woodhouse Corridor".
5. We support the new wording but the key is the application of the policies which are discussed here.
6. No comment
7. No
8. No comment
9. Overall we welcome the new wording, particularly the first paragraph (7.4)
10. Page 6 of the document doesn't provide any information on changes so I can't answer this.

Comments: None

Action: Change applied to policy

The council has made a number of changes to the Cumulative Impact Policies (CIPs). These policies seek to reduce the impact of licensed premises on specific areas.

Area 1 – City Centre

This CIP area has been increased to move away from specifying streets to a boundary around the city. This now includes the three crime hotspots in the city plus an area which has seen increased growth over the last 5 years. A map of the area can be seen on page 9 of the Public Consultation Report.

Question 3 - Do you think moving away from specifying streets to a boundary type area is the right thing to do and why?

1. This is better to have a boundary.
2. Yes - easier to understand.
3. This is very sensible as it makes the scope of the CIP simpler to operate for all parties, removing the possibility of loopholes.
4. No comment.
5. Agreed as this brings buildings, yards, "smoking areas" and back streets within the scope of the Act.
6. Yes. The change means that the consequences of anti-social and related behaviour that spills over to side streets and more secluded corners can be contained within the terms of CIP.
7. We have no comments on this section
8. Yes - avoids the risk of problems simply moving to neighbouring streets which are not in the CIP
9. Yes, because it should be easier to prevent future problems in areas which are over populated with bars.
10. Yes. People don't particularly stick to one street when drinking. It doesn't mean that some streets are safe and others not. More that an entire area has problems and needs help.
11. Yes. Consumption of alcohol on public streets, especially in the city centre should be illegal and strict penalties enforced.

Comments: None

Action: Change applied to policy

The scope of the city centre CIP has been increased to include all premises licensed for the sale of alcohol and remove the restriction that the CIP only applies to late night vertical drinking establishments. The new wording can be found on page 10 of the Public Consultation Report (or page 10 of this report).

Question 4 - Do you agree with this change?

1. Yes because you now include food establishments open after 11pm.
2. Yes.
3. Yes, absolutely. It removes doubt and uncertainty over vague definitions and arbitrary opinion.
4. Yes.
5. Agreed.

6. Definitely. Despite many locations being designated as a “public place” there is plenty of evidence of drinking on the streets at night - with consequent damage, litter etc.
7. No comment.
8. We welcome this change.
9. Yes
10. Yes
11. Yes

Comments: None

Action: Change applied to policy

The previous CIP only referred to “applications” and left it unclear if both brand new applications and applications to vary an existing licence were included. The CIP wording now includes a reference to new and variation applications.

Question 5 - Do you agree with this change and do you have any comments?

1. Yes because it now includes applications to vary an existing licence.
2. Yes. Variation to a licence can be dealt with without time and effort spent on ground already covered.
3. Once again, this is a victory for clarity, simplicity and removes argument and loopholes. It also helps to prevent a “creeping” licensing laxity using variation.
4. Yes.
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.
6. Insofar that variations can make significant additional pressures (particularly extending the hours of potential nuisance) it is important to be able to distinguish the further encroachment by stealth.
7. Agree.
8. We agree with this change.
9. Yes.
10. Yes, makes it clearer.

