



LICENSING COMMITTEE

Meeting to be held in Civic Hall, Leeds on
Tuesday, 17th September, 2024
at 10.00 am

MEMBERSHIP

Councillors

- A Ali - Gipton and Harehills;
- J Bowden - Roundhay;
- N Buckley - Alwoodley;
- E Carlisle - Hunslet and Riverside;
- R Downes - Otley and Yeadon;
- L Farley - Burmantofts and Richmond Hill;
- J Gibson (Chair) - Cross Gates and Whinmoor;
- K Haigh - Farnley and Wortley;
- S Hamilton - Moortown;
- T Hinchcliffe - Bramley and Stanningley;
- S Holroyd-Case - Ardsley and Robin Hood;
- L Martin - Roundhay;
- D Seary - Pudsey;
- J Senior - Morley South;

A G E N D A

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

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the last meeting held on 6th August 2024.</p>	7 - 14
7			<p>CUMULATIVE IMPACT ASSESSMENT FOR BEESTON</p> <p>To consider the report of the Chief Officer Elections and Regulatory seeking consideration for the Dewsbury Road area of the Hunslet and Riverside ward to be assessed for cumulative impact at the request of the Safer Stronger Communities Team and Public Health. The report includes the relevant cumulative impact assessment and the Committee is asked to decide if there is sufficient evidence to warrant proceeding and, if so, to approve the assessment be taken out to the public and affected businesses for a public consultation.</p>	15 - 56

Item No	Ward	Item Not Open		Page No
8			<p>GAMBLING ACT 2005 - PUBLIC CONSULTATION ON POLICY</p> <p>To consider the report of the Chief Officer Elections & Regulatory advising that the triennial review of the Gambling Act 2005 Statement of Licensing Policy is underway with the public consultation having taken place. The report highlights the responses provided to the public consultation and any subsequent amendments to the Licensing Policy.</p>	57 - 136
9			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Tuesday 19th November 2024 at 10.00 am</p> <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> <ol 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>	

Licensing Committee

Tuesday, 6th August, 2024

PRESENT: Councillor J Gibson in the Chair

Councillors A Ali, E Carlisle, R Downes,
L Farley, K Haigh, S Hamilton,
T Hinchcliffe, S Holroyd-Case and L Martin

18 Appeals Against Refusal of Inspection of Documents

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

19 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information however the Committee was advised that it may be necessary for the meeting to move into closed session should Members wish to discuss the details of the Event Management Plan for the Leeds Festival 2024.

20 Late Items

No late items of business were added to the agenda.

21 Declaration of Interests

There were no declarations of interest.

22 Apologies for Absence

Apologies for absence were received from Councillors Bowden, N Buckley, Seary and Senior.

23 Minutes

RESOLVED – That the minutes of the previous meeting held on 8th July 2024 be agreed as a correct record.

24 Leeds Festival 2024

The report of the Chief Officer, Elections and Regulatory outlined the work undertaken so far in preparation for the Leeds Festival 2024, to be held in the grounds of Bramham Park over the August Bank Holiday weekend.

The Committee noted that, due to the nature of possible discussions on any specific measures or proposals for this year's event, Members may consider it appropriate for the public to be excluded from part of the meeting which would facilitate discussions in private to allow Mr Benn of Festival Republic and other attendees to provide Members with information associated with the Festival which falls under the Access to Information Procedure Rules.

In introducing the report, the Section Head, Entertainment Licensing, noted that the premises licence for the Festival was subject to a condition that an Event Management Plan ("EMP") and any revisions to the EMP must be approved by the Licensing Authority each year. The Committee was

requested to consider whether to continue to delegate approval of the final EMP to the Chief Officer, Elections and Regulatory or whether to delegate approval of the final EMP to a Licensing Sub Committee to be convened just prior to the start of the Festival.

Members of the Committee had been granted access to the EMP as it evolved on the secure national government platform - "Resilience Direct" – which was accessible to all partners involved in planning for the Festival, including blue light and relevant services as partners of the Leeds Safety Advisory Group ("SAG") co-ordinated by the Resilience & Emergency Team.

The following representatives of the festival organiser were in attendance:

- Melvin Benn, Managing Director, Festival Republic
- Georgie Hanrahan, Festival Republic
- Vicky Chapman, Head of Sustainability, Festival Republic
- Hannah Corrigan, Festival Republic
- Andrew Pennington, Festival Republic

The Committee received a presentation from Festival Republic which provided an overview of the event planning which was now in its final stages and highlighted any changes to arrangements following the 2023 Festival:

Amended site plan - The site plan had been updated in response to changing musical trends, this included the removal of the Main Stage West, BBC Dance, Radio Xtra and the Alternative Stages. A new Chevron Stage, BBC Radio 1 stage and 'The Orcs' would be introduced for 2024.

Camp Sites - A second Eco Campsite had been introduced due to increased popularity, along with a dedicated quiet camp and a solo camp.

Increased late night entertainment - The new Chevron Stage will also host the silent disco The Anachronica stage would not return.

Fire Safety – To continue the 2023 provision, including the ban on campfires and barbecues.

Medical provision – To continue the 2023 provision with the same provider and to include on-site X-ray provision and a recording radiologist.

On-site support for attendees – A number of external organisations would be on-site to offer support and guidance to attendees, including Festival Angels, Brook, SARC (Sexual Assault Referral Centre) Oxfam, Forward Leeds, Samaritans, Salvation Army, Egalitarian, Narcotics Anonymous, Safe Gigs For Women and Alcoholic Anonymous. Diverse UK would also operate a sensory space offering a safe and quiet space for attendees.

Campaign messaging – Social messaging would focus on the safety of attendees and staff. The Festival would run the "Look Out For Each Other", "Ask 4 Angela" and the "Enough!" campaigns through screen messaging, social media and the Festival App. Brook consent messaging would be shown on the screens adjacent to the stage and posters with information and guidance on modern slavery/exploitation would be displayed in staff toilets.

Assistance Information Response (AIR) Hubs - To continue the 2023 provision, with 12 Hubs throughout the camp sites and one located in the arena, to be staffed 24 hours a day by Age UK, Oxfam, Andy's Man Club and Festival Angels.

Alcohol - To continue the 2023 provision with ID checks undertaken at bars.

Under 18's - A QR system will again capture data on the number of 16/17 year old attendees both accompanied and unaccompanied, with the data shared at daily SAG meetings.

Security and stewarding – To continue the 2023 provision, with PNC checks on all staff and SIA licence checks undertaken by the Security Industry Authority.

The enhanced drug detection measures introduced in 2023 would continue.

Sustainability – 15% of campers had registered to use the 2 Eco Camps – a 25% increase in take-up. Decathlon would also be on site this year with a “no tent left behind” campaign and the offer of tent click & collect and repair services. No disposable vapes permitted for sale on site and vape specific bins will be provided. The salvage, deposit and on-site waste sorting schemes will return for 2024.

Noise/ Environmental Health – Off-site noise monitoring will be undertaken in the surrounding villages throughout the Festival. The Anachronica Stage will not operate and there will be 2 campsite DJs rather than 4 as provided in 2023. The letter to residents is due to be distributed and the local resident's website and hotline were now operational. The 2023 plans for water safety management and food safety testing plans will continue for 2024.

Traffic Management – The Traffic Management Plan had been updated and National Highways would take responsibility for site egress at Junction 44 A1(M). The closure of the southbound hard shoulder at J44 A1(M) was proposed along with enhanced signage in surrounding areas. Noting the impact of the long term A1(M) roadworks, consultation was ongoing between the Festival Traffic Sub Committee and the Works Operator. Additionally, the Hackney Carriage/Private Hire (HC/PH) pick-up/drop-off point would be managed by Event People, who will also have a representative in Event Control. Additional Wi-Fi and lighting will be provided at the pick-up/drop-off point along with safety messaging.

Signage – signage around the site will be provided including that by VMS and LED. Help maps & 'you are here' boards and various information sources will be available for attendees.

Members were also provided with the time frame for the final stages of planning for the event:

7th August – table top exercise

14th August – final SAG meeting

16th August – submission of the final EMP

20th August – proposed Member site visit.

In response to queries from Members of the Committee, representatives of Festival Republic provided the following additional information:

- Detail on the arrangements for the salvage operation and take-up by local or national organisations. Members noted the suggestion for Members of the Committee to join the Festival Sustainability Sub- Group.
- Detail on the tent rental scheme to be operated by Decathlon.
- Detail on the arrangements and facilities offered in the Eco camps.

- The commitment to women’s safety and on-site provision of safe spaces and support, and confirmation that the ‘Ask 4 Angela’ campaign will be included within staff briefings.
- Confirmation that the Festival was intended to be a ‘cash-less event. The impact on attendees’ ability to pay for journeys home if Hackney Carriage/Private Hire vehicles did not have an operational card reader was discussed and the Chair encouraged all representatives of both trades to ensure their card readers were charged and operational if working at the Festival.

The Committee then heard from relevant services and partners of the Leeds Safety Advisory Group.

Co-Chairs of the local Parish & Town Councils sub group - Councillor N Harrington and Councillor M Robinson

The Committee noted that the sub group met with Festival Republic throughout the year, and that each locality within the outer north east area had a designated co-ordinator. Liaison letters to residents were due to be despatched this week. Confirmation that Wi-Fi connectivity had been increased on the Festival site was welcomed.

Issues relating to drug prevention, noise and access had been discussed through the year and Festival Republic had been receptive to suggestions made. The Festival website now hosted a residents’ portal which was very helpful. Additionally, the benefits the Festival brought to local villages through the associated Community fund were highlighted.

National Highways – D Skupski

The 2023 Traffic Management Plan for 2023 had been successful and would be carried forward for 2024, the main area of concern had been egress on Sunday night and National Highways would lead on the management of J44 A1(M) through Sunday night/Monday morning this year. The long term roadworks on the M1 from Lofthouse to Hook Moor would be a challenge. However, in order to minimise the impact, traffic would be encouraged to utilise the A1(M). Signage improvements will be carried out.

In response to a query regarding the feasibility of taxi use of the designated bus access routes, the Committee heard that a number of discussions with the trade had been held. The Committee was told changing the taxi routes would have a significant impact on all routing into and out of the site, therefore no significant change to taxi access was proposed. Members commented that taxis were regarded as alternative public transport and were permitted to use bus routes in the city.

In respect of a reported issue experienced in 2023 when a fire service response vehicle was refused access to a route to attend a residential fire, the Committee received assurance that the incident had been discussed by SAG and would be addressed through improved signage to allow “emergency vehicles only beyond this point” and briefing of stewards.

The Committee also noted that the closure of a local footpath had prompted complaints from residents. It was explained that a number of bridal ways are subject to closures.

LCC Highways – M Norcliffe - Referring to the issue of HC/PH access, it was confirmed that altering the route would have a knock-on effect on traffic flow on the wider network. Access had been explored with partners, but an alternative acceptable arrangement had not been identified. Historically complaints had been received that HC/PH vehicles had used prohibited routes through nearby villages to access the Festival and been followed by other Festival traffic, and there were now less incidents of this due to the access introduced four years ago.

A Pennington, Festival Republic - Provided further detail on the consideration of requests for revised HC/PH access routes.

- Shuttle Bus Yellow Gate access - Reinstatement of the former route would not be possible as due to significant changes to the Festival site layout, the Yellow Gate area now hosted other facilities including accessibility access leaving no capacity for taxis. The rank was relocated to Red Gate four years ago to alleviate the impact of traffic on Thorner village.
- The trade's request for a quick return to the city centre has been accommodated by allowing HC/PH to access the site through Red Gate 1 and exit via a right turn at Black Gate which allows them to travel directly to Leeds via the A64. It was not feasible to allow access through the Red Bus/A64 closure. This would impact on the HC/PH egress plan throwing them back onto the eastbound exiting traffic towards the A1(M).

The Chair suggested that Members of the Committee attend the Transport sub-group to further discuss access and Councillors A Ali, Gibson and Martin agreed to attend.

Yorkshire Ambulance Service – C Fothergill - There was confidence in the response plan being developed for 2024 and the 2023 provider was contracted for this year with X-Ray facilities on site. Additionally, although an event of this size adheres to the provisions of the Purple Guide, Festival Republic had engaged strategic services to be on-site. There has been a proactive approach to the recommendations contained within Martyn's Law. YAS would be on-site 24 hours per day from the Thursday of the Festival.

LCC Safer Leeds - C Smith - The continued ban on campfire and Barbecues was welcomed.

LCC Public Health - D Burn – The collaboration between Public Health and Forward Leeds would continue. "Look out For Each Other" campaign has been subject to a refresh and animations would be relayed via various means including broadcast on stage screens, the Festival app, push notifications, posters and merchandise, with further messaging related to health protection messages.

