



LICENSING COMMITTEE

Meeting to be held in Civic Hall, Leeds on
Tuesday, 23rd January, 2024
at 10.00 am

MEMBERSHIP

Councillors

A Ali	-	Gipton and Harehills;
N Buckley	-	Alwoodley;
E Carlisle	-	Hunslet and Riverside;
R Downes	-	Otley and Yeadon;
L Farley	-	Burmantofts and Richmond Hill;
S Firth	-	Harewood;
J Gibson (Chair)	-	Cross Gates and Whinmoor;
S Hamilton	-	Moortown;
T Hinchcliffe	-	Bramley and Stanningley;
S Holroyd-Case	-	Ardsley and Robin Hood;
A Hutchison	-	Morley North;
L Martin	-	Roundhay;
D Seary	-	Pudsey;
A Smart	-	Armley;
I Wilson	-	Weetwood;

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<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=163&MId=12271>

**Agenda compiled by:
Governance Services
Civic Hall**

**Helen Gray
37 88657**

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> <p>To note any apologies for absence</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the last meeting held on 21st November 2023.</p>	5 - 14
7			<p>CITY CENTRE CUMULATIVE IMPACT ASSESSMENT 2024</p> <p>To consider the report of the Chief Officer, Elections and Regulatory, presenting the latest review of the City Centre Cumulative Impact Assessment which has been subject to public consultation in January. The report includes a copy of the City Centre Cumulative Impact Assessment and outlines the consultation responses.</p>	15 - 36
8			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Tuesday 12th March 2024 at 10.00 am</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, 21st November, 2023

PRESENT: Councillor J Gibson in the Chair

Councillors A Ali, N Buckley, E Carlisle,
R Downes, L Farley, S Firth, T Hinchcliffe,
S Holroyd-Case, L Martin, D Seary,
A Smart and I Wilson

19 Appeals Against Refusal of Inspection of Documents

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

20 Exempt Information - Possible Exclusion of the Press and Public

In respect of agenda item 7 Leeds Festival 2023 Debrief and agenda item 8 Leeds Festival 2023 Event Management Plan Method of approval, the Committee was advised that, although the reports did not include any exempt information, it may be necessary for the meeting to move into closed session should Members wish to discuss operational details of the 2023 Festival or elements of the of the Event Management Plan.

RESOLVED – That, in accordance with Schedule A to the Local Government Act 1972 and Access to Information Procedure Rules 10.4 (1), (2) and (5) the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication 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 public were present there would be disclosure to them of exempt information so designated as follows:-
Appendices A & B to item 9 “Licensing Act 2003 Regulation 28: Report to Prevent Future Deaths” – as the information included relates to an individual or may be likely to reveal the identity of an individual and contain information in respect of which a claim to legal professional privilege could be maintained in any legal proceedings.

21 Late Items

No formal late items of business were added to the agenda; however the Committee was in receipt of supplementary information relating to agenda item 7 Leeds Festival Debrief (minute 25 refers). The documents had also been published to the Council’s website:

- Submission on behalf of Eurocabs
- Submission on behalf of National Highways

22 Declaration of Interests

No declarations of interest were made.

23 Apologies for Absence

Apologies for absence were received from Councillors Hamilton and Hutchison.

24 Minutes

Draft minutes to be approved at the meeting
to be held on Tuesday, 23rd January, 2024

RESOLVED – That the minutes of the meeting held 1st August 2023 be agreed as a correct record.

25 Leeds Festival 2023 Debrief

The Committee considered the report of the Chief Officer, Elections and Regulatory, which introduced a de-brief on the Leeds Festival 2023 held in the grounds of Bramham Park over the Bank Holiday weekend, August 2023. Representatives of the event operator, Festival Republic Limited, and partners from the Safety Advisory Group were invited to provide the Committee with feedback.

The Licensing Officer introduced the report and noted receipt of two supplementary documents provided on behalf of Eurocabs Hackney Carriage Association and on behalf of National Highways.

Mr Melvin Benn, Managing Director, Lucy Kinsella, Sarah Tombulca and Hannah Corrigan of Festival Republic Limited attended the meeting.

Mr Benn addressed the Committee on two key issues:

- Representatives of the Local Authority Festival and the Safety Advisory Group scrutinised preparations for the Festival and following the sad death of Mr D Cellino at the 2022 Festival, he felt that appropriately, the Festival had been under increased scrutiny. The plans for the 2023 Festival presented to the Committee in February 2023 had paid dividends in terms of customer feedback on their experience of the Festival.
- The revised arrangements for Hackney Carriage and Private Hire (HC/PH) pick-up/drop-off had worked well and Mr Benn provided assurance that these would remain if the 2023 arrangements were the preferred option for the HC trade. Additionally, HC/PH planning could be dealt with as part of the traffic management meetings for the Festival.

Lucy Kinsella provided the Committee with a presentation on the 2023 Festival and any proposals for change in respect of the following issues:
Fire Safety – Campfires had been banned for the first time in 2023, although fires powered by small gas canisters were permitted. Only 7 fires had been reported, compared with 54 in 2022. The campfire ban would continue for 2024 and the team were looking to improve communications between West Yorkshire Fire and Rescue Service (WYFRS) and West Midlands Fire Service which was contracted to support the Festival.

Alcohol and Tobacco – Check 25 had been implemented, the Event Licensing Team on site were supported by LCC Entertainment Licensing. Over 18 wristbands had been issued as described in February 2023 and would continue in 2024.

Medical Welfare and Safeguarding – The two Campsite Welfare hubs introduced for 2023 had dealt with 816 attendees. Daily onsite safeguarding meetings had been held. Minimal drink spiking test kits had been sold. The “#Look Out For Each Other” messaging campaign had been a success, and

drugs advisory messaging to deter attendees bringing drugs on site had been implemented at the event access points.

- 1668 people had attended the medical facilities, compared to 1445 in 2022.
- 14 offsite transfers had been made, compared to 31 in 2022.
- 27 on-site X-Rays had been undertaken.

The Committee was provided with statistical analysis of the reasons for attendees seeking medical assistance, which showed leg injury, drug intoxication, alcohol intoxication and head injury as the major causes of visits. The statistics showed that attendees had sought medical support.

Examples of social media messaging and website coverage were provided, including the “Ask for Angela” and “#Look out For Each Other” messaging which had been displayed intermittently on the screens adjacent to performance stages, providing assurance that all attendees had sight of support messaging throughout the Festival.

Security / Policing – A hostile environment for drug dealers had been successfully created with covert teams operating throughout the event. 72 arrests had been made – 82% were drug related. 213 evictions had been implemented compared with 130 in 2022, for non-compliance with Festival rules. Drug surrender bins were located at each Gate with drugs dogs, resulting in £30k of drugs being surrendered.

Assistance Information Response (AIR) Hubs – 16 AIR Hubs were installed across all camp sites were open 24 hours from the Wednesday to the Monday of the Festival. These were now embedded into the Festival management plan, and were staffed by volunteers from local community groups, Festival Angels, Age UK and Oxfam.

Sustainability – A Sustainability Working Group had been established to report on how the event met its targets and the incentives to encourage attendees to help the event meet its targets. In terms of the salvage operation, over 300 volunteers had attended with a 51% increase on salvage from 2022, Councillors attended the Sustainability Working Group and the system of sign-up to join the salvage team had been improved. In terms of public engagement, the Climate Live bus was located on site, with Climate Live hosting a talk and film on climate action. A bottle/cup return scheme was implemented. The eco-campsite had 6,500 attendees signed up to it by August 2023 and more work would be done to encourage take-up in 2024.

Environmental Health and Noise – Off-site noise monitoring had been undertaken, The ‘Anachronica’ stage had been moved with no off-site noise impact and the Green Campsite DJ had been re-introduced with no reported adverse impact on the Noise Management Plan.

Traffic Management – The A64 eastbound closure worked well and the closure of Kiddal Lane, Aberford was largely supported by residents. Festival organisers met with representatives of the Hackney Carriage trade prior to the event and took on board their suggestions. One area for improvement had been identified as the Sunday egress at Junction 44 of A1 (M) interchange.