Comments: None

Action: Change applied to policy

Area 2 – Headingley/Hyde Park

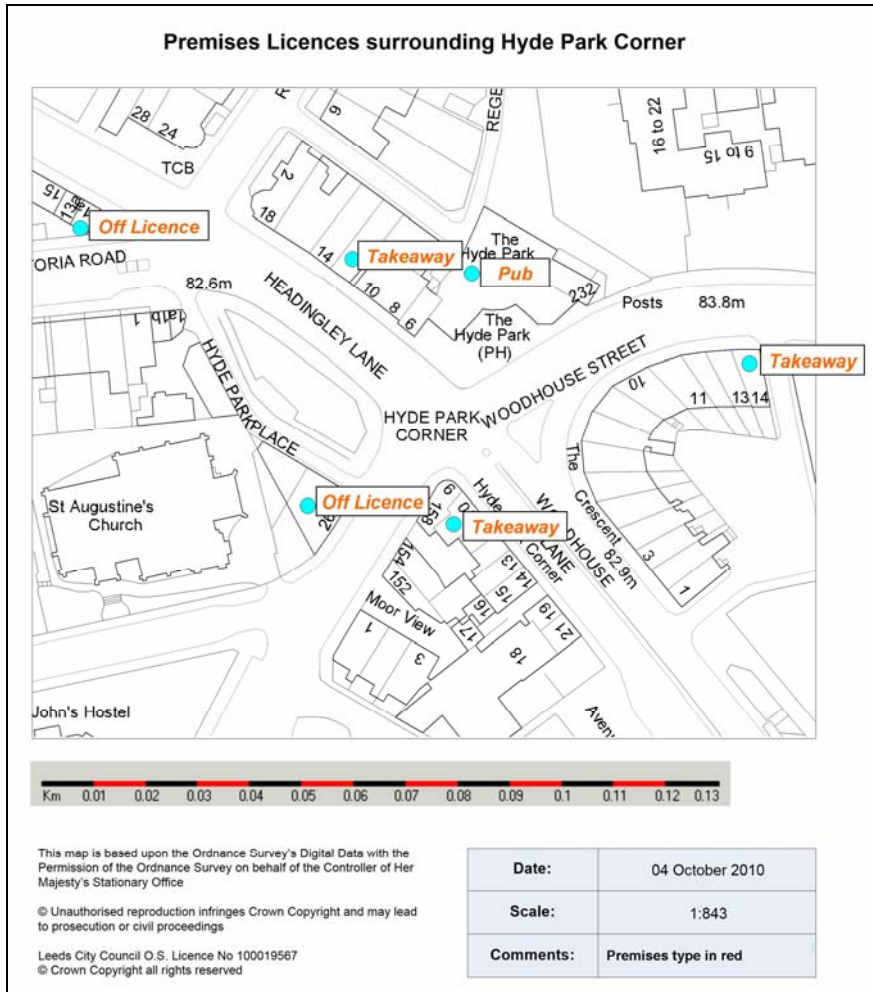
The CIP has been changed to move away from defining the area by named streets, and move towards defining the area by a boundary line. It has been increased to include the Hyde Park area. A map of the new area can be found on page 13 of the Public Consultation Report.

Question 6 - Do you agree with this change and why?

1. Yes because it is an area issue.
2. Yes it should not have been excluded in the first place.
3. Yes, the evidence provided suggests that the problems associated with Headingley are also present in the Hyde Park area, and so the same controls should exist. Again an area boundary makes things simpler.
4. No. The Crescent, the Old Post Office and 9-14 Hyde Park Corner have not been included. Fig 8 (Page 15, Public Consultation Report) shows 10 nuisance reports (2005-2010) in the excluded area. It is illogical not to include these - if only to be fair to those that are. It is one coherent area and should be treated so.
5. Agreed as this brings buildings, yards, "smoking areas" and back streets within the scope of the Act. We welcome this change. However we believe that the defined area should include streets north of Headingley Lane and particularly that it should encompass the whole area round Hyde Park Corner where there are retail premises, restaurants and bars. This would include part of Woodhouse Street, The Crescent, part of Hyde Park Road and part of Woodhouse Lane.
6. As 3 above
7. Yes otherwise the bars will dominate and other commercial activity may decline.
8. Yes, it is clearer and easier to enforce. My only concern is whether areas north of Headingley Lane should also be included to minimise the risk of proposals for new licences in this area.
9. Yes, I've been through the area at time and have felt unsafe.

Comments: Comments regarding Hyde Park Corner were also made at the public meeting held in Headingley. Hyde Park Corner is currently included in the Woodhouse CIP, but it is recognised that the wording of that CIP is not appropriate to the problems experienced in this small area.

In the area north of Headingley Lane, there are no licensed premises (except for the University), and therefore it would not be appropriate to include it in a cumulative impact policy. However it is recognised that there are problems with public nuisance in this area. Licensed premises in the Headingley CIP area may be contributing to the public nuisance.



