

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