Discussions with the Committee covered the following matters:

- The Traffic Management Plan (TMP) could only be fully tested once the Festival was live. The issue in respect of Sunday egress and the impact on Junction 44 of the A1M had been discussed at the Traffic Management Sub Group. Some learnings have been taken away including one agency overseeing the Plan in the future.
- The carbon footprint had increased from 64 in 2022 to 171 in 2023 largely due to the lack of availability of bio diesel. The order for the 2024 Festival had already been placed to secure a sufficient supply.
- Incentivising attendees to take their kit and rubbish home with them was challenging as it was difficult to identify those who had retained their kit/rubbish. It was agreed that this would be further considered by the Festival Republic team.
- Regarding the comment of the Coroner on staff intervention in 2022, a change of policy direction had been introduced for all Festival staff, whereby proactive intervention and approaching attendees to ask if they required help was promoted.
- With regard to PH/HC issues, no problems had been reported directly to the Festival Republic team however they were aware of one issue with a shortfall of HC vehicles available between midnight and 01:30. Public wi-fi had been installed at the pick-up/drop-off site. Improvements to the PH/HC area to be made.
- There had been some cases of spiking reported but the majority of tests completed returned a negative result. There had been a few more reported cases this year, but this could be attributed to attendees being encouraged to seek help.
- With regard to the reported late confirmation to volunteer salvagers, it was agreed that an “in principle” confirmation could be sent earlier with the details of their post to follow.
- A suggestion to operate an on-site rental service for mattresses or camping equipment was made, however it was noted that because the materials are sold cheaply it is sometimes easier for attendees to buy and then discard the items, so a rental scheme could be challenging but the suggestion would be considered by the Festival team.
- It was felt that the Green Volunteer scheme was not widely promoted and further information on how volunteers could participate was sought with the suggestion that links to the LCC volunteer schemes and Voluntary Action Leeds could be good resources to tap into. The incentive to join the scheme was attendance at the Festival, with volunteers largely Festival attendees but

the suggestion would be fed back to the Festival's Sustainability Working Group.

- One Member commented that he had struggled to get the Festival App to work on-site, but this could have been due to their own phone's capability. Related to this it was confirmed that physical maps of the locations of stages/camping/facilities were available at the AIR Hubs and in the village so attendees did not just rely on the App.
- Drinking Water was readily available on site at numerous water points across the site.
- In respect of the statistics showing increased numbers accessing medical support, this was seen as a positive result by the Festival team and Medical team on site. Attendees looked out for each other so more people had sought assistance. Any attendees who thought they had a drug issue were encouraged to seek medical help and not take a risk.
- Testing for possible spiking incidents was available for free at the Medical tent and this practice would continue. The spiking kits available to purchase were perhaps less effective as they did not test for all drugs and it was a balance whether the purchase was worth it. The message is for people to seek medical attention. Tests from the Medical tent were more accurate but results took longer to return. The Ask For Angela campaign was promoted on site with one positive instance reported.
- The lighting on site along public walkways and at the HC/PH pick-up/drop-off area was to a similar standard to that on city street and lighting checks were undertaken prior to the Festival opening. It was noted that a couple of complaints had been received about lighting at the pick-up/drop-off point and these would be addressed for 2024 by the Festival team.

The Chair thanked the Festival Republic team for their presentation and the information shared with the Committee and expressed his wish for the Committee to continue to work in collaboration and scrutinise the arrangements for the Festival.

The Committee then moved on to consider representation from members of the Safety Advisory Group

West Yorkshire Fire and Rescue Service (WYFRS) – Chris Hargreaves.

WYFRS supported the ban on campfires implemented in 2023 which had minimised risk on site. Information had been provided to WYFRS in a timely fashion this year and a minor issue between WYFRS and West Midlands Fire Service had been discussed at the debrief and measures implemented. For future events, there were some amendments and modernisation to implement in the EMP, including the suggestion to use the JESIP principles (Joint Emergency Service Interoperability Programme) to establish an interoperability framework and standard approach to multi-agency working,

and categorisation of incidents that SAG may need to respond to. WYFRS could provide training to SAG partners.

In response to a query from the Chair, the Festival Republic team agreed to commit to implementing the JESIP principles.

Yorkshire Ambulance Service – Chris Fothergill. YAS welcomed the early engagement with Festival Republic in 2023 and was pleased to report that the Festival had minimal impact on the work of YAS during the Festival. No 999 calls to YAS were made. YAS was stationed on site 24/7 and Festival Republic had also sourced an ambulance liaison officer from YAS. Festival Republic had procured a medical provider who was Care Quality Commission (CQC) qualified and able to deal with off-site transfers and the delivery of medical resources met and exceeded current event guidance standards. The Doctors and Registrars on site were able to take decisions on whether to transfer a patient to off-site medical support. An assurance visit and mystery shopper type exercise were carried out which identified no concerns in the amber or red categories; and medical staff were well prepared for the practices they were to implement. Looking ahead, YAS did have some concerns over the impact of “Martyn’s Law” when implemented as it will require venues/events to take steps to improve public safety, with measures dependent on the size of the venue and the activity taking place. The new law arose from the Manchester Arena attack in 2017 and there is uncertainty around its implementation for outdoor events.

In response to a query from the Chair, the Festival Republic team agreed to continue to engage early on in the planning process with YAS.

LCC Traffic Management – Nick Gardiner The Traffic Management Plan (TMP) had been successful and no complaints had been received for the 2023 Festival. The request from the Hackney Carriage was noted and it was felt that this could be appropriately dealt with by the Traffic Management working group – to which Ward Councillors would be welcome. As the TMP was successful, any changes should be carefully considered, and LCC Traffic Management would be happy to participate in further discussions on egress from the Festival site on Sunday.

In response to a query from the Chair, Festival Republic team agreed to consider inviting local Ward Councillors to a meeting of the Traffic Management working group.

LCC Taxi & Private Hire Licensing – Nick Hammill Issues reported with lighting, staffing and Wi-Fi on the Friday of the Festival at the PH/HC pick-up/drop-off point had been resolved for Saturday and Sunday. There had been feedback from some attendees that some of the stewards provided by PH/HC firms spoke little English so attendees struggled to get advice on where to get their cars for journeys home. There had also been some over-charging and Plying for Hire incidents which were being investigated.

Noise - Ruth Turner Only 5 noise complaints had been received by LCC, predominantly the issues were weather related which directed noise towards Aberford. The Festival Republic noise consultant had been very responsive to reduce noise levels on site. In response to a comment that residents had felt that their complaint would not be dealt with, it was noted that if complaints were made to the Out of Hours noise team, that team would report to the Environmental Protection officers on site who would respond and react to those reports.

Additionally the Harewood Ward Councillor commented that local residents had not received their letters in a timely way, found the content convoluted and providing contact details for the Festival Republic team is key.

Wetherby Ward Councillor N Harrington Meetings had been held with the local Parish and Town (P & T) Councils involving Festival Republic, and work was done to ensure that letters to residents were despatched and timed to coincide with P & T Council newsletters. Consultation on the content of the letters was done with P & T Councils. It was suggested that any such feedback is made to P&T representatives.

SIA – Ivan Tough No complaints had been received for the 2023 Festival. Queues developed at the staff processing and accreditation point and staggered attendance times could be an improvement for 2024. There were some security officers who operated niche roles – such as working with drug dogs – who were not checked by the SIA and it was felt that closing this perceived loophole would provide further assurance. No unlicensed stewards had performed “licensed tasks”, i.e. body searches. Information had been made available earlier in the planning process which had allowed the SIA to engage with the contracted firms earlier. In response to a query regarding the availability of security staff, it was noted that during the Coronavirus pandemic many security officers had found other work and not returned to the industry but numbers had now improved.

West Yorkshire Police – Superintendent Dan Wood Supt Wood had acted as Silver Command for the Festival and he reported that there had been no specific pattern or series of crimes to cause concern. In terms of reported crimes, the following were reported -

120 recorded crimes (145 in 2022, 234 in 2019)

3 rapes

8 sexual assaults

7 spiking incidents

15 assaults

59 drug offences (4 of possession, others for supply) 8 of those were remanded into custody and the majority have already attended Court and received prison sentences. Of the 59, only 14 were West Yorkshire residents. In future liaison shall be held with other forces. When drugs were found, the Detective Constables on site leading the investigation worked with the Festival Republic team. There was a visible police presence at the access gates, and improvements for next year shall be to focus on car parks.

In terms of security, the police undertook 4999 vetting checks on staff and only a handful were rejected. Festival Republic had been more stringent on ejections this year for persistent trouble making by attendees. In terms of management of egress from the site, improved advertisement of the availability of the buses would be beneficial for 2024 as the bus provision worked very well for the 2023 Festival.

It was confirmed that a counter terrorism officer is allocated to the Festival.

In response to queries, Supt Wood agreed to provide further detail on the outcome of the investigations into the reported rapes outside of the Committee meeting.

In terms of comparing the number of reported criminal acts in 2023 with previous years, there were 25 fewer than 2022. Although there had been an increase in the number of arrests, the number of rape allegations remained consistent with previous years, there were 7 reports of drink spiking this year, 12 in 2022. However the reports of theft reflected the deterrents and measures now in place - 140 in 2019, 54 in 2021, 48 in 2022 and 39 in 2023.

