



LICENSING COMMITTEE

Meeting to be held in Civic Hall, Leeds on
Tuesday, 24th January, 2023
at 10.00 am

MEMBERSHIP

Councillors

N Buckley	-	Alwoodley;
R Downes	-	Otley and Yeadon;
L Farley	-	Burmantofts and Richmond Hill;
B Flynn	-	Adel and Wharfedale;
A Forsaith	-	Farnley and Wortley;
A Garthwaite	-	Headingley and Hyde Park;
J Gibson (Chair)	-	Cross Gates and Whinmoor;
S Hamilton	-	Moortown;
A Hutchison	-	Morley North;
J Illingworth	-	Kirkstall;
L Martin	-	Roundhay;
L Richards	-	Wetherby;
A Smart	-	Armley;
I Wilson	-	Weetwood;

Please do not attend the meeting in person if you have symptoms of Covid-19 and please follow current public health advice to avoid passing the virus onto other people.

Note to observers of the meeting. To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting. <https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=163&MIId=11975>

A G E N D A

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

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the last meeting held on 29th November 2022.</p>	5 - 10
7			<p>LEEDS FESTIVAL 2022</p> <p>To consider the report of the Chief Officer, Elections and Regulatory, providing an introduction to a de-brief on the Leeds Festival 2022 held in the grounds of Bramham Park over the Bank Holiday weekend, August 2022.</p>	11 - 14
8			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting is Tuesday 14th March 2023 at 10.00am</p>	

Item No	Ward	Item Not Open		Page No
			<p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. <p>We strive to ensure our public committee meetings are inclusive and accessible for all. If you are intending to observe a public meeting in-person, please advise us in advance of any specific access requirements that we need to take into account by email (FacilitiesManagement@leeds.gov.uk). Please state the name, date and start time of the committee meeting you will be observing and include your full name and contact details.</p>	

Public Document Pack Agenda Item 6

Licensing Committee

Tuesday, 29th November, 2022

PRESENT: Councillor J Gibson in the Chair

Councillors N Buckley, R Downes, B Flynn,
A Forsaith, A Garthwaite, S Hamilton,
J Illingworth, L Martin, L Richards, A Smart
and I Wilson

29 Appeals Against Refusal of Inspection of Documents

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

30 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

31 Late Items

No late items of business were added to the agenda.

32 Declaration of Interests

No declarations of interest were made.

33 Apologies for Absence

Apologies for absence were received from Councillors Farley and Hutchison.

34 Minutes

RESOLVED – That the minutes of the previous meeting held 6th September 2022 be agreed as a correct record.

35 Statement of Licensing Policy and Cumulative Impact Assessment 2022

The Committee considered the report of the Chief Officer Elections and Regulatory which presented the Statement of Licensing Policy 2023-2027 and the Cumulative Impact Assessment 2023-2025. The report included a copy of the revised Statement of Licensing Policy at Appendix 1, with a copy of the revised Cumulative Impact Assessment attached as Appendix 2.

The Section Head, Entertainment Licensing introduced the report and highlighted the provisions of the Licensing Act 2003 which require the Licensing Authority (LA) to review its Statement of Licensing Policy every five years and any Cumulative Impact Assessments (CIA) every three years. Both documents had been reviewed with partners and taken through extensive consultation with Leeds MPs, all Councillors, community representatives, multi-agency partners, licensing trade representatives, and those premises in the cumulative impact areas.

A representation to the consultation from Councillor Cunningham, Armley ward, requested an extension of the existing Armley CIA to include the top end of Armley Town Street. Further work to collect data to evidence the need

to extend the boundary would commence in the New Year, as although it was recognised that there were issues in that area, these were unreported and some of the work would be around how to encourage reporting issues/incidents to West Yorkshire Police which would provide an evidence base for future consideration.

The following matters were highlighted:

City Centre – The CIA boundary remains unchanged and data on the post pandemic recovery of the area will continue to be monitored.

Headingley – The scope of the CIA remains unchanged however the boundary has been extended to encompass three licensed premises within the Weetwood ward as part of the “Otley Run”.

Holbeck – This new CIA covers a dense residential area which has seen a growth in off-licences, alcohol harms and on-street drinking. Premise Licence applicants for off-sales at any time can anticipate receiving representations.