Action: The map of the area (above) shows the area described in the comments. This area will be included in the Headingley/Hyde Park CIP and excluded from the Woodhouse Lane CIP.

The scope of the CIP has been increased to include applications made to vary an existing licence, as well as new applications. It includes applications from premises seeking late night refreshment, such as takeaways and late opening restaurants.

Question 7 - Do you agree with this change and do you have any further comments?

1. Yes.
2. Yes - control of nuisance.
3. Agree with this change.
4. Yes.
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.

6. There is a massive impact from every type of activity involving eating, drinking and entertainment so it is logical to include variations which constitute further encroachment on local communities.
7. Very strongly - these premises often seek both to extend opening hours and to get round current restrictions to the detriment of local residents and it is important that the CIP is extended to include them
8. We strongly support this change.
9. Yes, agree with the change.
10. Yes, no further comments.

Comments: None

Action: Change applied to policy

Area 3 – Woodhouse Corridor

During the consultation with ward members and the official bodies (i.e. the police etc), there were no comments made about the Woodhouse Corridor CIP. This CIP was originally included in the policy as it bridged the gap between the city centre CIP and the Headingley CIP. Therefore no changes have been made other than to alter the name and to reduce the size to fit between Areas 1 and 2.

Question 8 - Do you have any comments to make about the Woodhouse Corridor CIP?

1. No comment
2. No
3. No comment
4. No
5. Agreed.
6. There seems to be an implication that the various premises on Woodhouse Lane between Clarendon Road and the inner ring road do not have a significant consequence in the context of CIP.
7. No comments
8. No

Comments: None

Action: Change applied to policy

Area 4 – Chapel Allerton

The geographical area covered by the Chapel Allerton CIP hasn't been changed, however the scope of the CIP has been altered to include takeaway premises and applications to vary existing licences. Details can be found on page 18 of the Public Consultation Report.

Question 9 - Do you agree with this change and do you have any comments?

1. This is good policy - the new proposals
2. Yes
3. We welcome the inclusion of variations to licences as this will help to prevent creeping licensing laxity. The inclusion of takeaway premises is agreed. These can be a source of litter and, as they increasingly request late night opening, perpetuate noise and nuisance.
4. Yes
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.
6. It seems logical that the same terms apply to this area as others.
7. Agree with the change, no further comments
8. I'd include all areas of the city!
9. We have no comments.

Comments: None

Action: Change applied to policy

Area 5 - Horsforth

The Horsforth CIP has been amended to include New Road Side. It was recognised that this area should have been included in the original CIP. Not only have there been a number of nuisance complaints relating to licensed premises in the area but it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. A map can be found on page 23 of the Public Consultation Report.

Question 10 - Do you agree with this change?

1. Yes
2. Yes
3. Yes, agreed.
4. Yes
5. Agreed.

6. Yes
7. We have no comments.
8. Yes.
9. Yes

Comments: None

Action: Change applied to policy

The scope of the CIP has been increased to include takeaways and applications to vary existing licences.

Question 11 - Do you agree with this change?

1. Yes
2. Yes
3. Yes, as takeaways, especially those with late opening hours go hand in hand with late night drinking establishments.
4. Yes
5. Agreed - it is essential that variations should be subjected to the full test against CIP Parameters.
6. Yes
7. We have no comments.
8. Yes
9. Yes

Comments: None

Action: Change applied to policy

Question 12 - Any other general comments

1. The area of Street Lane, Roundhay, must be watched - the various food/licensed premises and possible more so the issues this brings.
2. No comment
3. It is unfortunate that we all have to go to all this trouble and expense to control, monitor and police, when (apart from the city centre where there is some justification) the root cause of most of the problems is drinking licences which go beyond midnight in areas which are principally residential/suburban shopping centres i.e. Headingley, Chapel Allerton and Horsforth.