Public Health – Dan Burn Public Health had assisted in the development of the “#Look out for Each Other” campaign which had proved to be very successful and widely used in social media and on-site. The campaign was popular as attendees could take their own photo and “win” a showing of it on the big screens. A Task & Finish group is planned for January to work on the campaign and imagery for 2024.

At this stage of the meeting, Members were asked to consider moving into private session as the discussion was likely to involve the disclosure of exempt information, particularly information relating to the financial or business affairs of the Event Organiser and its associates and also information relating to action taken in connection with the prevention, investigation or prosecution of crime. Those issues fell within the provisions of Access to Information Procedure Rules 10.4(3) and 10.4 (7).

RESOLVED – That the public be excluded from the following part of the meeting as discussion was likely to involve the disclosure of exempt information, particularly information relating to the financial or business affairs of the Event Organiser and its associates and also information relating to action taken in connection with the prevention, investigation or prosecution of crime.

At the conclusion of discussions in private session, the Committee resumed in public.

Mr Benn took the opportunity to report that Lucy Kinsella would be moving on from Leeds Festival and the 2023 Festival had been her last. He wished to publicly thank her for her work and introduced Sarah Tombulca to that role and Hannah Corrigan as the new Licensing Officer.

The Chair also thanked Lucy for her work with the Licensing Committee, noting her responsiveness.

RESOLVED -

- a) To thank the Festival Republic Team and partners of the Safety Advisory Group for their presentation following the Leeds Festival 2023.
- b) To note the contents of the presentations and the comments and assurances provided during discussions.

26 Leeds Festival 2023 - Method of Approval of the Event Management Plan

Further to minute 16 c) of the meeting held 1st August 2023, the Committee considered the report of the Chief Officer, Elections and Regulatory, which provided an opportunity to review the process for the approval of the Event Management Plan (EMP) associated with the Leeds Festival. The Premises Licence for the Leeds Festival is subject to a condition that the EMP and any revisions to the EMP must be approved each year by the Licensing Authority prior to the Festival.

The report set out two options for the Committee to consider as the method of approval of the final EMP for Leeds Festival 2024 and onwards,

- a) To continue with the existing arrangements and delegate approval of the final Event Management Plan to the Chief Officer, Elections and Regulatory; or
- b) To consider alternative options.

The Committee discussed the following matters:

- noted the arrangements in place for the development of an EMP for each Festival in partnership with members of the Safety Advisory Group.
- Members of the Licensing Committee would again be granted access to “Resilience Direct” - the secure national government platform for storing and sharing sensitive information with emergency services and relevant partners of the Leeds Safety Advisory Group (“SAG”) from March 2024 in order to review the emerging EMP.
- Members welcomed the proposal for the emerging EMP to include a summary of changes.
- The Committee noted the opportunity for Members to provide comments/ a steer to the Chief Officer on the EMP prior to its approval and that final approval of the EMP was always subject to all partners of SAG confirming their satisfaction with the Plan.

Having considered the options available, the Committee

RESOLVED - To continue with the existing arrangements and delegate approval of the final Event Management Plan to the Chief Officer, Elections and Regulatory.

(Councillor Wilson left the meeting at this point)

27 Licensing Act 2003 Regulation 28: Report to Prevent Future Deaths

Draft minutes to be approved at the meeting
to be held on Tuesday, 23rd January, 2024

The Committee considered the report of the Chief Officer, Elections and Regulatory, which noted that following the Inquest into a fatality at the Leeds Festival 2022, Leeds City Council had been served with a Regulation 28: Report to Prevent Future Deaths by the Senior Coroner for the Coroner area of West Yorkshire East. Leeds City Council had a duty to respond to the Regulation 28 Report by 5th December 2023.

A copy of the Regulation 28: Report to Prevent Future Deaths from the Senior Coroner dated 21st August 2023 was included at Appendix A. A copy of the proposed response on behalf of Leeds City Council was attached at Appendix B. Both Appendices were designated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4 (1), (2) and (5)

The Chair commended the work of the Council's Legal Services and Entertainment Licensing Teams in responding to the Regulation 28 Report.

RESOLVED –

- a) That the content of the Regulation 28: Report to Prevent Future Deaths, received from the Senior Coroner for the Coroner area of West Yorkshire East, attached as Exempt Appendix A be noted,
- b) That the content of the draft response on behalf of Leeds City Council, attached as Exempt Appendix B be noted, and
- c) That the Committee authorise the Chair to respond to the Senior Coroner in relation to the Regulation 28 report on behalf of the Licensing Committee.

28 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 23rd January 2024 at 10.00 am.

City Centre Cumulative Impact Assessment 2024

Date: 23rd January 2024

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

Brief summary

Under the Licensing Act 2003 the licensing authority must review the Statement of Licensing Policy every five years.

Under the same Act the licensing authority can produce an assessment of cumulative impact of licensed premises in its area and this must be reviewed every three years. The Cumulative Impact Assessment was last produced in 2023.

Due to the dynamic nature of the night-time economy, the cumulative impact area for the city centre is subject to an annual review.

This report presents the latest review of the city centre cumulative impact assessment at Appendix A which was subject to a brief public consultation in January. The consultation responses are included in the review.

Recommendations

- a) For Licensing Committee to approve the City Centre Cumulative Impact Assessment 2024.

What is this report about?

- 1 Under the Licensing Act 2003 the licensing authority must review the Statement of Licensing Policy (“Policy”) every five years. The existing Statement of Licensing Policy is for the period 2023-2027.
- 2 Under the same Act the licensing authority can produce an assessment of cumulative impact of licensed premises in its area and this must be reviewed every three years. The Cumulative Impact Assessment (“CIA”) was last produced in 2023. Any change to the scope of the CIA also requires review, consultation, and adoption of a new Policy.
- 3 Due to the dynamic nature of the city centre night-time economy the Council usually reviews the crime statistics for the city centre each year and recommends any necessary changes to the cumulative impact assessment. This may be either expansion or contraction of the cumulative impact area or the red zones within it. The review also confirms or amends the peak hours.
- 4 This provides the information necessary for the Licensing Authority and the Police to decide if a representation is necessary to bring any applications to the attention of Licensing committee for decision.
- 5 This year the crime statistics show that the overall area and the areas designated as red zones are still appropriate. It shows there has been an overall decrease in crime in the city centre, but those crimes associated with the night-time economy are still high and increasing. For example public order offences have seen a 23% increase, violence without injury shows a 22% increase, and violence with injury has seen a 4% increase, all from the pre-Covid average. Sexual offences and rape have also seen an increase, but this may be affected by the work undertaken by the Police to encourage reporting of this type of crime. Although theft from person, bicycle theft and other theft have seen a 27-30% decrease, this is not the experience from the local NPT who feel that the theft type offences are taking a disproportionate amount of time since the reopening of premises after the Covid lockdowns – however these are predominantly daytime offences experienced in the retail dominated areas, and so out of scope of this assessment.
- 6 Overall, it is recommended that the cumulative impact areas are correctly described in and illustrated in the map provided at the front of this document. The peak hours for the upper red zone are 23:00 to 03:00 and for the lower red zone are 23:00 to 04:00. As the Police report does not specify days of the week these hours are relevant, consideration will be given to applications for any days that fall within those hours, recognising that operators generally chose the later hours at the weekends when demand is highest.
- 7 The City Centre Cumulative Impact Assessment 2024 is attached at Appendix 1.

What impact will this proposal have?

- 8 Statute dictates that any cumulative impact assessment is reviewed at least every three years. The Licensing authority chooses to review the city centre cumulative impact assessment more often due to the dynamic nature of the night-time economy.
- 9 This review provides up to date statistics that can be considered when making decisions on licensing applications in the city centre. These statistics, which show a large increase in the night-time economy related crime when compared to the pre-Covid average, confirms and supports the policy that it would be inconsistent with the council’s duty to promote the licensing objectives to grant new and variation application for any premises licence (on sales, off sales

and late night takeaways) that seek to operate during the peak hours described in the cumulative impact assessment for the city centre.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

What consultation and engagement has taken place?

Wards affected: All

Have ward members been consulted?

Yes

No

10 In line with the licensing authority's usual practice the Policy has undergone a public consultation with those affected by the proposed changes. However due to the nature of the proposed change, a light touch approach has been applied.

What are the resource implications?

11 The licensing of alcohol and entertainment venues attracts a fee which can only be used to pay for the costs associated with the licence application. As such the cumulative impact assessment review is a cost to the council, which is not recovered by the licence fee.

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

12 The report recommends that reviewed and updated cumulative impact assessment be approved. Should Licensing Committee decide not to approve the cumulative impact assessment, the existing assessment would remain in place for a further two years or until reviewed again.