During discussions the following matters were considered:

The impact of the Headingley CIA on existing and new businesses. Members were assured that the CIA did not prevent new businesses opening in Headingley or prevent applications for licensable activities, but allowed consideration of the nature of the business, whether it would impact negatively on the licensing objectives or add to problems experienced in Headingley.

The changing demographic of the Otley Run and the impact on locality. It was noted that historically the city’s student population had been the largest group of participants, but recently older working professionals, stag/hen parties and male-only groups had participated. People arrived by private coach earlier in the day, often having consumed alcohol already and continued drinking throughout the day and into the night. This in turn led to reports of anti-social behaviour through the day which prevented some local residents from visiting the town centre. The Committee heard of the work being done by the Entertainment Licensing Team with licensed premises to encourage and advise patrons on responsible behaviour. In response to a query regarding the process to secure an extension to the Public Spaces Protection Order for the Weetwood area within the Headingley CIA, Members noted that the Anti-Social Behaviour Team undertook this work.

The Holbeck CIA and the role of the Public Health Team. The Public Health Team in their capacity as a Responsible Authority are unable to make representations under the Licensing Act 2003 on health grounds, however data collected by the Public Health Team where linked to the licensing objectives could be used as evidence to support the Leeds Statement of Licensing Policy.

Small events held by Community/Cultural Groups. Members noted that it was not mandatory for organisers of such events to contact the Safety Advisory Group, however they are encouraged to do so to make use of the advice and guidance available and to inform the calendar of Leeds events.

Statement of Licensing Policy

• Schools – in respect of para 4.22 which asks applicants to have regard to “whether proposals may have a disproportionate impact in dense residential areas or near to sensitive premises” it was agreed that schools could be regarded as sensitive premises, as although this paragraph was intended to relate to applications for late night activities, depending on the hours of operation of a premises, schools could be impacted.

• Local Concerns - In respect of paras 6.34 – 6.35, it was acknowledged that areas of deprivation lay within the Hyde Park locality but it was not included within the list derived from the Joint Strategic Needs Assessment 2012, NHS Leeds.

The Committee commended officers for the work undertaken during the review of the Policy and CIA’s and

RESOLVED -

- a) That the Statement of Licensing Policy 2023-2027, and Cumulative Impact Assessment 2023-2025 be approved.
- b) That the Statement of Licensing Policy 2023-2027 be referred to Council for adoption.

36 Gambling Harms

The Chief Officer Elections and Regulatory submitted a report to support discussions on the document “10 questions to ask if you are scrutinising gambling harm” published by the Centre for Governance and Scrutiny, in conjunction with the Gambling Commission.

The report outlined a request from the Scrutiny Board (Environment, Housing and Communities) for information on how Leeds City Council (LCC) approaches gambling harm in the city, based on the ten questions. A briefing note which collated all of the current work being undertaken across the Financial Inclusion, Public Health and Entertainment Licensing Teams within the council on this issue was included within the report for the Committee’s consideration.

The following were in attendance for this item:

- Nicola Raper – Section Head, Entertainment Licensing
- Grace Lawrenson - Senior Policy Development Officer, Financial Inclusion Team, Communities, Housing & Environment
- Jo Rowlands - Financial Inclusion Manager, Communities, Housing & Environment.

Members noted apologies from Myrte Elbers, Advanced Health Improvement Specialist, Healthy Living & Health Improvement Team (Drugs, Alcohol, Tobacco and Gambling) Adults & Health.

The Section Head, Entertainment Licensing, presented the report and highlighted that as part of the application process to award a Large Casino premises licence in Leeds, the successful applicant offered a range of measures to reduce the risk of harm from gambling, one of which was to provide an annual sum of money to LCC Social Inclusion Fund. A proportion of the Fund is used on projects to address any negative impacts which may arise from the Large Casino, including mitigating gambling harms, additionally funding had been used in 2016 to commission Leeds Beckett University research to establish a baseline of gambling harm in the area before the casino opened.

In respect of the ten questions posed, the following were highlighted:

Question 4: How does the council, and its partners, raise awareness of gambling harm in the community? Following on from the research undertaken in 2016 the Financial Inclusion and Public Health teams established the Leeds Gambling Harms Group to consider how best to implement change to mitigate gambling harms. The group includes officers from all relevant part of the council, external partners including Citizens Advice, GamCare, and the city's universities.