4. A helpful step forward, but please include the whole of Hyde Park Corner in Area 2.
5. Further to the publication of the draft Statement of Licensing Policy 2011-13 and associated documents, the Leeds Civic Trust has considered the content and wishes to make the following comments:
 - we support the Licensing Objectives as set out under the Act:
 - the prevention of Crime and Disorder
 - Public Safety
 - the Prevention of Public Nuisance
 - the Protection of Children from Harm
 - we welcome the various changes to the boundaries of the Cumulative Impact Policy areas and the definition of premises to be included (eg 'high volume vertical drinking establishments')
 - we note that in the outer areas, the representations made by local people ensure that a large proportion of applications are refused and those that are granted subject to conditions are generally well monitored (by the local community and/or City Council officers)
 - however, we note that almost no applications get refused in the City Centre (only 3 refusals in 6 years) which is likely to be due to the lack of concerned people to object – it seems that an application will almost always be given permission, unless a hearing is triggered by at least one objection from an "interested party" as defined by the Act
 - as this is usually limited to a person living or owning a business nearby, even when there are multiple concerns from, say, the Police, environmental health and neighbours, these will not prevent an application being granted – potential issues will be dealt with by adding "conditions" to the license
 - conditions may be appropriate if there was a strong regime of inspection but we understand that premises may be visited only once every 3 to 5 years – as Leeds has 2,700 licensed premises and only 7 enforcement officers, the system is inadequate
 - we are concerned over the application of Section 19 Notices and Summary Reviews – we understand that there have been only 4 of these since 2007 and only one has resulted in the surrender of the license
 - while the Police can issue "Closure Notices", we understand that they have done so only once in the last two years – how is it that all the newspaper reports of repeated drugs and sexual offences in Leeds clubs have not resulted in closures?
 - we also have concerns over the application of "Variation Applications" and "Temporary Event Notices" as these can allow 24 hour street parties or overnight events in city centre bars – it seems that no permission is required from the Council, only the Police can intervene to prevent such an event (which they rarely do) and even immediate neighbours cannot comment (even if they manage to find out about an application in advance), so allowing badly behaved bar or club managers to make life a misery for nearby occupiers with almost no risk to their business.

We appreciate that much of the difficulty with licenses is due to the Act, something which is beyond the scope of this consultation. However, in making representations to government and if the localism agenda allows more local flexibility, we believe that there should be no presumption for the granting of a license, as at present. The position should be reversed. Applicants should have to demonstrate that their proposal will make a positive contribution to the licensing objectives and that it will generally enhance the area. In our view, yet another bar in a CIP area is very rarely

likely to help the licensing objectives in that area and licensing lawyers who argue that for their clients are being disingenuous. There should be a licence hearing in every case, where all concerns are examined, not only when triggered by a "representation". The present system is weighted too much in favour of the applicant. We also feel that "Minor Variations" are a relaxation which would be almost impossible for neighbours to monitor, or object to.

Turning back to the issue of licensing in the City, we accept that a lively night life is desirable and an important part of the success of the night time economy. However, there do appear to be too many licensed premises, especially in the city centre, which has led to lack of adequate control and bad behaviour – the area has become a no-go zone for many residents and this could impact upon other initiatives to enhance the cultural offer eg the Arena.

Leeds Civic Trust also has concerns about noise nuisance near current or future residential property – this will continue to be an issue as we continue to encourage city centre living. Unfortunately, the drinking culture in Britain is such that the two uses are not compatible in most locations. In practice, nearness to residential accommodation is not a reason to refuse an application but just to condition some sound proofing – that is generally an inadequate answer as most noise comes from outside licensed premises.

To summarise, we generally support the policy review but are concerned that, on its own, this will make very little difference to the position in the city centre. However, we do feel that, particularly with regard to the city centre, more licenses should be refused, that conditions attached should be stronger and (most importantly) there should be more inspection and enforcement. It should not be up to the public to know about and enforce licence conditions, although a comprehensive information system should be provided for those that are interested.