13 The key risk is a legal challenge to the voracity of the cumulative impact assessment or its validity. All measures have been taken to ensure that the review is undertaken in accordance with both the Licensing Act 2003 and the Governments s182 guidance. . The Council also follows the Cabinet Office guidance in relation to consultations and follows the EDCI Assessment undertaken for the three yearly review of the CIA and the five yearly review of the Licensing Policy.

What are the legal implications?

14 The legal implications are described in paragraph 12.

Options, timescales and measuring success

What other options were considered?

15 The assessment could have been undertaken using the usual timescale of every three years. However this would require the Police to either use out of date crime statistics or to provide updated statistics that may indicate a different approach be used without the formal review and consultation of the assessment.

How will success be measured?

16 Success will be measured by cumulative impact assessment being approved.

What is the timetable and who will be responsible for implementation?

17 The cumulative assessment will come into effect as soon as it is approved by Licensing Committee

18 Entertainment Licensing will ensure the cumulative impact assessment is published in accordance with the statutory requirements.

Appendices

19 Appendix 1 – City Centre Cumulative Impact Assessment 2024.

Background papers

20 None

Cumulative Impact Assessment City Centre January 2024

Licensing Act 2003



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Background

The Licensing Act 2003 regulates the sale of alcohol, provision of entertainment and provision of late night refreshment (sale of hot food or drink after 11pm). Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a Statement of Licensing Policy every three years. The council's first Statement of Licensing Policy was adopted by council on 12th January 2005 and was initially reviewed every three years, however in April 2012, the Police Reform and Social Responsibility Act changed the length of the lifetime of a policy from three to five years.

The Statement of Licensing Policy is due to be reviewed, with a policy in place for January 2024. However, the Cumulative Impact Assessment undertaken at the same time has a lifespan of three years and so was due to be reviewed in 2021 with a new policy in place for January 2022. This was delayed due to the coronavirus pandemic, which affected all businesses but particularly the hospitality industry.

The law

Prior to 2018, cumulative impact was a concept introduced in the Government's Section 182 Guidance issued under the Licensing Act 2003. It provided a rebuttable presumption for the refusal of licence applications in areas where the impact of an accumulation of licensed premises had a negative effect on the promotion of the licensing objectives. This contrasts with the otherwise permissive regime under the Licensing Act 2003.

Many local authorities introduced cumulative impact policies and described areas in their policies as cumulative impact zones, stress zones or concentration zones. In Leeds, cumulative impact is included in the Statement of Licensing Policy with five areas being described as falling under this designation. Nationally, cumulative impact policies are popular and well supported by Licensing Committees and, on appeal, by Magistrates Courts. However, until 2018, they were only a concept in the guidance and had no statutory basis. There were no guidelines on the level of evidence required. Local authorities called for cumulative impact policies to be introduced into the law, so they have a legal footing.

In the Policing and Crime Act 2017 the Government took the step of doing just that. The legislation states that a licensing authority may publish a document ("a cumulative impact assessment") stating that it considers the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in that area and restrict changes to licensable activities of existing licences.

A cumulative impact assessment must set out the evidence for the authority's opinion and before publishing it, the licensing authority must consult with people affected by the assessment, including the responsible authorities, businesses, and the public. The assessment must be reconsidered every three years and any review must be consulted upon before deciding whether it remains or can be removed. A licensing authority must publish any revision of a cumulative impact assessment along with the evidence.

The impact of this step is to put cumulative impact policies within the primary legislation, with a prescribed method for implementing a cumulative impact assessment and to provide some guidance regarding the source and level of evidence required to put a policy in place. This part of the Policing and Crime Act 2017 was commenced in April 2018. Amended S182 Guidance was published at the same time.

In Practice

In publishing a cumulative impact assessment, the council is setting down a strong statement of intent about its approach to considering applications for the grant of variation of premises licences or club premises certificates in the areas described. The council must have regard to the assessment when determining or revising the statement of licensing policy and must have regard to the policy and the section 182 guidance when making determinations.

The cumulative impact assessment does not change the fundamental way in which licensing decisions are made and it is open to the council to grant an application where it is appropriate and where the applicant can demonstrate through the operating schedule that they would not add to the cumulative impact.

Applications in areas which are covered by a cumulative impact assessment should therefore consider potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.

As described in the 2012 judgement (*BrewDog Bars Limited v Leeds City Council*), a cumulative impact assessment does not lead to an automatic blanket ban on the grant of licences. As in every decision made by the council, all applications are considered on their own merits and on a case by case basis.

A cumulative impact assessment does not relieve responsible authorities, residents and residents' groups or any other person of the need to make representations if deemed necessary. The council can only consider using a cumulative impact assessment to refuse an application if relevant representations are made. Where no representation is received the council must grant the licence.

Anyone making a representation can base it on the information provided in this assessment, and on the fact that an assessment has been published. It remains the responsibility of anyone making a representation to ensure that it demonstrates how the application shall impact on one or more of the licensing objectives, and that it can withstand the scrutiny to which it will be subjected to at a hearing and any subsequent appeal.

History of Cumulative Impact in Leeds

In 2005 Leeds City Council developed the first licensing policy. During the consultation the council received several requests for a cumulative impact policy and the evidence was gathered for areas of Leeds including the city centre, Headingley, Woodhouse corridor and Chapel Allerton. In 2007 the area of Horsforth Town Street was included in the policy.

The Cumulative Impact Policy was subject to subsequent reviews as follows:

2010: The outcome of this review was several changes to the scope of the existing areas:

- City centre changed from named streets to an area.
- Headingley increased to include Hyde Park.
- Horsforth increased to include New Road Side.
- Reference to licence applications for variations to existing licences included in all five cumulative impact areas.
- Late opening restaurants and takeaways added to city centre, Headingley, Chapel Allerton and Horsforth.

2012: The city centre became zoned with one red zone around the Call Lane/Lower Briggate/Duncan Street/Assembly Street area to be reviewed annually and the boundary changed as needed. Headingley to include off licences operating after midnight. No change to Woodhouse, Chapel Allerton, or Horsforth.

2015: The annual review of the city centre in 2015 added a second red zone to the north of the city centre.

2016: Inclusion of Armley.

2018: The Cumulative Impact Assessment review was informed by licensing statistics, Public Health Licensing Matrix, the West Yorkshire Police crime statistic reports, as well as information provided by Ward Members and residents. Two red zones in the city centre, and Headingley, Hyde Park, Armley and Harehills were described as cumulative impact areas. Chapel Allerton, Horsforth, and Woodhouse Corridor were removed.

2021: A review was undertaken, but it was recognised by Licensing Committee that the extraordinary circumstances of a pandemic would impact on the evidence provided for the review. As such it was determined that the cumulative impact assessment be undertaken but that no changes were to be made until a further, more in-depth review in 2022 alongside the Statement of Licensing Policy when the full impact of the pandemic was known.

2023: A review was undertaken, as planned:

- The city centre area and scope remained the same, recognising that at the point of the review the full impact of the pandemic was not known.
- The Headingley area was increased to include the northern end of the Otley run and further information was included regarding this. The scope was expanded to include any application that sought to take advantage of the Otley Run and therefore negatively impact on crime, disorder, and nuisance in the area.
- The Hyde Park area and scope to remain unchanged.
- The Armley area and scope to remain unchanged.
- The Harehills and Burmantofts area to be expanded to include the areas to the west of Roundhay Road and to the south to include York Road, but the scope to remain the same.
- Holbeck be included as a cumulative impact area due to the slow increase of off licensed premises, as well as the crime, disorder and a population of vulnerable adults and children.

Three Yearly Reviews

It is the intention of the council to review this cumulative impact assessment every three years but because of the dynamic nature of the city centre, it may be necessary to review the city centre evidence annually and to produce a separate cumulative impact assessment for that area.

Any review of the cumulative impact assessment will involve the following process:

- A call for evidence, sent to all responsible authorities and other interested parties through the Licensing Enforcement Group.
- The request of police crime statistics specifically for the area in questions and the thorough examination of the evidence to determine if there is evidence of cumulative impact.
- Liaison with the responsible authorities to gather further evidence through complaint statistics or other formal and informal action taken.
- Consultation with ward members, through the Community Committees, local businesses, and responsible authorities.
- The Cumulative Impact Assessment will be approved by Licensing Committee.

Any amendments which require the removal or addition of cumulative impact areas will necessitate a revision of the Statement of Licensing Policy.