Question 5: How does the council tackle gambling harm through its licensing policy? The Licensing Authority has responsibility for the grant of Gambling Premises Licences and the Leeds Statement of Gambling Policy now includes harm mitigation measures, and applicants must undertake a local area risk assessment as part of their application submission. All Leeds postcodes are included in a mapping tool devised to identify the cumulative impact of gambling premises, anti-social behaviour and vulnerable adults and children to support the Authority's consideration of applications.

The Senior Policy Development Officer, Financial Inclusion Team, provided an overview of the projects undertaken in conjunction with Public Health, building on the 2016 research which identified Leeds as being likely to have problem gambling rates at double the national average research and sought to identify groups considered vulnerable to or at higher risk of problem gambling.

The following information was noted:

- Co-location of services and partnership working with GamCare's Leeds Community Gambling Service and the NHS Northern Gambling Service and working with people with lived experience of gambling harms was fundamental to the support offer.
- The current communications campaign to coincide with the football World Cup 2022 provided information on the treatment available in Leeds.
- Learning was taken from the best practice of other local authorities, such as Sheffield where the Human Resources service produced a document to support their employees who may be impacted by gambling harms. Leeds

had adopted a similar document and plans to promote its adoption through the Anchors Network and the city's major employers and encourage other organisations to adopt their own.

Discussions focussed on the following matters:

Victoria Gate Casino. An investigation undertaken by the Gambling Commission (GC) in July 2019 led to the identification of failings in respect of its social responsibility and anti-money laundering responsibilities, resulting in a regulatory settlement and the publication of a statement detailing the outcome in October 2021. Members noted that the Executive Member for Resources had written to the Gambling Commission after the Licensing Authority had been made aware through an alternative source. It was agreed that the correspondence to and from the GC would be shared with Committee Members.

Leeds problem gambling rate. Research in this field is very limited, and the complexity/demographic of Leeds could be the reason behind Leeds' higher rate. The rate had not been remeasured since 2016. The research data could not be used to limit the number of licences in the city or inform consideration of gambling licence applications city wide. The Gambling Act 2005 is a permissive Act and limits what actions a local Licensing Authority can take, so each application must be dealt with on a case by case basis with data specific to that application. An application received for a proposed premises in Harehills was referenced, where the data within the matrix of deprivation was considered and supported the inclusion of additional operating conditions on the premises licence.

On-line Gambling – This falls outside the remit of the local Licensing Authority, although the LA continues to lobby Government and the services now established support anyone suffering from gambling harms linked to on-line gambling, casino, betting shop or amusement arcade based gambling. It was reported that 86% of gross gambling profit is from on-line betting, and £1.5 bn has spent on advertising on-line gambling.

In conclusion, Members thanked officers for their presentation and the partnership work undertaken to address gambling harms.

RESOLVED – That the information contained in the Briefing Note and the contents of the discussions held at the meeting be noted.

37 Date and Time of Next Meeting

RESOLVED - Tuesday 24th January 2023 at 10.00 am

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Leeds Festival 2022

Date: 24th January 2023

Report of: Chief Officer Elections and Regulatory

Report to: Licensing Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

- The Leeds Festival (“the Festival”) takes place each August Bank Holiday at Bramham Park.
- The Festival is authorised under a Premises Licence (“the Licence”), granted under the Licensing Act 2003 and issued by the Licensing Authority to Festival Republic Limited (“Festival Republic”).
- The Licence is subject to a condition that the Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the Festival.
- Following the Festival a debrief meeting is held through the Safety Advisory Group, followed by a debrief before the Licensing Committee.
- The licensing regime contributes to Best City Priorities 2020-25 (see the [latest version available here](#)):
 - Culture
 - Safe, Strong communities
 - Inclusive Growth

Recommendations

Licensing Committee is asked to:

- a) Receive and discuss a verbal report from Festival Republic Ltd and partners of the Safety Advisory Group (SAG) following the Leeds Festival 2022.
- b) Consider if it is necessary for the public to be excluded from part of the meeting to allow Festival Republic Ltd and SAG partners to provide Members with confidential or exempt information which falls under the Access to Information Procedure Rules 10.4(3), as it includes information relating to the financial or business affairs of a particular person or organisation; and/or 10.4 (7), information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. Both exclusions require

that in all the circumstances of the matter the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Why is the proposal being put forward?