6. I'd include all areas of the city and all premises, to be honest.
7. Leeds has a massive problem with alcohol, especially in the city centre. There is no need for new/additional licensing of premises for sale of alcohol. Sale to minors is currently commonplace and will only be addressed if strict penalties (such as heavy fines and withdrawal of licence, as in USA) are enforced. The police must be supported in dealing with persons drunk and disorderly and heavier penalties should be applied in order to discourage nuisance drinking. Consumption of alcohol in the public streets should be made illegal and this should be enforced.
8. No
9. We generally welcome the tightening up of the current policy, its extension in our Association's area and the greater clarity on premises and applications to which it applies. We believe the policy is generally beneficial to local residents and wish to see it properly and effectively implemented and enforced.

Comment: Regarding comment no. 5 please see the response made to Letter 5 below.

In general the above comments deal with concerns that are outside of the scope of this policy. However the licensing authority does recognise there are concerns about alcohol related anti-social behaviour, underage sales and late night sale of alcohol. The council's enforcement team have a clear policy on licence breaches and take a clear and proportional response to specific issues as they are raised by members of the public and partner agencies. The council works closely with West Yorkshire Police and the other responsible authorities to ensure a consistent approach.

Action: No further action taken.

Other comments via email or post, not submitted via a questionnaire:

Letter 1 - member of the public

I note the draft Statement of Licensing Policy 2011-2013 says on page 4 that:

“Any decision taken by the Council in regard to determination of licences, certificates and notifications should aim to promote the licensing objective which are

- * Crime and disorder
- * Public nuisance
- * Public safety
- * Protection of children from harm”

This reads as though promoting crime and disorder, and promoting public nuisance are objectives of the policy! May I suggest that it would be better to say that the objectives of the policy are “preventing crime and disorder” and “preventing public nuisance”

Response: Agreed - Change wording to reflect this and the wording in the Licensing Act 2003.

Action: Wording changed.

Letter 2 - Parish Council response

The only comment the xxx Parish Council would make is that it would wish to be given notice of, and the opportunity to respond to, any application relating to premises within or close to the Parish boundary.

Currently I receive notice electronically of all licensing applications received by the Authority, and I appreciate this, even though the vast majority are of little relevance. It does mean that I should pick up any application that is relevant, but if it possible to require that the Parish Council is given notice of those applications that are relevant, that should ensure no application is missed.

When determining licensing policy for Leeds, it is important to bear in mind that Leeds is a cosmopolitan mix of urban and rural locations, each of them with their own characteristics. A common policy, of one size fits all, is not appropriate. The Policy should be determined for a particular area.

Response:

The Licensing Authority is aware of the difficulties that parish councils face, especially in relation to making responses to licence applications as parish councils are not specifically described as interested parties. Parish councils can respond to licence applications but only as a body representing those living in the area which must mean the initial approach must come from a person living in the vicinity of the premises. Parish councils are not able to respond in their own capacity. It would require a change in primary legislation to change this situation which is outside of the scope of the Licensing Authority.

The Licensing Authority advises parish councils of all licence applications at the same time as it advises ward members and other interested persons who are included on the circulation list, such as residents associations etc. It would be time consuming and impractical to only advise parish councils of premises in and near their areas taking into consideration the number of applications that are received.

The licensing authority does appreciate the diverse nature of the communities in Leeds and this is reflected in the policy. In particular, areas which experience the cumulative impact of licensed premises are dealt with separately with their own cumulative impact policies. However it would be impractical to produce a separate policy for each area based on geography, culture or demographics.

No action required.

Letter 3 - Ward Member

In reference to Chapel Allerton - this has been reasonably successful but there is still too much litter and noise but this would have been worse without the policy. Can takeaways be included as they cause the majority of the litter?

Response: Takeaways have now been included.

Action: None

Letter 4 - Local resident

I cannot attend the event but would like to submit the following comments, as though I live at West Park the Headingley area is effectively my local shopping and entertainment area.