LCC Environmental Health - S Hardisty & R Turner – No concerns were raised. Work with Festival Republic remained ongoing, and EHO would have a presence on site during the Festival to deal with food safety.

There was a well-established process in place to deal with noise monitoring and EPT officers will be based off-site, travelling around the localities to detect any issues. The website included relevant contact details and the Out of Hours Noise team was aware of how to make contact with the team at the Festival. The complaints line is now live.

LCC Emergencies Team/SAG co-ordinator - R Jowett - No concerns were raised. In respect of the timescales for the EMP, the earlier SAG deadline of 12/08 allowed time for partners to address any issues before the final submission of the EMP on 16/08. Members were reminded that they had been granted access to the Resilience Direct secure portal to view the EMP and to contact relevant officers to obtain passcodes.

Security Industry Authority – I Tough – No concerns were raised, although the Authority awaited details of stewarding staff from the contracted providers so that checks may be carried out. It was anticipated that these would be supplied shortly. Historical concerns regarding the experience of stewards were no longer relevant and in 2023 there were very few incidents of stewards attempting to use fake ID. In addressing whether there is the prospect of SIA badge holders, once registered, having an undisclosed criminal conviction, it was noted that such details are dependent on the information provided at the time of arrest. Badge holders may inadvertently fail to declare door supervision should it not be their main occupation.

LCC Taxi & Private Hire Licensing Section – R Perrett – Enforcement officers would be on site each day of the Festival undertaking vehicle/driver checks. The team was liaising with neighbouring authorities to encourage their attendance to deal with vehicles licensed within their boundaries. Improved Wi-Fi and signage would be installed at the pick-up/drop-off point and toilet facilities for drivers will also be installed. Members received assurance that any offence occurring in Leeds will be dealt with by Leeds officers regardless of where a vehicle is licensed, having representatives of neighbouring authorities on site would mean that up to date information on those vehicles registered elsewhere was more readily available. Members also noted that non-compliance was significantly lower in 2023.

West Yorkshire Fire & Rescue Service – C Hammill – Good working relationships were established with Festival Republic, and although the Fire response contractor had changed for 2024, there were no concerns. WYFRS will have a tactical /operational commander on site throughout the Festival.

West Yorkshire Police – N Ireland – WYP were satisfied with the emerging EMP and a command structure was in place for 2024. WYP had been involved in a review of the 2023 Festival and were confident that the 2024 EMP reflected on and addressed any issues raised during that review. Members were provided with reassurance that conversations between WYP

Command and Festival Republic would be ongoing during the Festival to reflect/respond to issues whether that be traffic, crowd or crime related. Members received reassurance that the deployment of resources was done through an ongoing threat assessment in conjunction with other police forces which reviewed other events and crime patterns elsewhere, so that any necessary response is evidence based.

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. The Chair acknowledged the work being done to develop the EMP to create an enjoyable and safe Festival and thanked all attendees for their participation in discussions today.

RESOLVED –

- a) To note the presentation from Mr M Benn and representatives of Festival Republic on the planning and preparation for the 2024 Festival, and the comments from partners of the Safety Advisory Group provided in discussions with the Committee.
- b) To delegate approval of the final Leeds Festival 2024 Event Management Plan to the Chief Officer, Elections and Regulatory.

25 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday, 17th September 2024 at 10.00 am in the Civic Hall, Leeds.

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Cumulative Impact Assessment for Beeston

Date: 17th September 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 can produce an assessment of cumulative impact of licensed premises in its area. As part of the Statement of Licensing Policy review the Council produced such an assessment in 2018 and reviewed it in 2022 for implementation in 2023. Since that initial Assessment, the city centre and Harehills assessments have been reviewed.

The licensing authority can assess any area for cumulative impact and a request for the Dewsbury Road area of Hunslet and Riverside ward to be assessed has been made by the Safer Stronger Communities Team and Public Health.

Recommendations

- a) For Licensing Committee to consider the attached cumulative impact assessment, decide if there is sufficient evidence to warrant proceeding and, if so, to approve the assessment be taken out to the public and affected businesses for a public consultation, along with the amended Section 7 of the Licensing Act 2003 Statement of Licensing Policy..

What is this report about?

- 1 The Licensing Act 2003 provides that as licensing authority may, on request, assess if an area is suffering from the cumulative impact of licensed premises on the four licensing objectives.
- 2 The Dewsbury Road area of Beeston has long been the subject of additional resources and has a multiagency problem solving group who are looking for solutions to antisocial behaviour and crime in the area.
- 3 Public Health and the Safer Stronger Communities Team have asked the licensing authority to look at this area as a possible cumulative impact area, due to the increasing number of shops and takeaways licensed for the sale of alcohol for consumption off the premises. This ready availability of alcohol is having an impact on the levels of antisocial behaviour.
- 4 The licensing authority first looked at this in 2012, and at that time there wasn't a sufficient accumulation of licensed premises to prove cumulative impact. However, Safer Communities and Public Health co-authored a local licensing guidance document, to encourage new licensees to consider the area in which they were proposing to operate. This was effective for several years.
- 5 The Safer Stronger Communities Team and Public Health asked for another review to be undertaken. West Yorkshire Police have provided crime statistics, Entertainment Licensing have gathered information on the number and type of licences, the areas have been evaluated through the Alcohol Harm Risk Matrix and the Safer Stronger Communities Team have gather qualitative evidence from partners and residents. This information is provided in the attached Cumulative Impact Assessment at Appendix 1.
- 6 A public consultation is required by the Act and it is the usual practice of the council to seek approval from Licensing Committee of the draft document before consultation. It is proposed that the cumulative impact assessment appended to this report be used for the public consultation. However at the same time, to save council resources, it is necessary to consult upon the insertion of this CIA into the Statement of Licensing Policy at Section 7 which is attached at Appendix 2.
- 7 The final approval of the assessment is a matter for Licensing Committee. However, any amendment to the policy would need to be approved by full Council.

What impact will this proposal have?

Wards Affected: Hunslet and Riverside

Have ward members been consulted? Yes No

- 8 Designating an area as suffering from cumulative impact has two immediate outcomes. Firstly it places a rebuttable presumption that any application within scope would be refused unless the applicant can show that their proposal would not have a negative impact on the licensing objectives, bearing in mind the information and evidence provided in the cumulative impact assessment.

- 9 Secondly although the licensing authority must consider each application on a case by case basis, this has the effect of adding an additional burden on the applicant, which can deter applications, especially if there is a history of licences being refused in the area. We have seen this effect in Armley, Headingley and in the City Centre.

What consultation and engagement has taken place?

- 10 Officers from Entertainment Licensing have met with partners, including The Safer Stronger Communities Team, Public Health, Environmental Health, West Yorkshire Police to discuss the proposed area, the scope and to request the crime reports and qualitative evidence. The Safer Stronger Communities Team have consulted with Ward Councillors.
- 11 The public consultation is a statutory requirement of the Licensing Act 2003 but can be scaled according to the size of the review. Consequently, it is intended to undertake a consultation by email and letter concentrating on resident groups, ward councillors and businesses operating in the area.

What are the resource implications?

- 12 No resource implications for the licensing authority have been identified with the implementation of the policy as these matters are costed into the licensing authority's overheads. However, there would be a resource implication should there be a legal challenge to the cumulative impact assessment. This may impact on legal and financial resources should any such challenge succeed.
- 13 Designating an area as suffering from cumulative impact does require timely and time consuming involvement from partners on receipt of an application that falls within the scope of the assessment. For example in Beeston, in the specified area, an application for a premises licence authorising the sale of alcohol would require representations to be made by partners, including ward members and the licensing authority should the applicant not demonstrate in their application how their proposal does not have a negative impact on the licensing objectives. To achieve the desired outcome, be that refusal or the imposing of additional conditions, attendance at the licensing subcommittee hearing may be required. As has already been experienced with applications in Harehills, this can be time consuming. This will have a resource implication for the partners supporting this policy.

What are the legal implications?

- 14 There are no legal implications in relation to this report.
- 15 The review of the assessment is a matter for Licensing Committee. Any consequential amendment to the Policy would be a matter for Full Council and available for call-in.

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

- 16 The key risk is legal challenge to the cumulative impact assessment by parties who are seeking a licence in a cumulative impact area. Partners, including the Police, will be able to provide updated statistics and other evidence relevant to each application, as required, which will minimise the risk and robustness of a legal challenge.

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

Inclusive Growth Health and Wellbeing Climate Emergency

- 17 The licensing regime contributes to Best City Priorities 2020/2025:

- Culture
- Safe, Strong communities
- Inclusive Growth

Options, timescales and measuring success

- 18 The options open to Licensing Committee are to consider the recommendations and either:
- Agree to the recommendation
 - Offer an alternative course of action
- 19 Although there is no set timescale the relevance of the evidence reduces over time, therefore it is preferable to consult on the assessment as soon as possible. If approved the consultation could run over 6 weeks from 24th September to 5th November. The results of the consultation could be provided to Licensing Committee on 19th November and the amended Statement of Licensing taken to full Council on 15th January for adoption.
- 20 Success would be measured by a cumulative impact assessment for Dewsbury Road in place by January 2024.

Appendices

- 21 Appendix 1 – Cumulative Impact Assessment Beeston
- 22 Appendix 2 – Amended Section 7, Statement of Licensing Policy

Background papers

- 23 None

Cumulative Impact Assessment Beeston 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 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 where they consider it appropriate so that the licensing objectives are promoted. 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 it can withstand the scrutiny to which they will be subjected to at a hearing.

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 follow the same 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

Public Health were made a Responsible Authority in 2011. However, in the absence of Health as a licensing objective, it is very challenging for Public Health to engage meaningfully within the licensing process. Nevertheless, Public Health England and the Local Government Association strongly acknowledge and support the importance of public health input into licensing and have encouraged the development of innovative ways to influence the process within the restrictive boundaries of the Licensing Act 2003.

Public Health has access to numerous key data sources which are not easily accessible by other Responsible Authorities, which can be used to inform the licensing process to help to identify potentially harmful applications and provide the evidence base to support associated decisions. Public Health England has published national guidance on how local Public Health teams can best utilise this data to influence the licensing process. The development of a data matrix which combines and analyses multiple key data sources is a method already used in other Local Authorities including Wigan, Wolverhampton, and Cornwall.

In 2018 Public Health and Entertainment Licensing worked together to develop a tool that could demonstrate where a locality is at risk of health harms from licensing activity. Public Health produced the tool, known as the Alcohol Licensing Data Matrix, which ranks localities against each other through comparing different data sets. In 2018 the data sets were ranked based on Lower Super Output Areas (LSOAs) which are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales and are defined by populations of around 1,500.

For three years, both the Licensing Authority and Public Health have used the Health Matrix to establish if an application located in a specific postcode will have a negative impact on the promotion of the licensing objectives. 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.

However, in 2021, a steering group was formed to establish if information garnered during the COVID pandemic, as well as new learning could improve the accuracy of the Health Matrix. It was decided that the data should be based on MSOA (Middle Layer Super Output Areas). MSOAs are built from groups of contiguous LSOAs with a minimum population of 5,000. 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 and the data for that MSOA to be ranked against all other areas in Leeds.

In addition, the Steering Group looked again at the datasets that were being used and updated. The following 18 datasets were identified. These allow the Health Matrix to be used for purposes other than just licensing decisions but are still relevant, to a greater or lesser extent, to the licensing objectives.

Indicator	Detail	Source	Weighting
Deprivation Score	IMD2019	UK GOV	Low
Antisocial behaviour - alcohol related, count	2016, 2017, 2018, 2019, 2020 summed	Safer Leeds	Mid
Violent crime where alcohol flagged, count	2016, 2017, 2018, 2019, 2020 summed	Safer Leeds	Mid
Drunk and disorderly, count	2016, 2017, 2018, 2019, 2020 summed	Safer Leeds	Mid

Off Licence premises count	August 2021	LCC	High
On Licence premises count	August 2021	LCC	Mid
Licensing risk score	Licensing risk scores August 2021	LCC	Mid
Population aged 16 and under	July 2021 Leeds GP registered	Leeds GP registers	Mid
Not achieving English & Maths strong pass	2019 (2020 data not available re covid) % DIDN'T achieve E&M Strong Pass (grades 9-5)	LCC	Mid
Looked after children	July 2020 + July 2021 Years combined for greater coverage	LCC	Mid
NEET (not in education or training)	2019,2020,2021 known NEETS as of June each year summed	LCC	Low
Alcohol specific emergency admission count	2016-17 to 2020-21 summed	Hospital Episode Statistics	High
Alcohol related harm hospital stays (narrow, age std. rate)	Hospital stays for alcohol related harm (Narrow) Standardised Admission ratios 2013/14, to 2017/18	www.localhealth.org.uk	Mid
Alcohol treatment, all episode counts	Alcohol treatment, Forward Leeds, all episodes July 2015 to August 2021	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 AUDIT, Leeds GP recorded as of January 2020	Leeds GP registers	High
Alcoholic liver disease mortality rate	2018-2020 rate	Hospital Episode Statistics	High
Stroke emergency hospital admissions (age std. rate)	Emergency hospital admission stroke, 2015 to 2016, to 2019 to 2020 (Standardised Admission ratio)	www.localhealth.org.uk	High

When using the Alcohol Licensing Data Matrix, a representative postcode is used to find the MSOA. This will provide a ranking list of the 18 datasets and how they rank against the other 106 MSOAs in Leeds. A map of the MSOA will be provided to give context to these rankings. All maps are provided under licence to Esri UK, Esri, HERE, Garmin, GeoTechnologies, Inc, METI/NASA, USGS and have been produced using ArcGIS.