Types of Evidence

Alcohol Licensing Data Matrix

Within Leeds, there are some areas which have high levels of deprivation, as well as high levels of alcohol related harm and alcohol related anti-social behaviour (ASB). In some cases, this was leading to street drinking and domestic abuse. The council was particularly concerned about the impact this was having on residents and wanted to act through the licensing process to support residents. However, council officers were finding it difficult to access crime data, due to low reporting of crime in areas of high deprivation. As such, it was difficult to justify introducing a cumulative impact assessment, which is an evidence based tool that councils can use to limit the density of alcohol licensed premises where they are negatively affecting the licensing objectives under the Licensing Act 2003 (one of which is the prevention of crime and disorder).

Directors of Public Health were made a responsible authority under the Licensing Act in 2011. Public health teams have access to numerous key data sources which are not easily accessible to other responsible authorities. This data can be used to inform the licensing process by identifying potentially harmful applications and providing the evidence base to support decisions on alcohol licences.

Therefore Leeds' licensing and public health teams worked together to develop an alcohol licensing data matrix. This matrix demonstrates where a locality is at risk of health harms from licensing activity by ranking localities against each other through comparing different data sets. The data sets are:

Deprivation Score	IMD2019	UK GOV	Low
Population aged 16 and under	July 2022 Leeds GP registered	Leeds GP registers	Mid
Not achieving English & Maths strong pass	2022 % DIDN'T achieve E&M Strong Pass (grades 9-5)	LCC	Mid
Looked after children	July 2021 + July 2022	LCC	Mid
NEET (not in education or training)	2020,2021,2022 known NEETS as of June each year summed	LCC	Low
Alcoholic liver disease mortality rate	2018-2020 Age standardised rates (MYE populations)	Hospital Episode Statistics	High
Alcohol specific emergency admission count	2016-17 to 2020-21 summed	Hospital Episode Statistics	High
Litter complaints Env Health	2019 - May 2023	Env Health	Mid
Noise complaints Env Health	2019 - May 2023	Env Health	Mid
Off Licence premises count	May-23	LCC	High
On Licence premises count	May-23	LCC	Mid
Licensing risk scores	May-23	LCC	Mid
Alcohol related harm hospital stays (narrow, age std. rate)	Hospital stays for alcohol related harm (Narrow) Standardised Admission ratios 2016 to 2017 - 2020 to 2021	www.localhealth.org.uk	Mid
Antisocial behaviour - alcohol related, count	2017-2022	Safer Leeds	Mid
Alc Flag Crime Excl violent	2017-2022	Safer Leeds	Mid
Violent crime where alcohol flagged, count	2018-2022	Safer Leeds	High
Drunk and disorderly, count	2018-2022	Safer Leeds	High

Alcohol treatment, all episode counts	Alcohol treatment, Forward Leeds, all episodes Jan 2016 to End 2022	Forward Leeds	High
Ambulance callouts related to alcohol, count	Alcohol related ambulance callouts 2014/15 to 2017/18	YAS / PHE	High
AUDIT tests scoring 16 or more (higher risk)	Scoring >=16 and <=40 AUDIT, Leeds GP recorded as of January 2023	Leeds GP registers	High
Stroke emergency hospital admissions (age std. rate)	Emergency hosp adm stroke, 2016/17 - 20/21 (Standardised Admission ratio)	www.localhealth.org.uk	High

In 2021, Leeds updated the matrix, and it is now based on a larger area, known as a Middle Layer Super Output Area (MSOA). A MSOA is a tool often used in public health, and is a geographic area designed to improve the reporting of small area statistics in England and Wales. The minimum population is 5,000 and the mean is 7,200. The Organisation Data Service publish files created on their behalf by the Office for National Statistics, which link postcodes to the Middle Layer Super Output Area. This enables the matrix user to input a postcode, for this to be linked to a MSOA and the data for that MSOA to be ranked against all other areas in Leeds.

By entering the postcode for the premises seeking a licence, the matrix displays the ranking of this MSOA against the data sets listed above, as well as providing an overall ranking against all 107 MSOA areas in Leeds.

Crucially, the datasets are weighted according to their relevance to the licensing objectives. For example, the datasets related to alcohol related crime, anti-social behaviour, and off licence density are given greater consideration in the licensing process than the datasets such as deprivation, because of their closer alignment to the licensing objectives, which are: the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The information provided by the matrix allows licensing subcommittees to consider the application in the context of the local areas and the problems being experienced by the population. This has helped committee members to make reasoned decisions based on quantitative data, as well as other anecdotal evidence which may be received through the licensing process. This is particularly helpful when the committee decides to refuse an application.

Police Statistics

The Leeds District Analysis Unit has provided a statistical crime report for each of the assessed areas. These reports include, as a minimum, crime typically associated with the consumption of alcohol such as affray, assault, drunk and disorderly, public order offences, robbery, theft from person and theft non-specific. Each of the reports is slightly different and uses crime figures from different time periods. The Police have provided analysis for the statistics in their conclusions. Where appropriate the report may give information regarding peak hours and days for crime. The council has used extracts from the crime reports to aid the assessment. The complete crime reports are available from Entertainment Licensing.

2023 Review of the City Centre Cumulative Impact Area

This cumulative impact assessment has been carried out in accordance with Section 5A of the Licensing Act 2003.

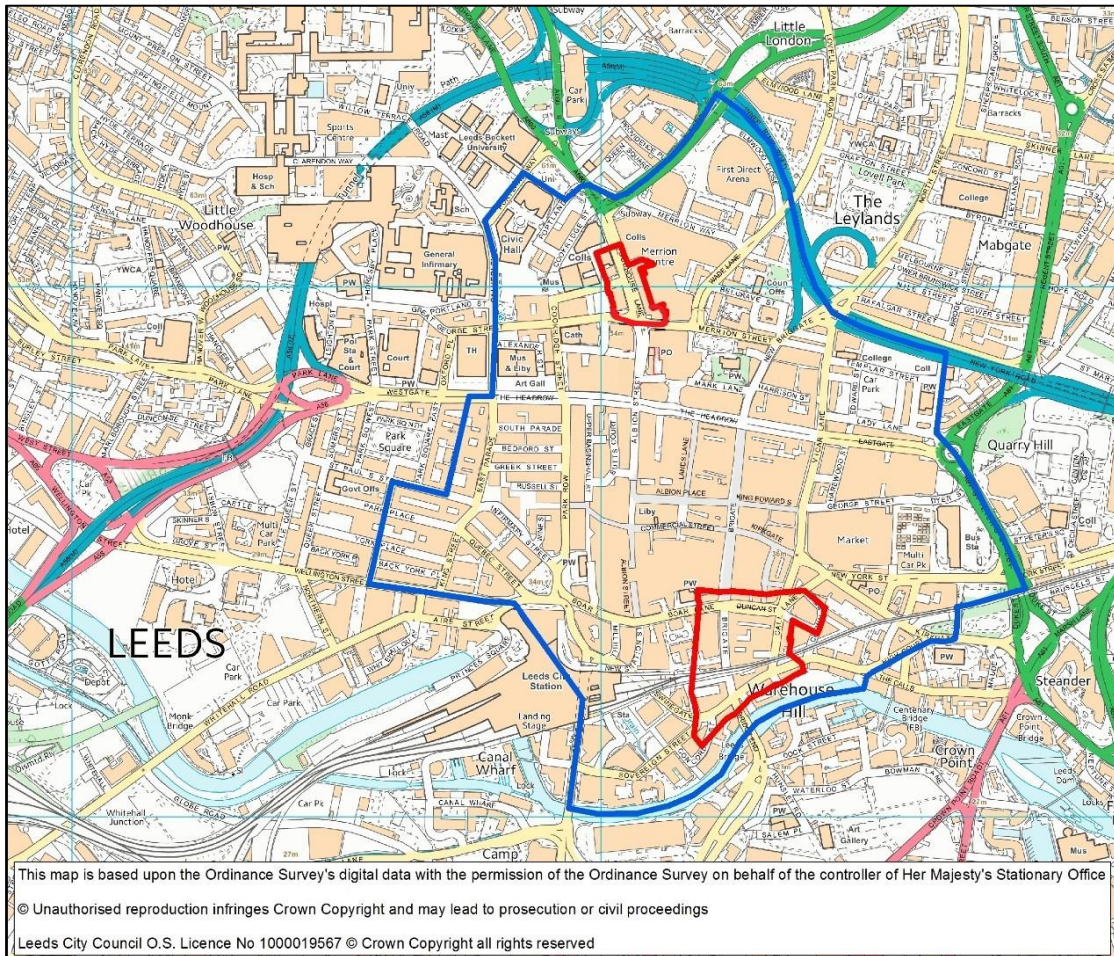
The review of the cumulative impact assessment is mandated by the legislation and must be carried out at least every three years. The licensing authority has no discretion as to whether to complete the assessment. However, it is for the authority to decide how detailed and in-depth that review needs to be.