- 1) Please do not throw the baby out with the bath-water, as I believe that it is the student 'watering holes' that are problematical. For instance there is now a good restaurant/café scene in the area, from Headingley through Far Headingley and up to West Park, and I would hate to lose them and any future openings stopped due to tightening of licensing restricting this kind of trade. Particularly I would think it a great shame if those places with street café licences, where the main intention is to eat and drink with the emphasis on eat, are restricted due to no fault of their own, as they add colour and a balance to the drink to excess boozing monoculture promoted by the student pubs.
- 2) The one pub in the area, Arcadia, that is more to the taste of locals, usually older and more sensible, and caters accordingly with good beer, food and a lack of loud music, as above, shouldn't be caught up in a necessary clamp down on boozing and nuisance as they do not contribute to the problem.
- 3) Per the so called student pubs, not only do they contribute to noise nuisance and the rubbish problem when their customers have been into the takeaways, there is also the ongoing problem of the hire cars touting for trade, specifically outside The Box, The Skyrack and The Original Oak. Not only is this a nuisance and a potential danger on an evening, this is also a problem on weekend afternoons and many times public transport is impeded in its progress through the area.
- 4) I'm not sure if you can do anything regarding this point but I believe that another contributory factor to the problems in the area arising from student drunkenness is the Sainsbury's supermarkets selling cheap booze at all hours. Therefore, while I'm not sure you can restrict the hours of trade selling drink, a lot of the time students are going in getting the cheap booze and then appearing later back in Headingley well and truly sloshed and then 'topping' it up at the pub, and some responsibility should be born by Sainsbury's.

Thank you for this opportunity to make my views known.

Response: The CIP is not an automatic refusal of all licence applications. It presumes refusal but only in cases where there have been objections. As such any premises which are well managed and do not add to the cumulative impact of licensed premises in the

area would either be supported by a good case made by the applicant, or not receive representations.

The banning of selling alcohol cheaply is outside of the scope of this policy, however the Licensing Authority is aware of the issues of "pre-loading". It supports the banning of below costs sales and/or minimum pricing of alcohol but recognises this is a matter for the government to address.

Action: None

Letter 5 - Parish Council

Our response is similar to the response from Leeds Civic Trust, as consideration of the Statement of Licensing Policy 2011-13 was done in co-operation between the two bodies.

Further to the publication of the draft Statement of Licensing Policy 2011-13 and associated documents, xxx Parish Council has considered the content and wishes to make the following comments:

- we support the Licensing Objectives as set out under the Act:
 - the prevention of Crime and Disorder
 - Public Safety
 - the Prevention of Public Nuisance
 - the Protection of Children from Harm
- we welcome the various changes to the boundaries of the Cumulative Impact Policy areas and the definition of premises to be included (eg the removal of references to "high volume vertical drinking establishments")
- we note that in the outer areas, the representations made by local people ensure that a large proportion of applications are refused and those that are granted subject to conditions are generally well monitored (by the local community and/or City Council officers)
- however, we note that almost no applications get refused in the City Centre (only 3 refusals in 6 years) which is likely to be due to the lack of concerned people to object – it seems that an application will almost always be given permission, unless a hearing is triggered by at least one objection from an "interested party" as defined by the Act
- as this is usually limited to a person living or owning a business nearby, even when there are multiple concerns from, say, the Police, environmental health and neighbours, these will not prevent an application being granted – potential issues will be dealt with by adding "conditions" to the license
- "conditions" may be appropriate if there was a strong regime of inspection but we understand that premises may be visited only once every 3 to 5 years. We accept that some inspections are made, but we consider that, as Leeds has 2,700 licensed premises and only 7 enforcement officers, the system is inadequate.
- we are concerned over the application of Section 19 Notices and Summary Reviews – we understand that there have been only 4 of these since 2007 and only one has resulted in the surrender of the license
- while the Police can issue "Closure Notices", we understand that they have done so only once in the last two years – how is it that all the newspaper reports of repeated drugs and sexual offences in Leeds clubs have not resulted in closures?
- we also have concerns over the application of "Variation Applications" which can gradually cause greatly extended hours of operation, and "Temporary Event

Notices” as these can allow 24 hour street parties or overnight events in city centre bars – it seems that no permission is required from the Council, only the Police can intervene to prevent such an event (which we understand they rarely do) and even immediate neighbours cannot comment (even if they manage to find out about an application in advance), so allowing badly behaved bar or club managers to make life a misery for nearby occupiers with almost no risk to their business.