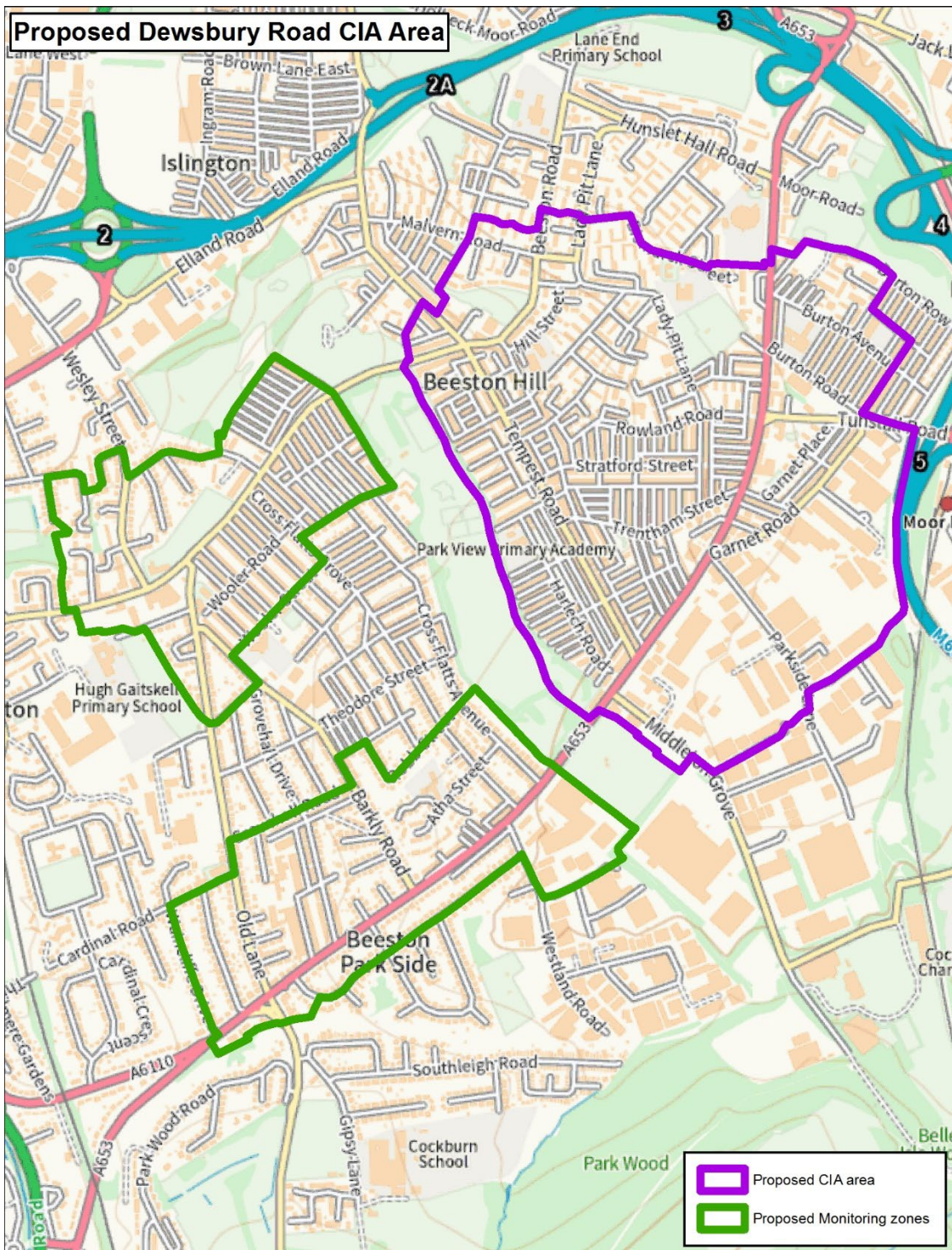
Police Statistics

The Leeds District Analysis Unit has provided a statistical crime report for this area. This report includes, 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.

Assessment of Cumulative Impact in Beeston

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

Beeston and Beeston Hill



This map is based upon the Ordnance Survey's digital data with the permission of the Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office

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Beeston is a suburb of Leeds, located approximately 2 miles south of the city centre. It has boundary of the M621 in the north and the ring road in the west. The area is dissected by Cross Flatts Park which is bounded by Beeston Road in the north and Dewsbury Road in the south. There are two distinct areas which make up Beeston. Both were assessed for cumulative impact.

Beeston Hill/Dewsbury Road

The area known as Beeston Hill is northeast of Cross Flatts Park and outlined in purple on the map. This area is part of the Hunslet and Riverside ward. It is largely made up of older back to back terraced housing. The main shopping area is Dewsbury Road which starts in the north with the Dewsbury Road Community Hub which houses the library. Along this road is a proliferation of small, independently owned shops and businesses, many of which are takeaway food shops and minimarkets which sell alcohol. They predominantly line the eastern side of the road. There are large operators, such as Tesco, ALDI, and Iceland.

Tempest Road joins Dewsbury Road to Beeston Town Street and is a mix of residential and commercial properties. Beeston Town Street has an accumulation of minimarkets and takeaways amongst other commercial properties around the Tempest Road area.

Along Dewsbury Road there are 29 licensed premises. Along Tempest Road and Beeston Road there are another 15. The majority of these are either licensed for the sale of alcohol for consumption off the premises (off licences) or for late night refreshment (late night takeaways). In recent years there has been an increase in the number of licences being applied for, in common with other areas of deprivation.

West Yorkshire Police have provided a report of the crime reported in south Leeds, specifically around the areas being examined in the assessment. The main reported crime is public order offences, violence with injury and theft. By far the most problematic area is Dewsbury Road. More information about crime is provided later in this assessment, however it should be noted that the Police and the Council's Safer Stronger Communities Team experience an under reporting in crime in Hunslet and Riverside ward and particularly in the Beeston Hill area of the ward. Therefore although the areas/streets and types of crime reported is likely to be accurate, the actual numbers, including any increase or decrease in the reporting levels, should be considered with under-reporting in mind.

In May 2023 The council formed an officer led multiagency problem solving partnership for Beeston Hill and Holbeck to focus on and address longer term challenges around crime and antisocial behaviour including street drinking, drug use, drug dealing, begging and sex work with a particular focus around the Beeston Hill and Holbeck Priority Neighbourhoods.

The current challenges being examined are:

- **Dewsbury Road Community Hub** - Benches outside Community Hub: large groups of people gathering, street drinking, urination, community feeling uncomfortable when passing by, community being harassed and foul language being hurled at passers-by and detrimental impact on neighbouring primary schools, nursery, and the HUB.
- **Tesco/Aldi /Poundland** – these businesses are experiencing people sleeping rough in the doorway, begging, violence in store, prolific shoplifting, and harassment.
- **Supply of alcohol:** some off licences selling single cans.

- **Solicitation:** Environmental impact from sex work, drug use and street drinking – condoms, needles, and human waste challenges have been found at certain areas.
- **Open drug dealing in some of our streets** causing residents to feel intimidated.

The Safer Stronger Communities Team working in this area explains why this problem solving group was formed:

In response to the increasing challenges around crime and anti-social behaviour including street drinking, drug use, drug dealing, begging and sex work, an officer led multiagency problem-solving group was established by the Leeds City Council's Communities Team in partnership with Leeds Antisocial Behaviour Team for Beeston Hill and Holbeck to focus on and address these issues. This has come about as result of concerns and reports made by residents, local organisations, local business traders and services to our Team and local ward councillors. Actions plans have been implemented that focusses on issues that require a collaborative approach in resolving the issues raised by residents, services and community partners. It is also acknowledged that some of the individuals involved are vulnerable themselves and present complex issues from being under the influence and need support and intervention. Hence separate meetings are held to support them through outreach work.

To support the implementation of a cumulative impact area, the Safer Stronger Communities Team reached out to several people and organisations in the area to garner their concerns. A full list is provided later in this document, but two extracts are provided here.

A local professional advises:

The impact of sales of alcohol and street drinking locally provides many challenges around crime and anti-social behaviour including street drinking, drug use, drug dealing, begging and sex work.

Our school is located on Lady Pit Lane, a short walking distance from Dewsbury Road and other local streets which sell alcohol. Pupils, parents and staff regularly witness people under the influence of alcohol and drugs passing our school, often being verbally abusive and displaying highly inappropriate behaviours.

Every morning, our school grounds have to be checked by our caretaker, to make them safe for our children to use during the day. Daily, dangerous objects such as broken alcohol bottles, injection needles, used condoms, beer cans, etc. can be found on our school field and yard. We have even found a large machete once (this was reported to the police).

A resident describes the problems he faces on a daily basis:

I recently had cause to speak to the shop assistant at Eden Supermarket, recently licensed premises on Dewsbury Road, who told me that a man had tried to walk out with two bottles of wine. He had pleaded with him to "only take one" but the thief ignored him and took both. Now whilst I would not even think about setting up a shop with so much alcohol available openly to the hands of people who will only be visiting to satiate their addiction, they will have now made themselves, and this corner, a beacon for all of those who would wish to take their chances against shop staff who will put up no fight. Thus creating a bigger influx once word gets around the alcoholic portion of this community.

The litter is building up in the street as people come down here to drink all the time. As I knew they would the moment, yet another off-licence (Eden) was placed on this corner.

Beeston/Beeston Village/Parkside and Cross Flatts

The area to the southwest of Cross Flatts Park known as Beeston (Beeston Village or Parkside and Cross Flatts) and outlined in green on the map were also examined.

The crime statistics provided by West Yorkshire Police were much lower in volume in this area than those provided for the other area. Public Order and Violence with Injury remain the most common offence type, however both have had an overall decrease. In other offence categories, most have then seen decreases in the 23-24 period however Rape has increased by 600%. Of the 22 Rape offences recorded, only 1 was recorded as a stranger offence which involved victim meeting suspect in the pub. Robbery offences have doubled in the 2023-2024 period when comparing to the 2021-2022 period.

Similarly the Alcohol Licensing Data Matrix shows this area to be in the medium category, whereas the other area is very high.

However, that does not mean this area is not without its problems. The evidence shows increases in robbery, and rape. A prime concern expressed by Ward Councillors in this area is the probable increase in applications for licences, due to displacement from the other side of Cross Flatts Park should a cumulative impact area be designated there.

Evidence

Alcohol Licensing Data Matrix

The Dewsbury Road Cumulative Impact Area sits across two MSOAs:

MSOA E02002414 known as West Hunslet and Hunslet Hall. This area covers the northern end of Dewsbury Road, Beeston Road and the top of Tempest Road.

MSOA E02002415 known as Beeston Hill. This area covers a small part of Dewsbury Road north of Cross Flatts Park and Tempest Road

The more southern part of the examined area predominantly sits in one MSOA:

MSOA E02002420 known as Beeston – Parkside and Cross Flatts.

West Hunslet and Hunslet Hall



This area ranks 9th out of 107 MSOAs in Leeds. It is ranked overall as very high.

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

Indicator	MSOA Category	Rank
Alcoholic liver disease mortality rate	Very high	1
Alcohol related harm hospital stays (narrow, age std. rate)	Very high	2
Alcohol specific emergency admission count	Very high	6
Litter complaints	Very high	6
Off Licence premises count	Very high	6
Drunk and disorderly, count	Very high	8
Deprivation Score	Very high	9
Ambulance callouts related to alcohol, count	High	12
Crime where alcohol flagged, count	High	13
NEET (not in education or training)	High	14
Violent crime where alcohol flagged, count	High	15
Population aged 16 and under	High	21
Alcohol treatment, all episode counts	High	21
Antisocial behaviour - alcohol related, count	High	22
Noise complaints	Medium	24
Looked after children	Medium	27
Stroke emergency hospital admissions (age std. rate)	Medium	29
Licensing risk score	Medium	38
On Licence premises count	Medium	40
AUDIT tests scoring 16 or more (higher risk)	Medium	42
Not achieving English & Maths strong pass	Medium	49

The three top data sets relate to health data. Although health is not a licensing objective, these datasets are included because they show the harm that alcohol is causing to people that live in this area. This indicates that there may be a high number of alcohol dependent people living here.