Officers from Entertainment Licensing have met with West Yorkshire Police Licensing Team several times during 2020 and 2021 to discuss this review and to request the crime reports. A crime report produced for 2022 showed that crime has returned to pre-pandemic levels, however the 2023-2025 review was already underway and too far along in the process to amend.

A further crime report was requested that covered from 2022 to September 2023 which would span the period since the last review.

City Centre

The city centre cumulative impact area relates to the city centre. It is placed within the Little London & Woodhouse and Hunslet & Riverside wards.



West Yorkshire Police has shared information and statistics that show that the nature of the city centre is such that the cumulative impact of licensed premises leads to problems that aren't experienced in other parts of the city and this can be attributed to the density of licensed premises in specific areas. The number and proximity of venues on a street can result in difficulties in identifying premises as causing problems and so targeted action planning and licence reviews are not possible.

The closure or opening of businesses can have a dramatic effect on reported crime and incidents in an area. While problems at individual premises are dealt with using action planning and the review process, there are areas in Leeds city centre which become saturated as new businesses open or existing businesses change their style of operation. In addition, the council recognises that a previous problem area can be improved by the introduction of new styles of business types and seeks to encourage this.

There are two distinct areas in the city where extra police resources are deployed on a regular basis. These areas are the Call Lane/Lower Briggate and Woodhouse Lane which the council has designated as upper red and lower red zones. These areas are considered highly saturated and experience particularly high levels of crime, disorder and/or nuisance.

With the support of LeedsBID, BACIL and Leeds City Council, evening ambassadors patrol these two areas as it has been recognised that incidents on the street require extra attention and that early intervention can prevent an escalation in the severity of incidents on the street.

On street disorder and associated public safety concerns led to a temporary road closure of Call Lane between 11pm and 5am on the Friday, Saturday and Sunday night which took effect in October 2015. A significant amount of work has gone into improving the street scene in this area and that around the Corn Exchange. This has led to wider pavements, temporary road closures during the night-time, and improved areas for street café arrangements. Despite this the sheer numbers of people, often intoxicated, in the street during these hours highlights the need for the overall capacity of licensed venues in the red area to decrease, not increase.

An application received from premises located in the upper or lower red areas and operating during the respective peak hours as described below, can expect to receive representations from the West Yorkshire Police and the Licensing Authority recommending refusal. The responsible authorities are unlikely to negotiate conditions or additional measures on licences in the red area, as the impact on the licensing objectives is at such a level that the area cannot support any more premises opening or extending their operation.

Any variation that will effectively increase the occupancy of premises or to relax existing licence conditions will be viewed in a similar light to a new application as it may increase the availability in the same way as a new premises, which in the red area would be unacceptable.

New businesses seeking to introduce a new concept, and so attract different people into the area, may be acceptable elsewhere in the city centre but in the red area the problems are exacerbated by the sheer number of people on the street during the peak hours and introducing a new or extended business, even with a different concept, would add to the impact rather than reduce it.

The Licensing Authority is sympathetic to supporting businesses, but applications from existing premises for extended hours or to remove restrictive licence conditions citing business viability as a reason for change shall not override the Licensing Authority's obligation to ensure that premises promote the licensing objectives and protect the public.

In the City Centre cumulative impact area, the main concern is crime, disorder, and nuisance. Extending hours and changing businesses from food led to alcohol led businesses does not promote the licensing objectives. However reducing the number of licensed premises, and therefore the number of people, in drink, in the area does.

In the rest of the city centre cumulative impact area, the council will expect applicants to offer additional measures tailored to the problems in that area.

In all instances applicants are strongly advised to consult with West Yorkshire Police and the licensing authority before their application process, and where feasibly possible before any premises lease is secured. By working together, the responsible authorities and businesses can establish working practices that reduce crime and disorder and so benefit the long term aims of the city to be a vibrant, thriving economy.

Extra scrutiny is given to applications in the red zones which appear to adopt several different styles during their trading. For example, businesses that purport to be food led but seek late opening hours may be judged to be predominantly alcohol led due to their late night activities. It is for the applicant to demonstrate how their business will not add to the cumulative impact of licensed premises in that area through their operating schedule.

Evidence

Alcohol Licensing Data Matrix

The council has reviewed the Leeds city centre MSOA E02006875.



It ranks 1 out of 107 MSOAs in Leeds and is considered very high risk. This is the description given to the top 9 MSOAs for risk.

This table provides the ranking of this MSOA across the data sets.

Indicator	MSOA Category	Rank
Noise complaints	Very high	1
Off Licence premises count	Very high	1
On Licence premises count	Very high	1
Antisocial behaviour - alcohol related, count	Very high	1
Crime where alcohol flagged, count	Very high	1
Violent crime where alcohol flagged, count	Very high	1
Drunk and disorderly, count	Very high	1
Licensing risk score	Very high	1
Ambulance callouts related to alcohol, count	Very high	1
AUDIT tests scoring 16 or more (higher risk)	Very high	8
Litter complaints	High	10
Alcoholic liver disease mortality rate	High	18
Alcohol specific emergency admission count	High	20
Not achieving English & Maths strong pass	Medium	47
Deprivation Score	Medium	50
Alcohol treatment, all episode counts	Medium	53
Alcohol related harm hospital stays (narrow, age std. rate)	Low	63
Looked after children	Low	79
NEET (not in education or training)	Low	105
Population aged 16 and under	Low	106
Stroke emergency hospital admissions (age std. rate)	low	107

It could be expected that the city centre would rank highest out of all MSOAs in Leeds for health data, as not only is this the busiest night-time economy area, but also the location of one of the largest hospitals in Leeds. However it should be noted that the health and hospital statistics relate to people who live within this MSOA, not where they were admitted or received treatment.

Police Statistics

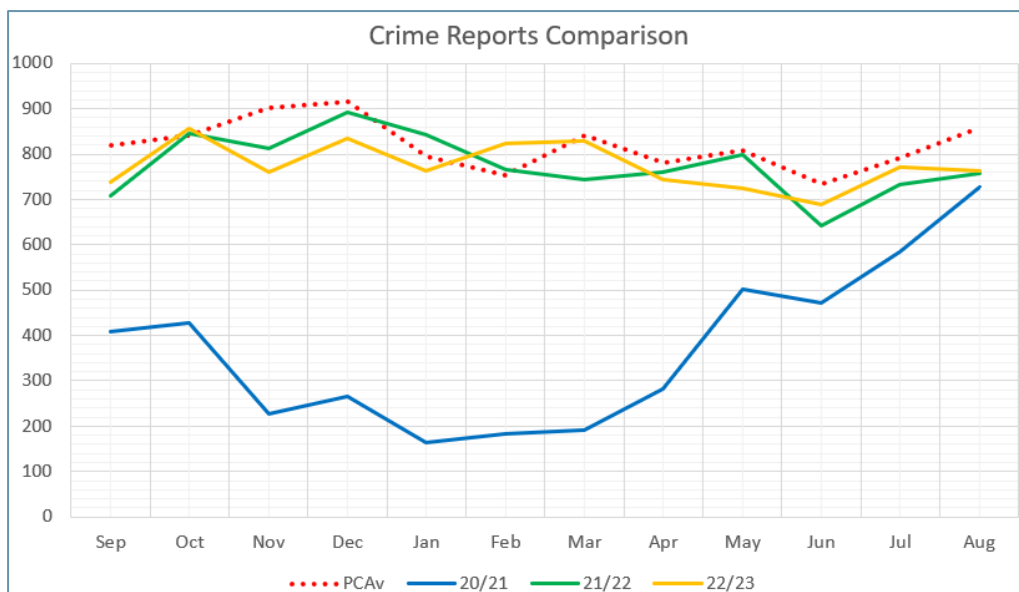
West Yorkshire Police have provided a crime report for 2016-21 which shows that overall crime levels in the city remain at a high level but dropped dramatically between February and April 2020. The levels rose again hitting a small peak in October 2020 with a less significant drop between November 2020 and March 2021. This clearly shows the impact of the lockdowns on crime in the entire city. Since then, crime which had dropped dramatically during the covid-period, has increased back to pre-covid average levels. During September 2020 and August 2021 public order was the highest it's been in the previous 5 years.

West Yorkshire Police have since provided an update for the period 01/09/2022 to 31/08/2023. They provide in this report crime and incidents from 01/09/2020 to 31/08/2023 and have provided a pre-covid average, as well as statistics for Sept 20- Aug 21, Sep 21 to Aug 22 and Sep 22 to Aug 23. This provides a full range of detail. The following data tables and key findings have been extracted from the police report.

Throughout this report the acronym PCAv has been used which relates to a pre-Covid average. This figure is taken from the crime statistics from a period 1st September 2017 to 31st August 2019. Between 21/22 and 22/23, all crime reports in the cumulative impact area have returned to pre-Covid levels, with several months reporting less crime than in the same month before Covid.