We appreciate that much of the difficulty with licenses is due to the Act, something which is beyond the scope of this consultation. However, in making representations to government, and if the localism agenda allows more local flexibility, we believe that there should be no presumption for the granting of a license, as at present. The position should be reversed. Applicants should have to demonstrate that their proposal will make a positive contribution to the licensing objectives and that it will generally enhance the area. In our view, yet another bar in a CIP area can never really help the licensing objectives in that area and licensing lawyers who argue that for their clients are being disingenuous. There should be a licence hearing in every case, where all concerns are examined, not only when triggered by a “representation”. The present system is weighted too much in favour of the applicant. We also feel that “Minor Variations” are a relaxation which would be almost impossible for neighbours to monitor, or object to.

We accept that a lively night life is desirable and an important part of the success of the night time economy. However, there do appear to be too many licensed premises, especially in the city centre, which has led to lack of adequate control and bad behaviour – the area has become a no-go zone for many residents and this could impact upon other initiatives to enhance the cultural offer, such as the Arena.

xxx Parish Council also has concerns about noise nuisance near current or future residential property. Unfortunately, the drinking culture in Britain is such that the two uses are not compatible in most locations. In practice, nearness to residential accommodation is not a reason to refuse an application but just to condition some sound proofing – that is generally an inadequate answer as most noise comes from outside licensed premises.

To summarise, we generally support the policy review but are concerned that, on its own, this will make very little difference to the position in the city centre. However, we do feel that, particularly with regard to the city centre, more licenses should be refused, that conditions attached should be stronger and (most importantly) there should be more inspection and enforcement. It should not be up to the public to know about and enforce licence conditions, although a comprehensive information system should be provided for those that are interested.

Response:

It is recognised that there have only been three refusals of licence applications in the City Centre CIP. However this is because representations were received from responsible authorities who were able to agree to measures being added to the licence to mitigate the cumulative impact of this application on the area. Therefore applications were granted with conditions rather than refused.

It is correct that applications which receive representations from interested parties (persons living in the vicinity) are more likely to go to a hearing as, in our experience, interested parties are less likely to negotiate with applicants to come to a mutually agreeable compromise.

All premises in Leeds are subject to a risk based inspection programme. Dependant on the risk rating system the next scheduled inspection may occur between 6 months and 5

years. Premises that elicit complaints are inspected outside of this programme as part of the complaint investigation.

Section 19 notices are an effective tool to ensure compliance with licence conditions and have been used widely by the authority. These have proved effective, finding resolution to a number of ongoing problems, without resorting to the expensive option of closures and prosecutions.

We recognise the Parish Council's concern relating to temporary event notices, which were intended to be a low cost, low bureaucratic way for community groups to hold occasional events (no more than 12 per year). However other legislation exists to control public nuisance and changing the temporary event notice system would require a change to primary legislation - this is outside of the scope of this policy.

The City Centre CIP has been put in place to address many of the concerns expressed above. We do appreciate the views of the Parish Council. However most of the points made are outside of the scope of this policy and would require a change in primary legislation.

Action: None.

Annex A – List of consultees

West Yorkshire Police
West Yorkshire Fire and Rescue Service
Leeds City Council Environmental Health Services
Leeds City Council Health & Safety Team
Leeds Safeguarding Children Board
Leeds City Council Development Department
West Yorkshire Trading Standards

Admiral Taverns
Asda Stores Limited
Costcutters Supermakets Group Ltd
Enterprise Inns
Greene King Brewing & Retailing Ltd.
Laurel Pub Company Ltd
Leeds Co-operative Society Ltd
Mitchells & Butler Leisure Retail Ltd
Morrisons
One Stop Stores Ltd
Orchid Pub Company
Punch Taverns
Sainsburys
Spirit Group
Tadcaster Pub Company Ltd
Tesco Stores Ltd
JD Wetherspoon Plc
Wharfedale Taverns Limited
Whitbread Group PLC