- 1 For the Licensing Committee to receive a debrief following the Leeds Festival 2022.

It is intended that the Licensing Committee will receive a verbal report from Festival Republic Ltd and from partners of the Safety Advisory Group (SAG) following the Leeds Festival 2022, on the following subjects:

- Fire Safety
- Welfare & Safeguarding
- Traffic Management
- Public Transport
- Noise Nuisance
- Public Safety
- Salvage & Cleansing

- 2 In addition, the Committee may wish Festival Republic Ltd and SAG partners to address the following issues, which may require the Committee to hold discussions in private:

- Medical
- Crime & Disorder
- Security

History

- 3 The original Premises Licence for Bramham Park was granted in 2006.
- 4 The premises licence is subject to a condition that an Event Management Plan (“EMP”) must be approved by the Licensing Authority each year.
- 5 The EMP sets out all arrangements for the event which contribute to the licensing objectives:
 - The prevention of crime and disorder;
 - The prevention of public nuisance;
 - Public safety; and
 - The prevention of children from harm.
- 6 The EMP is not held by the Licensing Authority, but is published by the licence holder through Resilience Direct, a secure platform accessible by all blue light and relevant services who are also members of the Leeds Safety Advisory Group (SAG), co-ordinated by the Resilience & Emergencies Team.
- 7 The services who have access to Resilience Direct include the West Yorkshire Police, West Yorkshire Fire & Rescue Service, Yorkshire Ambulance Service, Public Health, Leeds Teaching Hospitals Trust, West Yorkshire Combined Authority, Security Industry Authority, Highways England and LCC departments of Highways, Environmental Services, Environmental Health, Health & Safety, Building Control and the Licensing Authority.
- 8 At a meeting of the Licensing Committee on the 9th August 2022, as specific details in the EMP were yet to be finalised, it was agreed to delegate approval of the final EMP to the Chief Officer, Elections and Regulatory.

- 9 Having received confirmation that all partners of the SAG were satisfied with the final version of the EMP, approval under such delegated authority was granted on the 23rd August 2022.

What impact will this proposal have?

Wards Affected: Wetherby & Harewood

Have ward members been consulted? Yes No

What consultation and engagement has taken place?

- 10 The original premises licence application approved in April 2006 was subject to the formal consultation process as prescribed by the Licensing Act 2003.
- 11 Agency engagement is held through the Safety Advisory Group process.
- 12 A working group has been established by the Ward Members for Wetherby and Harewood constituencies, involving Parish Council representatives, Festival Republic and relevant agencies.

What are the resource implications?

- 13 No resource implications for the licensing authority have been identified.

What are the legal implications?

- 14 Members may consider if it is necessary for the public to be excluded from part of the meeting to allow Festival Republic Ltd and SAG partners to provide Members with confidential or exempt information which falls under the Access to Information Procedure Rules 10.4(3), as it includes information relating to the financial or business affairs of a particular person or organisation; and/or 10.4 (7), information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. Both exclusions require that in all the circumstances of the matter the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 15 There is no scope for the Licence to be amended, suspended, or revoked under the recommendations in this report.

What are the key risks and how are they being managed?

- 16 There are no key risks identified.

Does this proposal support the council's 3 Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 17 The Festival will bring benefits to the region supporting the city's economy and hi-light Leeds as a place to visit. Attracting up to 89,999 attendees some of whom will visit the City's hospitality and retail sector, stay in accommodation, and use public transport.
- 18 A range of welfare services are available throughout the site provided by several voluntary/social care agencies.

19 Festival Republic operate to Live Nation's Environmental Sustainability Charter and have targeted audience sustainability campaigns to support the onsite recycling, composting and salvage operations.

20 New for 2022 was the introduction of the Eco Campsite, equipped with compostable toilets and recycling points. The campsite users signed a pledge to clean up after themselves following the weekends camping. Due to its success Festival Republic are looking to expand this campsite for future events.

Options, timescales and measuring success

21 De-brief meetings of the SAG and Ward/Parish Council working groups have taken place to identify improvements for subsequent events.

Appendices

22 None

Background papers

23 None