All Crime Statistics

This table shows all crime progression comparing the last 3 years with the pre-covid average for crime in the city centre. This is all crime, not just restricted to crime associated with the night-time economy.



The most common crime category is violence without injury, followed by shoplifting and public order offences:

Crime Category/Period	PCAv	Sep 20 - Aug 21	Sep 21 - Aug 22	Sep 22 - Aug 23	% 21/22 – 22/23	% PCAv & 22/23
Violence without injury	1929	1307	2309	2362	2%	22%
Shoplifting	2270	840	2017	2296	13%	1%
Public order offences	1299	1062	1668	1605	-3%	23%
Violence with injury	1433	590	1783	1493	-16%	4%
Other theft	2068	780	1444	1475	2%	-28%
Theft from the person	1320	347	853	915	7%	-30%
Bicycle theft	516	353	369	376	1%	-27%
Robbery	314	157	299	325	8%	-4%
Other sexual offences	221	151	263	304	15%	37%
Rape	74	63	97	113	16%	52%

The Police Report advises:

- Theft from person, bicycle theft and other theft saw a slight increase between 21/22 – 22/23, however, volumes of these crime types in the last 12 months remain below pre covid average.
- Rape and other sexual offences have seen an increase between 21/22 – 22/23 and offences reported between 22/23 are significantly above the PCAv.
- Violence and public order offences have also surpassed the volume of offences reported between pre covid levels and Sept 22 to Aug 23.

The council, and partner organisations, including the Police have prioritised encouraging the reporting of sexual crime as part of wider work undertaken relating to gender based violence which could explain the increase in sexual crime and rape reporting.

Conversely, the crime reporting for theft is generally down, but anecdotally, the neighbourhood policing teams have not seen a similar reduction in incidents in the city centre.

The report shows that Briggate and Albion Street remains the most active streets for overall daytime and night-time crime in the cumulative impact area.

Crime Category/Period	PCAV	Sep 20 - Aug 21	Sep 21 - Aug 22	Sep 22 - Aug 23	% 21/22 – 22/23	% PCAv & 22/23
Briggate	1240	508	1184	1031	-12%	-16%
Albion Street	1269	453	907	897	-1%	-29%
The Headrow	651	266	526	692	39%	6%
Call Lane	657	159	591	637	7%	-3%
Boar Lane	396	177	383	391	2%	-1%
Woodhouse Lane	407	111	468	334	-28%	-17%
Harewood Street	209	92	400	381	-4%	82%
New York Street	240	177	285	395	38%	64%
Great George Street	286	204	298	291	-2%	1%
Kirkgate	255	161	234	295	26%	15%
Merrion Way	269	148	222	295	32%	9%
Junction Street	204	153	277	181	-18%	-11%
Vicar Lane	216	133	217	237	9%	9%
Merrion Street	206	77	218	220	1%	6%
Lands Lane	263	98	176	172	-2%	-34%
Skinner Lane	95	94	90	151	67%	58%
Wellington Street	75	72	134	121	-9%	61%
Cookridge Street	160	30	162	122	-24%	-23%
Hirsts Yard	71	41	148	105	-29%	47%
Swinegate	34	43	117	102	-12%	200%

The Police Report states:

- Briggate remains the most active street for crime in the CIP from the 2022 CIP report, however from 21/22 to 22/23, crime has reduced by 12%.
- Night-time economy connected streets remain consistent with the PCAv seen in these areas.
- Swinegate has seen a significant increase in offences from the pre-covid average to 2022/23. Half of the crimes reported on this street have been Theft from Shop.
- In comparison with PCAv and the last 12 months, Harewood Street has also seen a similar significant increase, 90% of the crimes reported on this street in the last 3 years have also been shoplifting.

This is congruent with the neighbourhood policing teams anecdotal comments who have noticed an increase in theft in certain streets. However, for the Licensing Authority the concern is with night-time economy connected streets which have remained consistent:

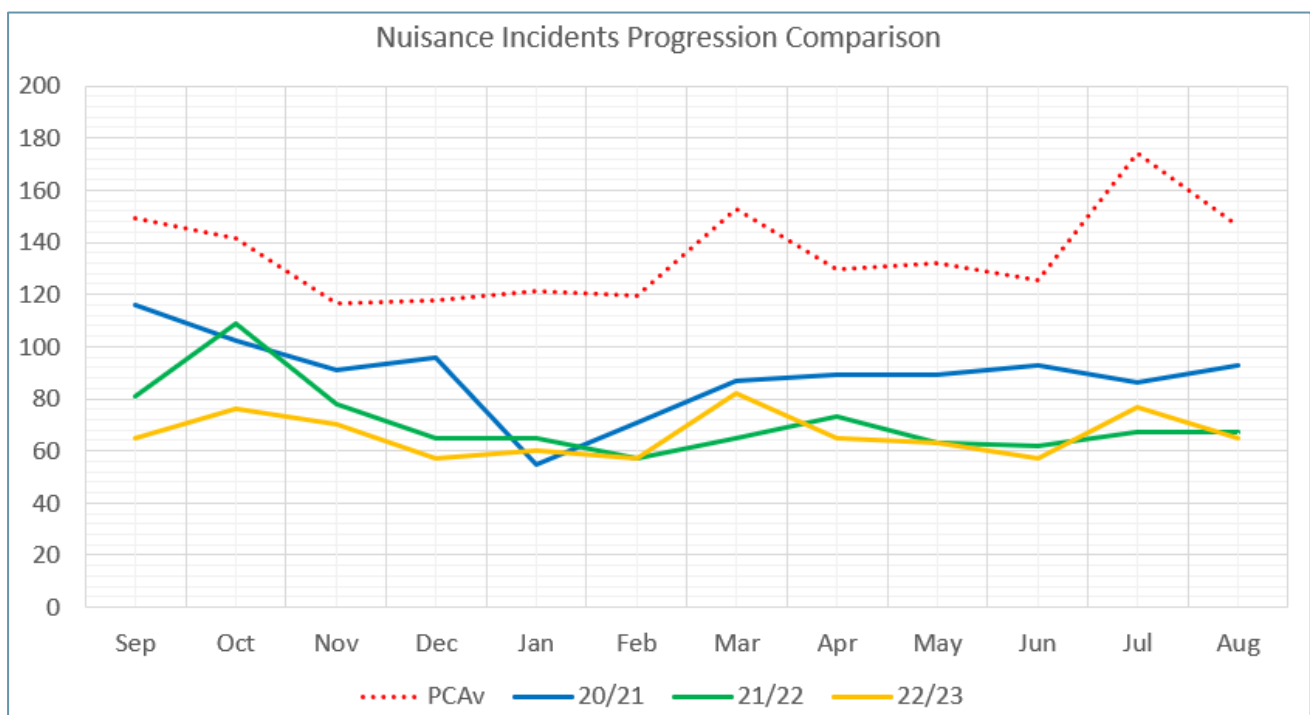
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Merrion Way	269	148	222	295	32%	9%
Vicar Lane	216	133	217	237	9%	9%
Merrion Street	206	77	218	220	1%	6%

Briggate is a long street. The northern two thirds of the street is predominantly retail shops, with a busy daytime activity. The night-time economy venues are clustered in the lower third. The red zone in the southern part of the city centre is mainly made up from Briggate, Call Lane, Boar Lane. Boar Lane and Call Lane have returned to pre-Covid levels.

Nuisance

Nuisance Incidents were compared between Sept to Aug for the last 3 years and compared with the PCAv calculate from 2017 – 2019. Reports of nuisance incidents in the last three years remain well below the pre-covid average.



The Police Report states:

- Many crime categories reported between 1st September and 31st August 2022/23 remain below the pre-covid average.
- Only youth related nuisance has seen any increase from the PCAv, however reports between 21/22 – 22/23 have remained consistent.
- In the previous City CIP report, nuisance car/van was one of the highest concerns for being approx. 40% above pre-covid levels. In the last 12 months (22/23) nuisance car/van has seen a 53% reduction from 21/22 and is 42% below pre-covid levels.
- Littering/Drugs Paraphernalia has seen a significant increase from 21/22 to 22/23 however, 21/22 saw a low number of reports and figures are still below the PCAv.