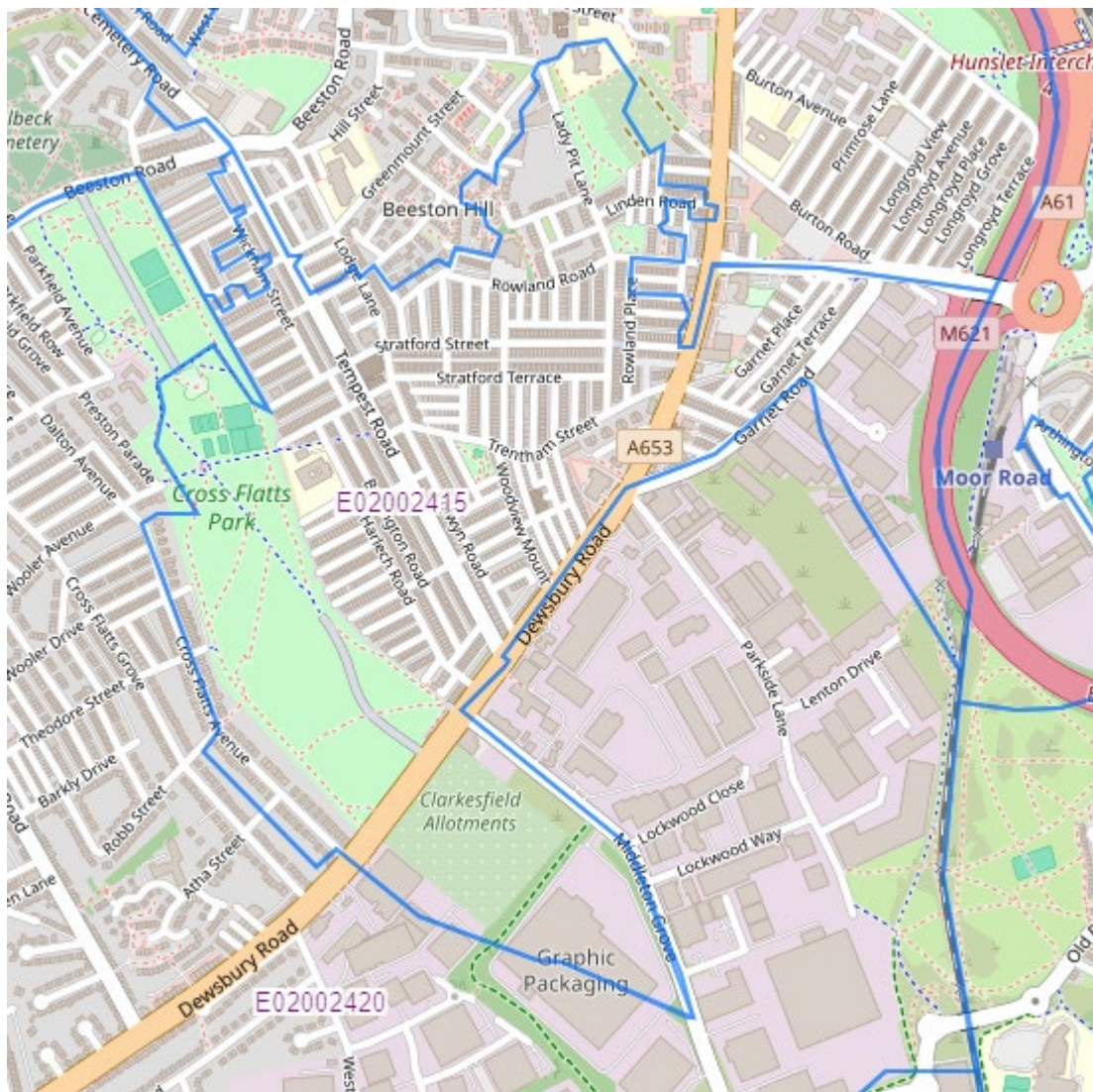
This are also ranks very high for litter and drunk and disorderly offences. Along with the high number of off licensed premises this is an area suffering from alcohol related harm linked to over consumption. This is underlined by the high ranking of alcohol treatment.

This area also ranks high for alcohol related ambulance call outs, alcohol related crime, alcohol related violent crime and alcohol related antisocial behaviour.

Also worrying is the high ranking for children not in education, employment or training, and population under 16 which indicate that there are vulnerable children living in this area.

It is not surprising that this area ranks very high for deprivation.

Beeston Hill



This area ranks 7th out of 107 MSOAs in Leeds. It is ranked overall as very high.

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

Indicator	MSOA Category	Rank
Deprivation Score	Very high	1
Looked after children	Very high	2
NEET (not in education or training)	Very high	2
Ambulance callouts related to alcohol, count	Very high	5
Crime where alcohol flagged, count	Very high	6
Violent crime where alcohol flagged, count	Very high	6
Population aged 16 and under	Very high	8
Litter complaints	Very high	8
Alcohol specific emergency admission count	Very high	9

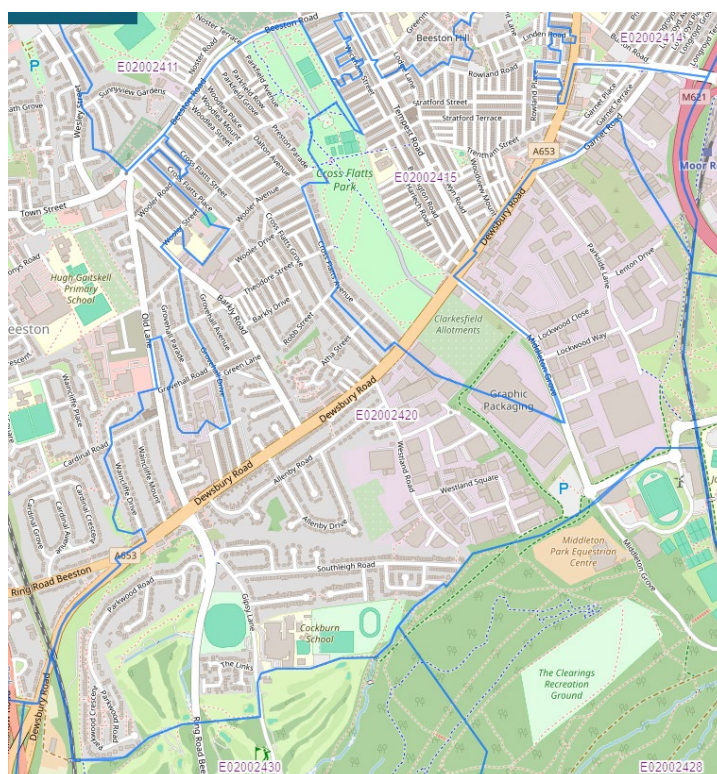
Alcohol related harm hospital stays (narrow, age std. rate)	High	10
Off Licence premises count	High	11
Drunk and disorderly, count	High	12
Antisocial behaviour - alcohol related, count	High	13
Alcohol treatment, all episode counts	High	13
Alcoholic liver disease mortality rate	High	14
Stroke emergency hospital admissions (age std. rate)	High	16
Not achieving English & Maths strong pass	High	17
AUDIT tests scoring 16 or more (higher risk)	High	19
Licensing risk score	Medium	52
Noise complaints	Low	79
On Licence premises count	Low	86

This is ranked as the most deprived area in Leeds. It is also ranked very high for looked after children (2nd), children not in education employment or training (2nd) and a population under 16 (8th). This area also ranked high for low educational attainment (17th). This shows there are a high number of vulnerable children living in this area.

This area also ranks very high for alcohol related crime (6th), alcohol related violent crime (6th), and high for drunk and disorderly (12th), alcohol related antisocial behaviour (13th) showing alcohol has a very high impact on crime.

In relation to people vulnerable to the addiction to alcohol, this area ranks high for stroke emergency admission (16th), alcohol liver disease mortality rate (14th), alcohol treatment (13th), alcohol related hospital stays (10th), and very high for alcohol specific emergency admission (9th).

Beeston – Parkside and Cross Flatts



This area predominantly sits in the southwest end of the area. It is bounded by the ring road in the west but does include part of the upper end of Dewsbury Road as can be seen on the map.

This MSOA ranks 34 out of 107 MSOAs in Leeds. It is ranked overall as medium.

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

Indicator	MSOA Category	Rank
Off Licence premises count	Very high	6
Population aged 16 and under	High	11
Drunk and disorderly, count	High	15
Noise complaints	High	20
Looked after children	High	21
NEET (not in education or training)	High	22
Litter complaints	High	23
Antisocial behaviour - alcohol related, count	Medium	24
Alcoholic liver disease mortality rate	Medium	33
Deprivation Score	Medium	37
Violent crime where alcohol flagged, count	Medium	40
Ambulance callouts related to alcohol, count	Medium	42
Crime where alcohol flagged, count	Medium	47
Stroke emergency hospital admissions (age std. rate)	Medium	50
Alcohol treatment, all episode counts	Low	58
AUDIT tests scoring 16 or more (higher risk)	Low	67
On Licence premises count	Low	67
Licensing risk score	Low	69
Alcohol specific emergency admission count	Low	71
Alcohol related harm hospital stays (narrow, age std. rate)	Low	71
Not achieving English & Maths strong pass	Low	74

The data sets show that there is an issue relating to alcohol in this area with a very high number of off licences, and high levels of drunk and disorderly crime (15th), noise complaints (20th), litter complaints (23rd) and population under 16 (11th), looked after children (21st), NEET (22nd) showing there are vulnerable children living here. However the overall ranking of 34th does mean it sits with a medium risk of alcohol harm.

Police Statistics

West Yorkshire Police have produced a statistical report titled “Leeds South Dewsbury Road CIP Report: Date 1 June 2021 to 1 June 2024 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.

The types of crime searched are as follows:

- Assault
- Affray
- Theft Other
- Other Violence
- Drunk & Disorderly
- Public Order
- Robbery
- Sexual
- Theft From Person
- Nuisance ASB

The Police Report provided crime statistics for two zones. Zone One is the area this report described as Beeston Hill and provides the following overall statements:

- Offence numbers in the Dewsbury Road CIP Area – Zone One have decreased 17% between the most recent 12-month period and the previous.
- Nuisance ASB calls have decreased overall by 18%.
- Offending tendencies of the highest demand streets in the CIP area remain largely during the daytime between 15:00 and 19:00.
- Issues on Bismarck Street are evident in the most recent annual period and are a result of Public Order, primarily neighbour disputes. There are also issues evident on Lodge Lane involving nuisance motorcycles.

Crime

Crime levels within the CIP have been variable over the 3 years, overall decreasing by 16%.

- Offending was highest in June 2022.
- Only Robbery and Theft from Person have had a maintained increase through the 3-year period.
- There has been a significant reduction in Drunk & Disorderly offending, this reduction has increased each period. Violence with Injury and Public Order offences have also decreased each period.
- A large proportion of the 2023-2024 period has exhibited reduced figures for crime compared to the previous annual period. Summer month offending levels increased as they have done in previous periods but not to the same extent.

CIP Offence Progression



All data

Category/Period	21-22	22-23	23-24	% Change 21/22 - 22/23	% Change 22/23 - 23/24	% Change 21/22 & 23/24
Public order offences	420	402	287	-4%	-29%	-32%
Violence with injury	295	279	244	-5%	-13%	-17%
Other theft	115	154	124	34%	-19%	8%
Robbery	44	57	59	30%	4%	34%
Rape	37	37	37	0%	0%	0%
Theft from person	24	26	36	8%	38%	50%
Other sexual offences	28	26	28	-7%	8%	0%
Drunk & Disorderly	7	6	3	-14%	-50%	-57%
Total	970	987	818	2%	-17%	-16%

The following table explains which specific areas of the Dewsbury Road – Zone One CIP have seen the greatest crime demand and how they have progressed through the three annual periods.

Top Streets

Street	21-22	22-23	23-24	% Change 21/22 - 22/23	% Change 22/23 - 23/24	% Change 21/22 & 23/24
Dewsbury Road	159	198	145	25%	-27%	-9%
Tempest Road	31	38	33	23%	-13%	6%
Tunstall Road	29	33	21	14%	-36%	-28%
Beeston Road	28	31	21	11%	-32%	-25%
Bismarck Street	16	13	33	-19%	154%	106%
Harlech Road	29	17	15	-41%	-12%	-48%
Stratford Street	16	26	18	63%	-31%	13%
Bismarck Drive	20	22	13	10%	-41%	-35%
Lodge Lane	23	15	14	-35%	-7%	-39%

Lady Pit Lane	15	18	16	20%	-11%	7%
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Dewsbury Road is the greatest street for crime demand likely a result of the length of the street. Throughout the three annual periods the crime level on the street fluctuated. Most recently, Dewsbury Road decreased overall by 9% when comparing the 21-22 time period to the 23-24 period.

Tempest Road was the second busiest street overall throughout this period, and had an overall increase of 6%, this increase was a result of slight increases in Violence with Injury, Public Order and Theft from Person.

Bismarck Street had the highest overall increase across the three-year time frame, with an increase of 106% which was caused by a significant increase in Violence with Injury and Public Order offence which is largely due to neighbour disputes and domestics.

Lodge Lane had the greatest decrease in offending over the three-year period and experienced a decrease of 39%, a reduction of in Public Order and Violence with Injury offences were the cause.

Nuisance

Overall Nuisance ASB reports have decreased within the CIP area. Comparing the periods of 21-22 and 23-24, Nuisance ASB can be seen to have decreased by 18%. Youth related ASB still remains as the most frequent sources of ASB calls however that as reduced dramatically between the two periods mention by 35%, falling from 80 in 21-22 calls to 52 in 23-24.

Most of the Nuisance categories have seen decreases over the three periods analysed and Neighbour Related nuisance have had the greatest relative reduction since the 21-22 period reducing by 54% from 26 in 21-22 to 12 in 23-24.

However, Nuisance Motorcycle/ Quad Bike has increased annually, displaying a significant increase of 81% when comparing 21-22 to 23-24.

Firework/ Snowballing Nuisance also experienced a significant increase of 222%, from 9 in 21-22 period to 29 in 22-23 period before decreasing again in 23-24. There was an overall increase of 67% when comparing the change from 21/22 to 23/24.

All Data

Category/Period	21-22	22-23	23-24	% Change 21/22 – 22/23	% Change 22/23 – 23/24	% Change 21/22 & 23/24
Youth Related	80	80	52	0%	-35%	-35%
Adult nuisance – non-alcohol related	32	45	58	-19%	-21%	-36%
Nuisance motorcycle/quad bike	32	45	58	41%	29%	81%
Neighbour related	26	24	12	-8%	-50%	-54%
Nuisance Car/van	11	6	8	-45%	33%	-27%
Alcohol	17	14	14	-18%	0%	-18%
Fireworks/Snowballing	9	29	15	222%	-48%	67%
Littering/Drug paraphernalia	9	7	8	-22%	14%	-11%
Total	267	272	220	2%	-19%	-18%

The following table explains which specific areas of the Dewsbury Road – Zone one CIP have seen the most calls relating to Nuisance and how they have progressed through the three annual periods.

Street	21-22	22-23	23-24	% Change 21/22 – 22/23	% Change 22/23 – 23/24	% Change 21/22 & 23/24
Dewsbury Road	30	38	20	27%	-47%	-33%
Beeston Road	27	12	10	-56%	-17%	-63%
Lodge Lane	6	12	25	100%	108%	317%
Malvern Road	5	7	11	40%	57%	120%
Tunstall Road	11	9	2	-18%	-78%	-82%
Burton Row	17	2	2	-88%	0%	-88%
Bismarck Street	5	10	5	100%	-50%	0%
Greenmount Street	6	7	4	17%	-43%	-33%
Garnet Terrace	2	4	10	100%	150%	400%
Northcote Green	3	3	9	0%	200%	200%

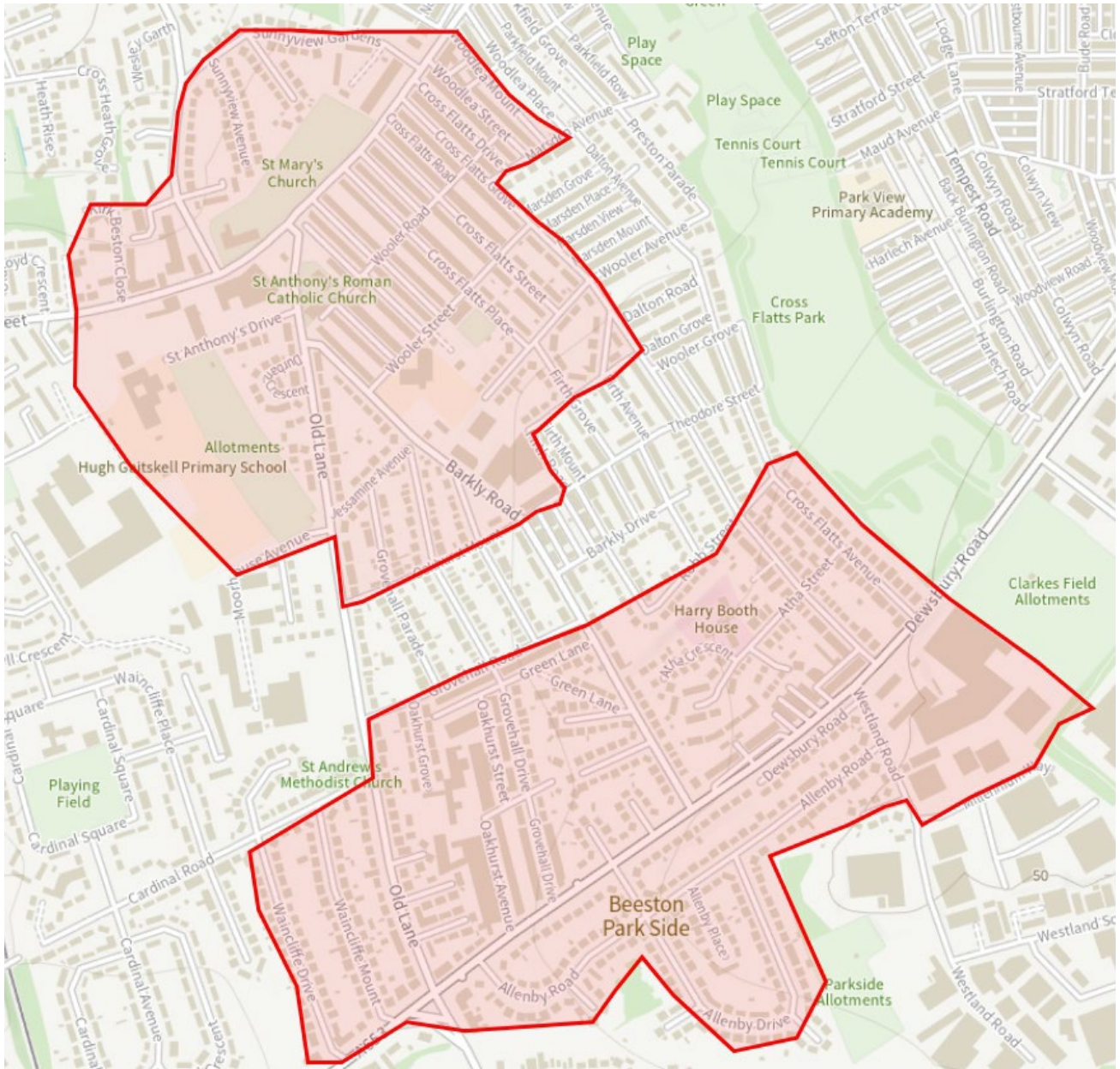
Dewsbury Road, unsurprisingly given its length, remains the top street for ASB calls within the CIP area however despite an increase in 22-23, there has been an overall decrease of 33% from 21-22 to 23-24.

Burton Road saw a dramatic decrease in nuisance ASB reducing the most by any individual street, relatively speaking by, by 88%, reducing from a peak of 17 calls in 21-22 to just 2 calls each in 22-23 and 23-24.

Garnet Terrace exhibited the greatest rise between the three annual periods, particularly in the current 23-24 period rising by 400% (from 2 to calls to 10).

Lodge Lane also exhibited a significant increase in nuisance calls between the three year period and has increased by 317% in the current 23-24 period. This increase made Lodge Lane the 3rd highest street in the CIP for Nuisance ASB. Nuisance Motorcycle/ Quadbike are the main cause of this dramatic rise with reports of young males driving up and down the street and onto the paths as well as revving their engines and causing noise complaints from residents.

The Police Report also provided crime statistics for the lower section of this area, described as Zone 2 and 3.



Offence numbers in the Dewsbury Road CIP Area have decreased annually with an overall decrease 21% between the most recent 12-month period and the previous. Nuisance ASB calls have fluctuated but have overall decreased by 10% when comparing the 21-22 and 23-24 period. Offending tendencies of the highest demand streets in the CIP area remain largely during the daytime between 15:00 and 19:00. Atha Street and Cross Flatts Grove had an increase in offending which were both largely due to Public Order and Violence with Injury offences. Dewsbury Road had the highest amount of crime and nuisance however this is unsurprising given its size.

Crime levels within the CIP have been annually decreasing with an overall decrease of 21% in 2023-2024 when comparing to 2021-2022. Public Order and Violence with Injury remain the most common offence type, however both have had an overall decrease. In other offence categories, most have then seen decreases in the 23-24 period however Rape has increased by 600%. Of the 22 Rape offences recorded, only was recorded as a stranger offence which involved victim meeting suspect in the pub. Robbery offences have doubled in the 2023-2024 period when comparing to the 2021-2022 period. Theft from Person exhibited the great decrease reducing from 10 offences to 1.

Similarly to Zone One, Dewsbury Road is the greatest street for crime demand. Throughout the three annual periods the crime level on the street fluctuated. More recently the comparison from 21-23 time period to the most recent 23-24 period, Dewsbury Road has decreased by 39% overall.

Predominately the streets have experienced an overall decrease however, Atha Street had increased annually and had an overall increase of 400% from 2 to 10 offences. Cross Flatts Grove also had an overall increase in offending from 4 to 6 (50%) both increases were largely due to Public Order Offences and Violence with Injury.

Dewsbury Road remains the top street for ASB calls within this CIP area and has experienced fluctuation but an overall increase of 71% from 7 incidents in 21-22 to 12 in 23-24.

Atha Crescent has seen a dramatic decrease in ASB calls reducing annually with a final decrease of 100% from 18 calls in 21-22 to 0 in 23-24. In the 21-22 period the almost sole contributor to ASB on Atha Crescent was Youth Related.

Cross Flatts Avenue exhibited the largest increase in Nuisance ASB, increasing annually with an overall increase of 300% from 2 reports in 21-22 to 8 in 23-24, Youth Related is predominantly responsible for this increase with an increase from 0 to 4 and Nuisance Motorcycle/ Quadbike from 2 to 3. Calls relate to groups of youths hanging around the streets and park, playing loud music, drinking and smoking and in October 2023 there were several reports of the youths' lighting fires and setting off fireworks.

Agency and Public Evidence

Safer, Stronger Communities Team Localities Programme Manager

In response to the increasing challenges around crime and anti-social behaviour including street drinking, drug use, drug dealing, begging and sex work, an officer led multiagency problem-solving group was established by the Leeds City Council's Communities Team in partnership with Leeds Antisocial Behaviour Team for Beeston Hill and Holbeck to focus on and address these issues. This has come about as result of concerns and reports made by residents, local organisations, local business traders and services to our Team and local ward councillors. Actions plans have been implemented that focusses on issues that require a collaborative approach in resolving the issues raised by residents, services and community partners. It is also acknowledged that some of the individuals involved are vulnerable themselves and present complex issues from being under the influence and need support and intervention. Hence separate meetings are held to support them through outreach work.

Housing Leeds

As the Housing Service, we are from customers that there is a widespread perception of the area of one that is tolerant to a culture of street drinking, illegal drug use and other social ills such as begging.

This perception (which I believe is based in fact) is an issue in persuading customers that they wish to be rehoused in the area, and in customer feedback either direct or indirectly (such as in reports from Councillors). The area is not seen as one where people wish to live unless they themselves want to indulge in drinking and drug use.

We receive specific reports of people seen outside drinking at all hours, including the early morning and

the presence of drinkers especially during early hours, and after dark in the evening is intimidatory for people who are out and about, especially walking children to and from school. The presence of so many outlets, selling alcohol from early in the morning is a facilitates a culture of street drinking in the area.

Children's Centre Manager (Family Services) South Group 2

As the family services manager whose setting is based on the same site as Dewsbury Road community hub we see the group of adults on the benches consuming alcohol, we have seen them very early morning going to the premiere shop opposite and coming out with single cans. We have seen them outside our building after coming out of the hub drinking.

Since the hub has had fencing put up, we are seeing more adults go round the corner of our building think it has been used as a toilet as well as possibly some kind of drug use.

I know it does not resolve the alcohol issue but removing the benches at Dewsbury Road could possibly take it off site.