A Halsalls & Co Solicitors
Anthony Collins Solicitors
Barber Titleys Solicitors
Batleys Limited
Berwin Leighton Paisner Solicitors
Blacks Solicitors
Bond Pearce Solicitors
Brabners Chaffe Street Solicitors
Burton Burton & Ho
Cobbetts Solicitors
Dickenson Dees Solicitors
DLA Piper Rudnick Gray Cary Solicitors
DWF Solicitors
Elmhirst Solicitors
Essence Consultants
Ford & Warren Solicitors
Fraser Brown Solicitors
Freemans Solicitors
Gamestec Leisure Ltd
Gill Turner Tucker Solicitors
Godloves Solicitors
Gordons Solicitors
Halliwells Solicitors

Hardys & Ansons Plc
Hart & Co Solicitors
Henry Hyams Solicitors
Howard Cohen & Co Solicitors
Inncourt Licensing Consultants
Joelson Wilson & Co Solicitors
John Cordingley Consultancy
John Gaunt & Partners
Jones & Company Solicitors
Kuit Steinart Levy Solicitors
Last Cawthra Feather Solicitors
LesterAldridge Solicitors
Levi & Co. Solicitors
Licence Trade Consultants
Licensing Legal Licensing Solicitors
Luptonfawcett Solicitors
McCombie & Co Solicitors
McCormicks Solicitors
Mitchells & Butlers
Mr John T Burton
Poppleston Allen Solicitors
Ricksons Solicitors
Rollits Solicitors
Roscoes Solicitors
T L T Solicitors
Trethowans Solicitors
United Co-operatives
Walker Morris Solicitors
Wells Connor & Co Solicitors
Winckworth Sherwood
Winston Solicitors
Zermansky & Partners Solicitors

BACTA (British Amusement Catering Trade Association)
British Beer and Pub Association
British Institute of Innkeepers
Federation of Small Business
Leeds City Licensing Association

Alcoholics Anonymous
Alcohol and Drugs Service
Leeds Addiction Unit
Leeds Chamber of Commerce & Industry
Mencap
Victim Support Leeds

Leeds North East PCT
Leeds North West PCT
Leeds West PCT
Leeds East PCT
Leeds South PCT

Leeds West MP
Leeds Central MP
Leeds North West MP
MP for Elmet
MP for Morley and Rothwell
MP for Leeds North East
MP for Leeds East
MP for Pudsey

Aberford & District Parish/Town Council
Allerton Bywater Parish/Town Council
Arthington Parish/Town Council
Bardsey cum Rigton Parish/Town Council
Barwick in Elmet and Scholes
Parish/Town Council
Boston Spa Parish/Town Council
Bramham cum Oglethorpe Parish/Town
Council
Bramhope & Carlton Parish/Town Council
Clifford Parish/Town Council
Collingham with Linton Parish/Town
Council

Drighlington Parish/Town Council
East Keswick Parish/Town Council
Gildersome Parish/Town Council
Great & Little Preston Parish/Town
Council
Harewood Parish/Town Council
Horsforth Town Council
Kippax Parish/Town Council
Ledsham Parish/Town Council
Ledston Parish/Town Council
Micklefield Parish/Town Council
Morley Town Council
Otley & Yeadon Parish/Town Council
Pool Parish/Town Council
Scarcroft Parish/Town Council
Shadwell Parish/Town Council
Swillington Parish/Town Council
Thorner Parish/Town Council
Thorp Arch Parish/Town Council
Walton Parish/Town Council
Wetherby Town Council

Annex B – BRE Code of Practice on Consultation

The consultation is being conducted in line with the BRE Code of Practice on Written Consultation. The consultation criteria are listed below. More information can be found at: <http://www.berr.gov.uk/files/file47158.pdf>

The Consultation Criteria

1) When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

2) Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

3) Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

4) Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

5) The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

6) Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

7) Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any questions or complaints about the process of consultation on this paper, please contact Susan Holden, Principal Project Officer, Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR.