

Interested Party Representation (Form IPR1)



Section 1 – Licence application details

Please indicate as appropriate :

- I wish to object to the following application:
 I wish to support the following application:

Applicant premises name and address: Gusto, 12-14 Strathmore Drive LS9 6AB

Section 2 – Your personal details

NB: If you are acting as a representative, please go to Section 3.

Title Mr Mrs Miss Other _____

Surname **Slezak**

First name(s) **Emilia**

Address (incl postcode):

Leeds City Council, Public Health (Healthy Living Team), 5th Floor West, 110 Merrion House, Leeds, LS2 8BB

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

Section 3 – Representative details

If you are representing someone else, please complete details below

Name of Representative/
Organisation **N/A**

Full postal address
(incl postcode) **N/A**

Please indicate capacity:

- Representative of Residents Association
 MP
specify) _____
- Ward Councillor
 Trade Association
- Parish Council
 Other (please

Section 4 – Representation grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<table> <tr> <td>Prevention of crime and disorder</td> <td>X</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Prevention of public nuisance</td> <td>X</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Protection of children from harm</td> <td>X</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Public safety</td> <td>X</td> <td><input type="checkbox"/></td> </tr> </table>	Prevention of crime and disorder	X	<input type="checkbox"/>	Prevention of public nuisance	X	<input type="checkbox"/>	Protection of children from harm	X	<input type="checkbox"/>	Public safety	X	<input type="checkbox"/>
Prevention of crime and disorder	X	<input type="checkbox"/>											
Prevention of public nuisance	X	<input type="checkbox"/>											
Protection of children from harm	X	<input type="checkbox"/>											
Public safety	X	<input type="checkbox"/>											

Please select:

I object to the application being granted at all

I object to the application being granted in its current form*

*If you choose this option, remember to tell us in the next section what changes you would prefer to see.

I would like to make a public health objection to the application of Gusto 12-14 Strathmore Drive, Leeds, LS9 6AB.

Regarding the above application, I would like to bring to your attention the negative impact this premises has. There are concerns regarding the potential harm to children, crime and disorder and public safety.

I would like to strongly object to this license on the following grounds.

After two years of the coronavirus pandemic, levels of alcohol consumption and alcohol harms have increased across Leeds, and they have disproportionately affected areas of multiple deprivation such as Burmantofts/Richmond Hill and Harehills. Much work has successfully been undertaken by Ward Councillors, the Police, and the Council's Safer Stronger Communities Team to make Harehills a more attractive and safer (retail) area. Their success in reducing street drinking and crime levels will be significantly undermined.

On the 18th of April 2024 I was involved in the operation that was carried out with conjunction with multiple partners including West Yorkshire Police and Trading standards. On the visit I can confirm that, 2 males were seen to jump out of the flat windows located above Gusto. I saw in the flat a substantial amount of illicit and illegal vapes and cigarettes as well as large amounts of cash. I saw Walkie Talkies in both the store and the flat.

Behind the counter in the shop there were bottles, filled with what appeared to be alcohol, in the shape of penises and weapons. These were insight of all customers, including children. They were surrounded by other spirit bottles which would indicate that alcohol was inside.

Leeds City Council has produced a matrix to estimate alcohol harm for each Middle Super Output Area (MSOA) in Leeds. Each MSOA is given an overall score which places the MSOA into a comparative city-wide risk rating. There are 107 MSOA's in Leeds. LS96AB was awarded an overall harm from alcohol related risk as **11 out of 107 LSOAs**, putting it within the **high** risk of alcohol-related harm category.

Analysis of the individual scores on the matrix contribute to creating a fuller picture of the local community and will be highlighted forthwith with reference to the criteria.

Protection of children from harm -

This area has the **very high count** of off licenses in Leeds and is **risk rated as high with a rank rating of 6**. By allowing this off-licence premises to continue to sell alcohol, this will jeopardize the protection of children and young people from harm. This area has the rank rating of **very high**; it has the **highest number of children** under the age of 16 in Leeds District (ranked **1**). The increased number of establishments selling alcohol and the subsequent proliferation of street drinkers and residents suffering from alcohol addiction normalizes the situation for children and as they grow older it sets the benchmark of what is normal in their area. We know from peer reviewed evidence, this type of environment can have a strong influence on impressionable children in low-income neighborhoods and can create low aspiration amongst this peer group. **Vulnerability to alcohol-related problems: a policy brief with implications for the regulation of alcohol marketing** (TF. Babor et al, 2017).

Due to the high numbers of children in the area there are many schools and childcare providers some of which are listed below and are within one mile of the premises, which is located on a busy route for primary aged school children and their parents.

- Harehills Family Early Years Centre, Cowper Terrace, Harehills, Leeds LS9 7BA (0.3 miles away)
- Little Owls Nursery Harehills, Cowper Terrace, Harehills, Leeds LS9 7BA (0.2 miles away)
- Sunshine Community Nursery, 97 Harehills Rd, Harehills, Leeds LS8 5HS (0.5 miles away)
- Shepherds Lane Children's Centre, Shepherds Ln, Harehills, Leeds LS8 5AW (0.7 miles away)
- Harehills Primary School, Darfield Rd, Harehills, Leeds LS8 5DQ (0.3 miles away)
- St Augustine's Catholic Primary School, St Wilfrid's Circus, Harehills, Leeds LS8 3PF (0.4 miles away)
- Co-op Academy Nightingale, 9 Stanley Rd, Harehills, Leeds LS9 7AX (0.5 miles away)
- Co-op Academy Woodlands, Foundry Pl, Harehills, Leeds LS9 6DA (0.2 miles away)

The GIPSIL - Archway Resource Centre 95 Roundhay Rd, Harehills, Leeds LS8 5AQ) is also only 0.7 miles away. GIPSIL, work with vulnerable young people and have provided statements previously on the impact of off license on young people they work with.

The abundant presence of alcohol outlets, and associated marketing in children's environments may normalise alcohol as an every-day product, shift social norms in acceptability and use, and shape children's knowledge, attitudes, and beliefs. **Children's home and school neighborhood exposure to alcohol marketing** (T Chambers et al.,2018).

This area has a **very high** number of young people not in education or training; it is ranked – **9 out of 107 MSOA's**. There is also a low level of educational attainment with a **very high** rate of pupils not achieving a strong pass in English and Maths and is **ranked 1 out of 107 MSOA's**. Viewed alongside this the area has the highest number of looked after children and young people, which is **ranked high - 9 out of 107 MSOAs**, which is highly concerning as they are more vulnerable to harm. These children and young people will have experienced trauma within the family home severe enough to warrant their removal from that family home. Their life experience will undoubtedly be skewed from the norm which often results in the young person engaging in harmful behaviours, one of which is alcohol drinking. 'Children living in the most deprived areas were almost five times more likely to be exposed to off-sales alcohol outlets than children in the least deprived areas' **Inequalities in children's exposure to alcohol outlets in Scotland: a GPS study** – (Fiona M. Caryl et al.,2022).

The table below gives data provided by West Yorkshire Trading Standards for Gipton and Harehills ward. The rows in grey are the totals for the years stated and then below those are the counts for Underage sales (UAS) or Counterfeit (tobacco or vapes) and along the top is the breakdown in complaints/visits for tobacco/vapes. When comparing 2022/23 to 2023/24 (even with this year being incomplete) total tobacco complaints/tobacco visits and vape visits have increased from the previous years, indicating that communities are worried about underage selling or counterfeit (tobacco or vapes).

Gipton & Harehills	Tobacco complaints	Tobacco visits	Vapes complaints	Vapes visits
All years	102	75	18	23
UAS	10	41	18	12
Counterfeit	92	34	0	11
2020-21	26	11	0	0
UAS	3	8	0	0
Counterfeit	23	3	0	0
2021-22	24	31	5	1

UAS	3	15	5	1
Counterfeit	21	16	0	0
2022-23	24	14	8	4
UAS	3	3	8	1
Counterfeit	21	11	0	3
2023-24 (incomplete)	28	19	5	18
UAS	1	4	5	10
Counterfeit	27	15	0	8

With regards to the bottles, filled with what appeared to be alcohol, in the shape of penises and weapons. As mentioned above these were insight of all customers, including children. This is not responsible retailing, as it glamorizes firearms, and it associates the product with violent behavior. This in an area where there is already a very high level of violence associated with alcohol. The unbidden nature of seeing these products shows a complete disregard to the licensing objectives.

Prevention of public nuisance -

Alcohol related harm hospital stays (narrow, age std. rate) are **very high** in the area – risk ranked as **14 out of 107 MSOA's** and ambulance callouts related to alcohol are also **high - 23 out of 107 MSOAs**. These are avoidable pressures to the NHS and illustrate the harm caused by easy access to cheap alcohol with un an area.

Prevention of crime and disorder -

Increasing the availability of cheap strong alcohol is strongly correlated with a higher prevalence of alcohol-related crime and disorder. This is backed up by statistics from Safer Leeds, which record the number of incidents of ASB, drunk and disorderly and violent crime stats.

Anti-social behaviour where alcohol was flagged (excluding violent crime) was **high** risk ranked as **4 out of 107 MSOA's**, and violent crime was **very high** and ranked **9 out of 107 MSOAs**. Statistics relating to drunk and disorderly is very **high** and ranked as being **10 out of 107 MSOA's**. These indicators both suggest a risk to public safety as well as high levels of crime and disorder in existence in the community. This will be exacerbated by the increased accessibility of alcohol.

Healthwatch and other third sector organisations prepared a report focusing on Covid 19 and issues facing the communities in Gipton and Harehills. A survey was completed by 80 people of which a third of the respondents' said crime was something they wanted to see changed in Gipton and Harehills. The issues most often referenced were street drinking and drug dealing, as well as violence and not feeling safe in streets and parks.

One participant stated, ***"She didn't want to live in the area when her children grow up due to the amount of gang crime, anti-social behaviour, street drinkers, domestic violence and litter."***

Currently in public health we are conducting Health Needs Assessment for Gipton and Harehills and Burmantofts and Richmond Hill, many local people have talked about their worries around alcohol, noise nuisance/environmental concerns, crime, and fear of crime.

I am part of the Harehills CommUNITY partnership meetings led by West Yorkshire Police and Leeds City Council, many local organisations are committed to the Clear Hold Build initiative to make Harehills a better place for communities to live, work and grow. Off license premises like Baba Jaga/Gusto undermine all the hard work and commitment that is taking place to improve the area.

Previously Gusto operated as Baba Jaga and sold alcohol to a child. Below is a statement provided by the lead GP partner at Chapeltown Family surgery which is situated less than a mile away from the premises.

I am writing to express my deep concern about the sale of alcohol to underage individuals within our community. As the children and families lead for the Burmantofts, Harehills and Richmond Hill PCN I have been aware of this by the public health team but while the health implications are clear, I would like to highlight other critical reasons why I am so concerned.

- 1. **Social Responsibility:** Fundamentally we have an obligation to protect our young people. Selling alcohol to minors undermines this responsibility. By allowing access to alcohol, we inadvertently contribute to potential harm and negative consequences for these young people.*
- 2. **Risk of Dependency:** Early exposure to alcohol can lead to dependency issues later in life. Adolescents' brains are still developing, and alcohol consumption during this crucial phase can alter brain chemistry and increase the likelihood of addiction. When looking at childhood trauma the negative consequences of alcohol misuse whilst growing up is a clearly recognised risk factor for problems throughout the life course.*
- 3. **Social Behavior and Safety:** In my experience a number of my younger patients have ended up in trouble with the police because of alcohol consumption. When minors gain access to alcohol, it can lead to risky behaviors, accidents, and even criminal activities. It is our cities ambition to create safer communities for children and young people to grow up in. Clearly curbing underage sales, we contribute to safer communities and protect both young individuals and the general public.*

Thank you for considering my concerns.

Dr Hasantha Jayasinghe (Senior Partner)

The intelligence provided above relates to the potential harm caused by alcohol within an area and viewed together creates an understanding of why this area was ranked as being an area of Leeds at high risk of alcohol related harm. Furthermore, this application also falls within a cumulative impact assessment (CIA) area. This means as a Local Authority (LA) licensing authority we have a responsibility to help limit the number or type of licence applications granted in areas where there is evidence to indicate that the number or density of licensed premises in the area is having a cumulative negative impact.

The data above shows that there are significantly higher numbers of children, vulnerable young people and those not in education or training who may seek comfort in tobacco/alcohol/vaping which we can see Baba Jaga/Gusto provided cheap tobacco products and vapes which had liquid higher than the permitted amount. It can also have a detrimental effect on health not knowing what is contained in illicit tobacco or high strength vapes. Providing cheap products can encourage those who are dependent on alcohol and tobacco to increase their usage and can be particularly difficult for street drinkers who are trying to curb their reliance.

The area already suffers with high rates of violent crime, antisocial crime, ambulance callouts; impacting on emergency services and the NHS which are already strained with limited resources and capacity. The recent operation recovered a substantial amount of illicit and illegal vapes and cigarettes from the flat along with large amounts of cash, this illustrates the new premise holder is not acting as a responsible retailer, which undermines the licensing objectives. It also illustrates as the Police have suggested this is a continuation of the criminal practices that Baba Jaga were operating under and therefore the transfer was not genuine.

The pandemic has undoubtedly impacted on the communities in this neighbourhood in terms of economic decline adding increased negligent selling of tobacco and alcohol to an already saturated environment to communities who are struggling with daily life, poverty and deprivation, low mood, anxiety and depression is socially irresponsible and will be detrimental to child development, family life and public order.

I would therefore ask the licensing subcommittee to question what purpose will it serve to allow this premises to continue to operate?

Considering, the evidence of how local people, organisations feel I would urge the subcommittee to support the closure of this off license to avoid the potential harm to children, criminality and maintain public safety.

Signed:



Date: 05/06/2024