For families with very young children it can be quite intimidating and scary to witness this.

Dewsbury Road Community Hub

From a Customer Services at Dewsbury Road Community Hub point of view:

- There are already a high number of premises in the area that sell alcohol so it would be better to have businesses of a different nature to support variety of what is locally available, appeal to a wider market, and encourage the shop locally ethos.
- The area already has serious problems relating to alcohol and drug use and this impacts on the day-to-day services provided at the community hub and library. Members of the public under the influence come in to make enquiries or use the facilities and can display aggressive and violent behaviours, and a spate of incidents have occurred which necessitated extra security measures being put in place. Both staff and customers are affected by these incidents and concerned for their safety. It also hinders the provision of the services provided to the community which is supposed to be children and family friendly and a safe space.
- Excessive drinking is noticed in the outside areas where groups of people gather and sit for long parts of the day. Fighting has sometimes been witnessed and there is general rowdiness. Passersby feel unsafe and intimidated and such incidents can occur when children are walking home from school. Some people will actively choose to walk a different way to avoid these groups.

Communities, Housing & Environment Crime Reduction Officer

Capable guardians Spoke with Elderly residents in [redacted] about ASB issues. It came up a number of times where residents spoke of not understanding why establishments started selling alcohol so early in the day. They spoke about how this impacted on them, seeing people getting more and more drunk throughout the day.

“We have one person who lives here who will be at the off licence by 6am, by 11am they can hardly walk”

“It makes me scared and anxious to walk past all the drunk people sitting on the benches”

“I am scared to use the cash machine near Tesco anymore”.

“I can hear people who are drunk shouting and swearing from the 5th floor, this makes me nervous about going out”.

Cleaner Neighbourhoods Team

From a Cleaner Neighbourhoods perspective, we collect a large amount of empty alcohol containers such as cans and glass bottles this is due to the large volume of commercial premises that sell alcohol within the Hunslet & Riverside ward area.

With the large volume of alcohol sales, it also encourages other behaviours such as street drinking, anti-social behaviour and crime.

The impact these alcohol sales have on our particular Service are quite severe as it contributes to an already work intensive area.

Local Professional

The impact of sales of alcohol and street drinking locally provides many challenges around crime and anti-social behaviour including street drinking, drug use, drug dealing, begging and sex work.

Our school is located on Lady Pit Lane, a short walking distance from Dewsbury Road and other local streets which sell alcohol.

Pupils, parents and staff regularly witness people under the influence of alcohol and drugs passing our school, often being verbally abusive and displaying highly inappropriate behaviours.

Every morning, our school grounds have to be checked by our caretaker, to make them safe for our children to use during the day. Daily, dangerous objects such as broken alcohol bottles, injection needles, used condoms, beer cans, etc. can be found on our school field and yard. We have even found a large machete once (this was reported to the police).

Furthermore, many of our pupils, parents and staff, on their way to/from school, daily walk past the shops which sell alcohol and therefore attract crime and anti-social behaviour.

Reducing the number of licences to sell alcohol locally, would be of great positive benefit to everyone living and working in the area, especially children and young people. Thank you.

Hunslet and Riverside Ward Councillor

As local Councillors we see the impact of the wide and cheap availability of alcohol in the communities surrounding Dewsbury Road. As more premises apply for a license, we have seen an ever-increasing number of people in the wider area suffer from debilitating substance abuse, in particular alcohol. Street drinking in groups is now a common sight, as is begging at the main retailers and on the actual road itself as people stop drivers to beg.

Complaints about drunken behaviour in the area are now a regular occurrence and feedback from the wider community is of one that now fearing to linger in the area.

The implementation of a Cumulative Impact Zone would help ensure only the best applicant receive a license going forward and give partner agencies much need respite as we try to tackle ongoing issues in the area and provide health interventions to substance abusers in the area.

Local Professional and Resident

I would say in the last few years I have seen a decline in the area with alcoholism and antisocial behaviour.

I can see three places that sell alcohol on a small stretch of road as the school I work in.

People who I have spoken to, have expressed that they are worried about the teenagers who are accessing alcohol quite easily and cheaply and taking this to the park to drink.

These off-licences are opposite community centres, nurseries and on route to school it's clearly evident that they are impacting on the community alongside the drug use and the frequency of prostitution on Tempest Road.

Tesco, Aldi, Kasa are particular hotspots where drunken people and beggars frequent. The street behind Kasa is an eye sore and the area is heavily littered with bottles and cans, drugs paraphernalia.

I feel that the wider community are suffering as a consequence of the increase in off licenses in the area. They are situated within a short distance of each other. If these can be restricted and further licensing prevented this may ease the situation.

I have supported parents who have issues with alcohol and some with alcohol and drug use, affecting their physical health , mental health, and has caused issues of domestic abuse. I have spoken to external support agencies like Forward Leeds and Leeds Domestic Violence Services when families are suffering and need support.

Hope this information is of use, these are my personal accounts of living and working in the area.

Local Professional and Resident

I live in the area and I am concerned about the almost unlimited availability of alcohol in the area. Kasa on Dewsbury Road is open 24 hours and sometimes when I am returning home a bit late following a family visit, I see people outside the shop, sometimes there can be quite a gathering and then in a morning I find empty cans and bottles on Tempest Road or on walls on Tempest Road. It does worry me that some shops in the area are happy to make money out of some people's addictions and problems. I don't know what they do to contribute towards resolving these people's problems.

I am afraid that is really all I can contribute. If you want or need more, please let me know.

I did find the maps a bit difficult to follow as to what the area is that is being suggested but I think it includes New Bewerley and the Dewsbury Road end of Tempest Road.

Hunslet & Riverside Ward Councillor

The communities around Dewsbury Road in Beeston Hill / Hunslet Moor have been significantly impacted over the past 2-3 years by an upsurge in anti-social and criminal behaviour related to drug and alcohol abuse, vagrancy and homelessness, etc. The reasons for this are multiple – but one key issue is the increasingly cheap and ready availability of alcohol around the area. It feels like the

community is becoming markedly less liveable, with diminishing confidence in institutions and the notion of community here. This is seeing a notable number of residents looking to move out – which risks sending the area into further spirals of degeneration. Reducing the easy supply of alcohol in the area would be one key way to address this.

Local Resident

(Some parts redacted to protect identity)

(Last three months in particular) There has been a proliferation in discarded used needles and other associated materials such as spoons, tinfoil, baggies, bloodied cotton wool and human defecation, often accompanied by a sock or clothing item that has been used in an attempt to clean themselves up post-voiding. There is regularly (used) discarded toilet paper gathering in bushes.

There is currently a large clump of virtually liquid human excrement in [redacted] which I have to pass everyday. It is now hardening up due to the warm weather so it not so bad to look at anymore, although it has been joined by another one in the alley way through to Tunstall Road. This one is a hard constipated lump that looks like the large droppings of a user that has been successful in scoring quite a lot recently. No sign of the come-down runs. Until the last couple of months this had almost completely stopped in this little corner

I recently had cause to speak to the shop assistant at [redacted], recently licensed premises on Dewsbury Road, who told me that a man had tried to walk out with two bottles of wine. He had pleaded with him to “only take one” but the thief ignored him and took both. Now whilst I would not even think about setting up a shop with so much alcohol available openly to the hands of people who will only be visiting to satiate their addiction, they will have now made themselves, and this corner, a beacon for all of those who would wish to take their chances against shop staff who will put up no fight. Thus creating a bigger influx once word gets around the alcoholic portion of this community.

Since [redacted] has opened, they have placed a large recycle bin in [redacted]. This has now become a magnet for drug addicts to come and attempt to root through on a regular occurrence. The bin has not been there for a year and my regular cleaning of the street since New Year 2022 had stopped this kind of behaviour completely, but now the bin is back, and it has started up again. One drug addict, a particularly unsavoury character who is very aggressive, was the reason behind my wife feeling like she could no longer do the gardening in the front garden whilst being overseen by him living under a tree across the road and begging for change every time she went out there. This character is now visiting the recycle bin, and any others he can find, in the back street, leading to us feeling that we can no longer use the back garden now either.

In the last month I have:

- been approached by a woman coming down the back street and rummaging in my garden who then tried to sell me coffee stolen from Tesco

and

- pestered aggressively whilst sitting in my back garden by a bunch of men trying to sell me ugly rugs for £50

The litter is building up in the street [redacted] as people come down here to drink all the time. As I knew they would the moment, yet another off-licence [redacted] was placed on this corner.

The [redacted] on Tunstall Road which has been a quiet refuge, free of litter and bad behaviour, for two years [redacted] and organising the community to participate in the creation of the two stone benches,

has over the last two months started to decline in terms of the amount of beer cans, bottles, and on occasion needles, etcetera that is being left all over the benches which I have to clear away every morning. There were often small amounts of litter blowing in off the street but it is now starting to get ridiculous and unmanageable again.

Conclusion Pre Consultation

In more deprived areas, the reporting of crime is historically lower than in more affluent areas even though Safer Stronger Communities, West Yorkshire Police and resident organisations do encourage the reporting of crime. In areas such as Beeston Hill, it is useful to look at the crime statistics not as a specific number, but as representative of the issues in each of the streets, and the most prevalent types of crimes.

Taking into consideration all the evidence, including the qualitative evidence provided by partners agencies and residents, the main crimes this area is suffering from are public order offences, violence with injury and theft. Dewsbury Road has, by far, the greatest crime. Nearly all the agencies report issues with people who drink in the street in groups. As outlets in this area sell alcohol early in the morning until late at night, a culture of street drinking has developed.

The evidence from the Community Hub Manager reports aggressive and violent behaviours being displayed by people using their facilities, and the excessive drinking is happening outside their Hub, with people sitting and drinking all day. The Crime Reduction Officer reports residents' concerns about shops selling alcohol early in the day and the impact this has on people. The Cleaner Neighbourhoods Team collect large amounts of cans and glass bottles. The primary schools report that their pupils, staff and parents witness people being drunk and abusive, and displaying highly inappropriate behaviours. The ward councillors link the increase in licensed premises with an increase in people who drink in the street, with that now being a common sight.

The areas where people report problems are around Dewsbury Road and Tempest Road.

With the evidence provided by residents and people working in the area, which is confirmed by the crime statistics and the Health Data Matrix data, the council would consider that the area shown within the purple boundary on the map as suffering from the cumulative impact of licensed premises in the area. This is having a negative impact on all four licensing objectives, but especially crime and disorder, public nuisance and the protection of children from harm.

As such the council's assessment prior to the public consultation is that this area be designated as a cumulative impact area, and that applications for the sale by retail of alcohol be refused.

This assessment has also considered the area to the south of Cross Flatts Park. The evidence of problems in this area is not as strong, but the concern that there may be displacement of licences into this area should a cumulative impact area be put in place further north are understandable.

Unfortunately the council cannot take into consideration what may happen in the future, as a cumulative impact assessment is a reactive assessment of problems being experienced in an area. As such this area cannot be designated as a cumulative impact area until such issues are evidenced. However, this area can be kept under review, and it would be the Council's proposal that this area is reviewed at the same time as the Dewsbury Road CIA and should there be displacement leading to the type of issues already being experienced in the northern part of Beeston, then a cumulative impact area be designated without delay.

Consultation

To be updated following the public 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 xxxx.

The council consulted upon the Cumulative Impact Assessment, and a revised Section 7 of the Licensing Act 2003 Statement of Licensing Policy.

The council wrote to all premises licence holders and their agents in the cumulative impact area, 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 xxx comments.

Anonymised versions of the consultation responses will be reproduced in this part of the Cumulative Impact Assessment, and the council will provide a response to each one.

Conclusions and Recommendations

To be updated following the public consultation.

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 of evidence provided by Public Health through the Alcohol Licensing Data Matrix, West Yorkshire Police through updated crime statistics, as well as additional information provided by residents and people working in the area as well as comments received during the public consultation.

The policy in this area is that it would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation applications for any premises licence which seeks off sales to operate in the area known as Dewsbury Road, but which includes Dewsbury Road, up to Cross Flatts Park, Tempest Road and Beeston Road. A map of the area is provided.

The area to the south of Cross Flatts Park, known as Beeston/Beeston Village/Parkside and Cross Flatts will be kept under review. Should the issues being experienced in Beeston Hill displace to this area, evidence will be gathered, and this area assessed for cumulative impact. In any case this area will be included in the three yearly review of Beeston Hill.