Crime Category/Period	PCAv	Sep 20 - Aug 21	Sep 21 - Aug 22	Sep 22 - Aug 23	% 21/22 – 22/23	% PCAv & 22/23
Adult Nuisance - Non Alcohol	807	510	341	294	-13%	-63%
Youth Related	256	248	260	260	0%	1%
Alcohol	366	177	140	147	5%	-59%
Nuisance Motorcycle/ Quad Bike	38	31	38	38	0%	0%
Nuisance Car/ Van	33	41	41	19	-53%	-42%
Fireworks/ Snowballing	26	16	14	15	7%	-42%
Littering/ Drugs Paraphernalia	43	21	7	16	128%	-38%
Neighbour Related	50	24	11	5	-54%	-90%

Temporal Analysis

Temporal analysis was performed on the top 20 streets between 1st September 2022 to 31st August 2023, to highlight which streets are more likely to experience day or night-time criminal activity. The following tables show the offences reported day/night on each street.

Street	Day 06:00 – 17:59	Night 18:00 – 05:59	Total
Briggate	387	638	1025
Call Lane	54	580	634
The Headrow	409	276	685
Albion Street	620	263	883
Woodhouse Lane	95	234	329
Boar Lane	177	210	387
New York Street	205	188	393
Merrion Street	70	149	219
Great George Street	140	141	281
Cookridge Street	17	105	122
Hirsts Yard	6	98	104
Vicar Lane	138	97	235
Merrion Way	194	96	290
Kirkgate	232	62	294
Skinner Lane	97	54	151
Wellington Street	51	53	114
Swinegate	51	47	98
Lands Lane	135	35	170
Junction Street	148	32	180
Harewood Street	352	28	380

The Police Report states:

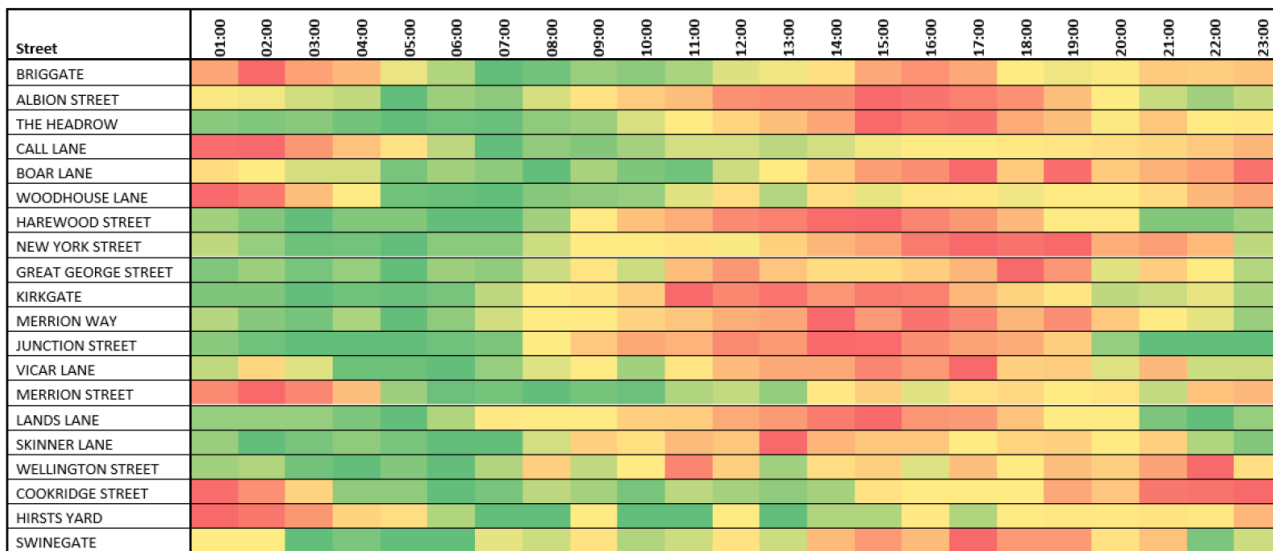
- Streets with a higher volume of crimes reported during the day versus the night have been separated. The variation in the peak times of offences may be due to the type of businesses located on said streets and the peak times for those businesses e.g. restaurants, gyms, stores.
- Briggate, Call Lane and Woodhouse Lane exhibit a large disparity between volumes of offences reported during daytime hours in comparison to Night.

This is exactly the profile that is expected in the city centre. Lower Briggate, Call Lane and Woodhouse Lane are in red zones. Albion Street was in the upper red zone until the closure of the three large night-time

economy premises. This area has moved to more daytime activity, even though there is a large late night fast food restaurant on the corner of Albion Street and Merrion Street.

Boar Lane figures quite highly on the list, but it should be noted another large late night fast food restaurant is located on the corner of Boar Lane and Briggate, which although may not be directly responsible for crime, it is a magnet for late night revellers. It is also busy during the day.

The following table is a graph to display the hourly spread of offences to highlight the peak times of reports per street. Peak times for majority of the streets correlate with the businesses on each street e.g. bars/pubs, shops etc. This covers the period of 1st September 2022 to 31st August 2023.



This graph, taken directly from the police shows that the night-time peak times are:

Upper red zone:

Woodhouse Lane: 23:00 - 03:00

Lower red zone

Briggate: 00:00 - 04:00

Call Lane: 23:00 - 04:00

Hirst's Yard: 23:00 - 04:00

Other areas kept under review:

Merrion Street: 00:00 - 03:00

Cookridge Street: 21:00 - 02:00

Boar Lane: 21:00 - 00:00

There are daytime peaks, but it is not clear if these crimes are alcohol related or theft:

Briggate: 15:00 - 17:00

Boar Lane: 15:00 - 19:00 peaking at 17:00 and 19:00

Swinegate: 15:00 - 19:00 peaking at 17:00

Consultation

The public consultation is a statutory requirement of the Licensing Act 2003 but can be scaled according to the size of the review. The consultation was carried out between 1st and 15th January 2024.

The council wrote to all premises licence holders and their agents in the city centre, to residents via ward councillors, issued a statement by way of a GovDelivery bulletin to over a thousand subscribers, and advertised the review via the council website.

Comments were welcomed on the recommendations, in writing by post or email.

At the end of the consultation period, the council has received two comments.

Comment 1:

Further to the email with regards to City Centre CIA, I would like to bring into your kind attention an issue that we saw recently on the increase.

Recently saw an increased number of teenagers roaming around, trying to get into the restaurant casually and trying to snatch the bags or valuables of customers. In two instances we got them and once they stole a bag from the customer. When we called the police, they couldn't reach us fast and more teenagers came and made a big issue here and we had to let them go. So if you could do something to improve this issue it would be great.

Response to comment 1: This matter has been referred to the Licensing authority's Liaison and Enforcement Section for further action.

Comment 2:

As Head of Leeds Market (LS2 postcode) the only issues we witness are during the day as we close at 5:30pm. We have the odd person drinking inside the market but these are rare and are dealt with by security.

However, we witness lots of issues with the two off licences on New York street just outside the market selling single cans of super strength lager to homeless people who then all gather near the post office. They cause daily anti-social behaviour and are often fighting with each other as well as dealing drugs openly in front of the public. Nothing is ever done to stop this behaviour and these shops continue to provide the source of the problem when they should be stopped from selling alcohol when they know it is being drunk on the streets.

We have a number of stall holders inside the market that have a licence to serve alcohol but have never had any issues with this.

Response to comment 2: This matter has been referred to the Licensing authority's Liaison and Enforcement Section for further action.

Conclusions and Recommendations

This cumulative impact assessment has been carried out in accordance with Section 5A of the Licensing Act 2003. The council intends to publish the cumulative impact assessment because it considers that the number of relevant authorisations in respect of premises described in the assessment, is such that it is likely that it would be inconsistent with the authority's duty to grant any further relevant authorisations in respect of premises in that part or those parts of its area.

This assessment is informed by a review of the recent crime statistics provided by West Yorkshire Police. This review is undertaken to ensure that the cumulative impact area described in the Statement of Licensing Policy covers the smallest area possible whilst protecting the public from the cumulative impact of licensed premises. It also serves to review the peak times for crime and nuisance. This guides the Licensing Authority, the Police Licensing Team and Environmental Health when making representations to applications in the red areas. With the guiding principle that the areas which suffer from alcohol related crime should not be forced to stagnate, and the desire to encourage a diverse offer in terms of licensed premises, only those applications which seek to cater to the night-time economy during peak hours would attract representations.

Taking this into consideration, the Council has reviewed the current cumulative impact area and recommends the cumulative impact areas are correctly described in and illustrated in the map provided at the front of this document. The peak hours for the upper red zone are 23:00 to 03:00 and for the lower red zone are 23:00 to 04:00. As the Police report does not specify days of the week these hours are relevant, consideration will be given to applications for any days that fall within those hours, recognising that operators generally chose the later hours at the weekends when demand is highest.

This review confirms that it would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence (on sales, off sales and late night takeaways) that seek to operate during the peak hours described in the cumulative impact assessment for the city centre.