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Section 7 Cumulative Impact

- 7.1 The concept of “cumulative impact” has been described in the Section 182 guidance issued by the Home Office since the commencement of the Licensing Act 2003. Cumulative impact assessments were introduced at Section 5A in the Licensing Act 2003 by the Policing and Crime Act 2017. Cumulative impact is the potential impact on the promotion of the licensing objectives of several licensed premises concentrated in one area.
- 7.2 In some areas, where the number, type, or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur because of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 7.3 Queuing may lead to conflict, disorder, and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic, and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.
- 7.4 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town or city centres but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.
- 7.5 Once away from the licensed premises, a minority of customers will behave badly. Other mechanisms for addressing such concerns may be more appropriate than cumulative impact or may work alongside licensing policy. For example:
- Planning control
 - Positive measures to create a safe and clean town or city centre environment in partnership with local businesses, transport operators and other departments of the local authority, including best practise schemes such as PubWatch or BIDs
 - Community Protection Orders
 - The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleansing and litter patrols
 - Public Spaces Protection Orders
 - Police enforcement of the law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
 - Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale)
 - Late Night Levy
 - Early Morning Restriction Orders
 - Other licensing measures such as fixed closing times, staggered closing times and zoning

Cumulative Impact Assessments

- 7.6 A cumulative impact assessment (CIA) may be published by a licensing authority to help it limit the number or type of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 7.7 The council first published a cumulative impact assessment under section 5A of the Licensing Act 2003 in November 2018 which relates to new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in specific areas.
- 7.8 In this assessment the council reviewed the evidence for all existing cumulative impact areas (city centre, Headingley and Hyde Park, Woodhouse, Chapel Allerton, Horsforth and Armley). The council also reviewed the evidence for Harehills.
- 7.9 The review of the Cumulative Impact Assessment was due to take place in 2021, but the Coronavirus pandemic had a severe impact on the night-time economy with three total lockdowns closing licensed premises. This had a temporary effect on the crime statistics and a decision was made to delay the review of the cumulative impact areas until the long term impact of the pandemic was known.
- 7.10 The assessment was undertaken in 2022 and included a call for evidence from the responsible authorities and crime statistic reports commissioned from West Yorkshire Police. Residents have been given the opportunity to comment on the proposals through the relevant elected ward councillors and Community Committees during the development of the cumulative impact assessment.
- 7.11 As required by the law, the council has undergone a formal consultation process on the cumulative impact assessments with:
- the responsible authorities
 - licensees and those representing licensees
 - residents and businesses
 - those representing residents and businesses
- 7.12 Responses from these consultations have been reviewed and reports are available from Entertainment Licensing.
- 7.13 The council will review the cumulative impact policy areas at least every three years, as required by the legislation. Some areas may be reviewed more frequently. Cumulative Impact Assessments are available on the council's website. Applicants should contact Entertainment Licensing to ensure they are in possession of the latest information before making their application.

Cumulative Impact Areas

- 7.14 The cumulative impact assessment has shown that the number or type of licence applications granted in the following areas are having a cumulative impact and this is leading to problems which are undermining the licensing objectives.

City centre

- 7.15 The council has assessed crime statistics for the area known as the city centre which is located between the A58M motorway and the river Aire and has determined that there is an area that is suffering from the cumulative impact of licensed premises and consequently this is leading to problems which are undermining the licensing objectives.

- 7.16 Specifically and in addition to this, there are two areas of special concern designated as red zones where the impact of the licensed premises is so severe that the council considers that any application for a new licence or the variation of an existing licence should be refused unless the applicant can show how their application would not lead to an increase in the impact of licensed premises in this area. Maps showing the exact geographical area included in this area, and specifically the red zones can be found in the cumulative impact assessment.
- 7.17 In this area the nature of the problems is alcohol related violent crime being perpetrated on people visiting and using this area during specific peak hours. More information on the evidence can be found in the cumulative impact assessment.
- 7.18 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.

Headingley

- 7.19 The council has assessed crime statistics for the area known as Headingley and has determined that there is an area that is suffering from the cumulative impact of licensed premises and consequently this is leading to problems which are undermining the licensing objectives. Specifically the area is located around North Lane and Otley Road. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.
- 7.20 Additionally, Headingley suffers from nuisance and crime related to the large number of visitors participating in the 'Otley Run'. This is a largely unorganised pub crawl which starts in Weetwood early afternoon and progresses along Otley Road towards the city centre. This has been an activity undertaken primarily by students however in the last few years it has become more popular with groups of people travelling from outside of Leeds. This influx of people during the weekends and the associated crime, nuisance, and antisocial behaviour, is having a detrimental effect on residents who no longer feel able to use the shops, restaurants, and bars on the Otley Road in Headingley due to large groups of drunk people in fancy dress gathering along the route.
- 7.21 In this area the nature of the problems is alcohol related violent crime and nuisance being perpetrated on people visiting this area during specific peak hours. More information on the evidence can be found in the cumulative impact assessment.
- 7.22 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 Headingley or to any application that may encourage participation in the Otley Run.

Hyde Park

- 7.23 The council has assessed crime statistics for the area known as Hyde Park and has determined that there is an area that is suffering from the cumulative impact of licensed premises and consequently this is leading to problems which are undermining the licensing objectives. Specifically the area is located between Hyde Park Road, Victoria Road, Cardigan Road, and Burley Lodge Road. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.
- 7.24 In this area the nature of the problems is alcohol related violent crime and nuisance being suffered by people living in this mainly residential area. More information on the evidence can be found in the cumulative impact assessment.

- 7.25 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence which seeks off sales and/or late night refreshment to operate during the peak hours described in the cumulative impact assessment for Hyde Park.

Armley

- 7.26 The council has assessed anti-social behaviour and crime statistics for the area known as Armley and has determined that there is an area that is suffering from the cumulative impact of off-licensed premises and consequently this is leading to problems which are undermining the licensing objectives. Specifically Town Street and Branch Road are the areas affected. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.
- 7.27 In this area the nature of the problems is predominantly anti-social behaviour perpetrated by people purchasing alcohol on Town Street and Branch Road and then remaining in the area to drink it. More information on the evidence can be found in the cumulative impact assessment.
- 7.28 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence which seeks off sales of alcohol at any time.

Harehills and Burmantofts

- 7.29 The council has assessed crime statistics for the area known as Harehills and has determined that there is an area that is suffering from the cumulative impact of off-licensed premises and consequently this is leading to problems which are undermining the licensing objectives. Specifically the area around Harehills Road and Harehills Lane is particularly suffering from the cumulative impact of too many off licences. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.
- 7.30 In this area the nature of the problems is alcohol related violent crime and nuisance being suffered by people living in this mainly residential area. More information on the evidence can be found in the cumulative impact assessment.
- 7.31 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence which seeks off sales and late night refreshment to operate during the peak hours described in the cumulative impact assessment for Harehills.

Holbeck

- 7.32 The council has assessed crime statistics, alcohol risk data and licensing statistics for the area known as Holbeck. The evidence of a slow increase of off licensed premises in the cumulative impact area, the output from the alcohol licensing data matrix which shows very high levels of alcohol related crime, disorder and a population of vulnerable adults and children, as well as the conclusions from the Police report, the council considers this to be an area suffering from the cumulative impact of off licensed premises.
- 7.33 The density of convenience stores, newsagents and off licences already selling alcohol in the area is disproportionate to the other retail premises in the area.
- 7.34 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation applications for any premises licence which seeks off sales of alcohol at any time.

Beeston

- 7.35 The council has assessed crime statistics, alcohol risk data and licensing statistics for the area known as Beeston. Comments provided by partners, residents and businesses in the area show that this area is suffering the cumulative impact of off-licensed premises and late night refreshment premises.
- 7.36 In this area the nature of the problems is alcohol related crime and nuisance, specifically anti-social behaviour of people who drink alcohol in the street, whether that be due to alcohol dependency or cultural social drinking. The area experiences litter from take away premises.
- 7.37 The policy in this area is that it would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation applications for any premises licence which seeks off sales or late night refreshment to operate in the area known as Dewsbury Road, but which includes Dewsbury Road, up to Cross Flatts Park, Tempest Road and Beeston Road.

Other Areas

- 7.38 In previous policies the areas of Woodhouse, Chapel Allerton and Horsforth have been the subject of cumulative impact. At this point, although these areas remain saturated there is less evidence that the number or density of licensed premises in the area is having a cumulative impact leading to problems which are undermining the licensing objectives.
- 7.39 However should there be an application which, if granted, may increase the cumulative impact of premises in the area on the licensing objectives, and for which representations are received, the council may consider cumulative impact when determining the licence application.
- 7.40 The council is also aware that the police have concerns related to the concentration of premises in the localities of Beeston Village, Bramley, Pudsey, Otley, and Guiseley. The council, in conjunction with the responsible authorities, will be keeping these areas under review during the life of the policy in case it becomes necessary to instigate a formal cumulative impact assessment. Applicants wishing to apply for new licences or variations in these areas should note this paragraph and tailor their operating schedules accordingly.

Applications within a cumulative impact area

- 7.41 Applications for premises situated within a designated cumulative impact area for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received. It is for the applicant to demonstrate that their application would not add to the cumulative impact of such licensed premises in the area and so allow the council to depart from its own policy.
- 7.42 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.
- 7.43 To assist this process applicants are encouraged to submit a full and thoroughly considered application at the earliest opportunity. The onus is on the applicant to demonstrate to the responsible authorities the suitability and detail for their site. The applicant is encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have regard to the guidance issued by the Home Office under section 182 of the Act.
- 7.44 The existence of a cumulative impact assessment for a specific area does not relieve the responsible authorities or any other person of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation

may base it on the evidence published in the cumulative impact assessment, or the fact that a cumulative impact assessment has been published for that area. It remains incumbent on all responsible authorities and other people to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. As with all licensing applications under the Licensing Act 2003, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted as part of the application.

- 7.45 The council recognises that a cumulative impact assessment should not be absolute. The circumstances of each application will be considered properly and applications for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted.
- 7.46 After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its policy and cumulative impact assessment in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.
- 7.47 When considering an application where the subject premises is in a cumulative impact area, the council will need to be satisfied that the grant of the licence or variation will not impact on the cumulative impact of existing licensed premises in the area and as the burden of proof is on the applicant, they will often suggest measures which they assert will demonstrate there will be no impact. Examples of factors the licensing authority may consider as demonstrating there will be no impact may include, though are not limited to:
- Small premises who intend to operate before midnight.
 - Premises which are not alcohol led and only operate during the daytime economy
 - Instances where the applicant is relocating their business to a new premises but retaining the same style of business.
 - Conditions which ensure that the premises will operate in a particular manner such as a minimum number of covers or waiter/waitress service to secure a food led operation.
- 7.48 Examples of factors the licensing authority will not consider as meeting the standard of rebuttal include:
- That the premises will be well managed and run as all licensed premises should meet this standard
 - That the premises will be constructed to a high standard
 - That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint
- 7.49 Any relevant representation of support will be taken into consideration by the council when making its determination.

Representations based on cumulative impact outside cumulative impact areas

- 7.50 In cases where either responsible authorities or other people seek to establish that an application should be refused on the grounds that it would result in or further contribute to a cumulative impact in an area not designated as a cumulative impact area, which would undermine one or more of the licensing objectives, they shall:

- Identify the boundaries of the area from which it is alleged problems are arising
- Identify the licensing objective which it is alleged will be undermined
- Identify the type of licensable activity alleged to be causing the problem (e.g. sale of alcohol, late night refreshment)
- Provide full details and evidence to show the manner and extent to which it is alleged that the licensing objectives are being, or at risk of being, undermined in the area
- Provide evidence to show that the undermining of the objective is caused by the patrons of licensed premises in the area.

7.51 The reason for this is to ensure that objections are neither frivolous nor vexatious and that there is an evidential basis for the licensing subcommittee to reach a decision.

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Gambling Act 2005 – Public Consultation on Policy

Date: 17 September 2024

Report of: Chief Officer Elections & 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

Every three years the Council is required by the Gambling Act 2005 (the Act) to review the Gambling Act 2005 Statement of Licensing Policy (policy), and to consult upon any changes. The three yearly annual review is due this year.

Officers have worked with partners across the Council to review the policy. The draft policy has been presented to the public for consultation in line with the requirements of the Act. It elicited three responses. A consultation report has been produced detailing the amendments to the policy following initial review and the public consultation.

Having reviewed the responses, the policy is now presented to Licensing Committee for information. The same documents will be presented to Scrutiny Board, Executive Board and Council under the Budget and Policy Framework.

Recommendations

- a) That Licensing Committee note the contents of the report.

What is this report about?

- 1 Every three years the Council is required by the Gambling Act 2005 to review the Gambling Act 2005 Statement of Licensing Policy, and to consult upon any changes. The three yearly annual review is due this year.
- 2 Officers have worked with partners across the Council to review the policy. The draft policy has been presented to the public for consultation in line with the requirements of the Act. It elicited three responses. A consultation report (Appendix 1) has been produced detailing the amendments to the Policy following initial review and the public consultation.
- 3 The amended policy (Appendix 2) has been presented to Scrutiny Board for comment before being presented to Executive Board and Council under the Budget and Policy Framework.
- 4 The purpose of this report is to advise Licensing Committee that the review of the Gambling Act 2005 Statement of Licensing Policy is underway with the public consultation having taken place and to note the responses provided to the public consultation and any subsequent amendments to the Licensing Policy. The Budget and Policy Framework ensures that this Policy receives the proper consultation, scrutiny and clearances at all levels before adoption.

What impact will this proposal have?

- 5 This report presents the draft Licensing Policy at Appendix 1. The consultation report, including a summary of changes is at Appendix 2. As this report is advisory, there is no impact at this stage.

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

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 6 In Leeds, gambling harms is regarded as a matter of public health, and this has been the case since partnership working to address gambling related harms. Public Health co-lead on the partnership working arrangements and project delivery in the city and continue to provide advice, support, and evidence to guide possible interventions to reduce gambling harms.
- 7 When compared to other local areas the work to address gambling-related harms in the city is well developed. The Leeds approach has been recognised nationally including by both the Local Government Association and the Gambling Commission and is a key reason for the city now hosting two treatment services (the NHS Northern Gambling Service and Leeds Community Gambling Service) in the city.
- 8 Leeds City Council's Public Health and Financial Inclusion teams co-lead partnership working arrangements, treatment service liaison and project delivery. Entertainment Licensing lead on the licensing of physical gambling premises, enforcement of these same premises and lobbying through the Local Government Association and liaison with the Gambling Commission.

What consultation and engagement has taken place?

Wards affected: all

Have ward members been consulted?

Yes

No

- 9 The draft Policy has been shared with partner organisations working with the council's Gambling Harm Group, but up to this point the input has been predominantly with Public Health and Financial Inclusion.
- 10 The policy has been subject to a 4 week public consultation with the people and organisations required by the legislation. Briefly these comprise of businesses and people affected by the proposals. As part of this consultation the council's Gambling Harm Group, all ward members, all Members of Parliament, support organisations, and all licensed premises have been consulted. In addition the consultation was advertised on the council website.
- 11 The public consultation had three responses from Betting and Gaming Council, Gamcare and Talarius/Luxury Leisure. The council's response to these comments is provided in the consultation report. The policy has been amended in licence with the responses.

What are the resource implications?

- 12 No resource implications for the authority have been identified.

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

- 13 There are no issues relating to risk management identified.

What are the legal implications?

- 14 There are no legal implications in relation to this report. The review of the policy is subject to the Budget and Policy Framework and therefore will be presented to Scrutiny Board as a matter of course. As such there is no call-in process.

Options, timescales and measuring success

What other options were considered?

- 15 This is a statutory process set out in the Gambling Act 2005. Therefore options are limited. Council could decide not to adopt the policy, in which case the existing policy would expire and there would be no new policy to replace it. However this risk is low as the Budget and Policy Framework ensures that all interested parties, and all formal committees have been consulted and provided with opportunities to feed into the process.

How will success be measured?

- 16 Publication of an approved policy on 1st January 2025.

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

- 17 The current policy was adopted by Council in November 2021, came into force on 31st January 2022 and expires on 31st January 2025.
- 18 The approval of the policy is a matter for full Council. The approval process follows the Budget and Policy Framework. The suggested timescale for approval is as follows:

Scrutiny Board	16 th September 2024
Licensing Committee	17 th September 2024
Executive Board	16 th October 2024
Council	23 rd November 2024

Appendices

- Appendix 1 – Draft Statement of Licensing Policy
- Appendix 2 – Consultation Report

Background papers

- None

Consultation Report

Gambling Act 2005
Statement of Licensing
Policy Review

2024



Background Information

In Leeds, gambling harms is regarded as a matter of public health, and this has been the case since partnership working to address gambling related harms. Public Health co-lead on the partnership working arrangements and project delivery in the city and continue to provide advice, support, and evidence to guide possible interventions to reduce gambling harms.

When compared to other local areas the work to address gambling-related harms in the city is well developed. The Leeds approach has been recognised nationally including by both the Local Government Association and the Gambling Commission and is a key reason for the city now hosting two treatment services (the NHS Northern Gambling Service and Leeds Community Gambling Service) in the city.

Leeds City Council's Public Health and Financial Inclusion teams co-lead partnership working arrangements, treatment service liaison and project delivery. Entertainment Licensing lead on the licensing of physical gambling premises, enforcement of these same premises and lobbying through the Local Government Association and liaison with the Gambling Commission.

Initial Review

Every three years the Council is required by the Gambling Act 2005 (the Act) to review the Gambling Act 2005 Statement of Licensing Policy (policy), and to consult upon any changes. The three yearly annual review is due this year.

Officers from Entertainment Licensing, Public Health and Financial Inclusion have reviewed the current policy and made changes relating to the inclusion of research results and strengthened requirements around risk assessments. The draft policy has been presented to the public for consultation in line with the requirements of the Act. It elicited three responses.

Public Consultation

The draft Policy has been shared with partner organisations working with the council's Problem Gambling Project Group, and input has been predominantly with Public Health and Financial Inclusion.

The policy has been subject to a 4 week public consultation with the people and organisations required by the legislation. Briefly these comprise of businesses and people affected by the proposals. As part of this consultation the council's Problem Gambling Harms Group, all Ward Members, all Members of Parliament, support organisations, and all licensed premises have been consulted.

Consultation Responses

The public consultation had three responses, from the Betting and Gaming Council, Gamcare and Talarius/Luxury Leisure. The council is grateful to the three respondents, who have provided thoughtful and detailed responses to the amended policy at a time when all Licensing Authorities are amending their policies.

Betting and Gaming Council

This response, prepared by Gosschalks, on behalf of the Betting and Gaming Council is provided at Appendix A. For the purposes of this report, the following information specific to the Leeds City Council Gambling Act 2005 Statement of Licensing Policy has been reproduced and commented upon:

Comment: *Paragraph 2.14 refers to the Leeds Suicide Audit 2019-21 and thereafter refers to a number of risk factors. On the basis that none of these risk factors refer to gambling, it is not clear why this paragraph has been included and its inclusion within the draft statement of principles is prejudicial to potential applicants given the inference (without any evidence) that there is a link to gambling. Accordingly, paragraph 2.14 should be deleted.*

Response: Section 2 of the Policy provides a local context that applicants and decision makers may find useful. This section includes information on population, deprivation and the economy. Section 3 show integration with other guidance, policies etc. Paragraph 2.14 would fit into Section 3 more appropriately and so will be moved into that section.

Referencing the Leeds Suicide Audit is relevant because although gambling itself isn't listed as a risk factor in the Leeds Suicide Audit, several of the risk factors associated with suicide are also associated with harmful gambling. To provide more context the following paragraphs will be inserted:

“Gambling With Lives is a community of families bereaved by gambling-related suicide that provides support, raises awareness of the devastating effects of gambling disorder and campaigns for change. In their response to the National Suicide Prevention Strategy, Gambling With Lives provided a well referenced statement on how gambling harm is linked with a high suicide rate. In this paper it is explained that people suffering with gambling disorder are two to three times more likely to attempt to kill themselves or have major depressive episodes than other types of addicts, with 12-18% of those seeking treatment having already attempted suicide. One landmark study found that people suffering with gambling disorder are 15 times more likely to take their own lives than members of the general population.

Further to this, analysis on pupils asked about gambling in the latest My Health My School survey of school pupils in Leeds found that the gambling rate for young people who reported suicidal thoughts was higher than for those who did not (35.2% v 26.3%).”

Comment: Paragraphs 13.11 to 13.14 refer to studies “Gambling Understood” and a study undertaken by the Office for Health Improvement and Disparities (OHID)) and then attempts to extrapolate the figures to give an estimate of a number of adults in Leeds who, “might benefit from some type of gambling treatment or support.” The figures are based on dated surveys (Health Surveys of England published in 2015, 2016 and 2018) and therefore contain figures some of which are more than 10 years old and the most recent of which will be 7 years old but there is no context given here. Furthermore, these figures predate the reduction in maximum stake on Fixed Odds Betting Terminals (FOBTs) from £100 to £2 in 2019 and do not mention the wide criticism of the figures within the OHID report and the partiality of it. In the circumstances, these paragraphs should be deleted.

Response: Paragraph 13.12 seeks to provide national context on the prevalence of gambling harm and provides an updated 2023 figure of 1.76 million people in England have a level of risk attached to their gambling participation. This estimate was quoted in the Gambling Understood campaign but was sourced from the updated OHID (Jan 23) review ‘The Economic and social cost of harms associated with gambling in England’. However rather than quote Gambling Understood, we will amend this to reference the source of the estimate which is the PHE Evidence Review (2021, updated by OHID in 2023). These references have already been provided in the footnotes. No other, more recent, data currently exists, at a Yorkshire and Humber level, that can be safely used to estimate levels of gambling harm at those risk levels. Hopefully this will be available for the next review of the Policy.

Comment: Paragraph 13.26 contains a list of bullet points that the statement suggests, “Applicants should consider offering measures to be imposed on licences as conditions.” This paragraph should be deleted. Everything in the bullet point list will be considered by an applicant in its local area risk assessment and if there is a risk posed to the licensing objectives then mitigation measures will be proposed. However, these should not be “offered” as conditions. Whilst this is expected in Licensing Act 2003 applications, the mandatory and default conditions that apply to Gambling Act 2005 applications are intended to be sufficient to ensure operation that is consistent with the licensing objectives. This paragraph should therefore be redrafted.

Response: Agreed. This paragraph will be redrafted with the word ‘should’ replaced with the word ‘could’.

Licensing authorities have very little control or power to refuse gambling licences, even in the context of gambling harm, due to the ‘aim to permit’ clause. A power the Licensing Authority does have is to impose conditions on licences which seek to promote the licensing objectives, provided they are not duplicating requirements under

the mandatory conditions, default conditions, or the Gambling Commission Licence Conditions and Codes of Practice imposed on Operators Licences.

Although an applicant must provide a local area risk assessment as part of the application for a premises licence, this does not impose a requirement on the applicant and is not as clearly enforceable as a licence condition. The measures provided in this list are not mandatory and the list itself is not exhaustive, but it will be for the applicant and, ultimately if representations are received, the licensing authority to determine if they are relevant.

Comment: Paragraph 14.14 contains a bullet point list of factors that the council expects to be considered when conducting a local risk assessment. The bullet point list should be redrafted as in its existing terms it refers to matters that cannot be relevant to an assessment as to whether a proposal is reasonably consistent with the licensing objectives.

Response: The Statement of Licensing Policy is a statement of the principals it will apply when considering applications under the Gambling Act 2005. Providing a list of factors, such as the proximity to schools is relevant, and should be considered. However this list will be revisited, and any bullet points not directly related to the protection of children and other vulnerable people will be removed.

Comment: The reference to whether the premises is in an area of deprivation should be deleted. The relevant affluence of an area cannot be relevant as to whether an operation is/will be consistent with the licensing objectives unless the authority has predetermined that the local residents in deprived areas are more likely to commit crime associated with gambling than in more affluent areas or are to be considered automatically vulnerable. Similarly, the ethnic profile of residents is not relevant unless the authority has determined that certain ethnicities are either more predisposed to crime at than others or automatically to be considered as vulnerable. Finally, issues such as street drinking and youths participating in anti-social behaviour are issues of nuisance which are not relevant for an assessment of any risk to the licensing objectives. The content of this bullet point list must therefore be reconsidered.

Response: Agreed. This list will be revisited, and any bullet points not directly related to the protection of children and other vulnerable people will be removed.

Talarius/Luxury Leisure

This response, prepared by Elizabeth Speed of Novomatic UK, on behalf of gambling operators Talarius/Luxury Leisure is provided at Appendix B. For the purposes of this report, the following information specific to the Leeds City Council Gambling Act 2005 Statement of Licensing Policy has been reproduced and commented upon:

Comment: Para 13.7. We note the reference to the Commission’s “Vulnerability Statement”. However with respect, that reference is partial and to a document that is provided “for information” about the Commission’s approach. The Commission’s GLA and more particularly the definition of vulnerable has not changed. We think it inappropriate, unnecessary and confusing to introduce extracts from that additional paper.

The second para 13.7 to 13.10 refers to the Care Act 2014. With respect this Statement is meant to be about the principles to be applied by the authority under the Gambling Act 2005 and not under other regimes. That does not mean that those other regimes do not exist but that they are dealt with separately to the Gambling Act, in the same way as planning is separate context. The inclusion of these paragraphs is confusing and appears a “non sequitur”. Further, references to steps that the Council might wish to take for any particular adult do not seem to appropriately sit in this Statement.

Response: There is no definition of what a vulnerable person is in the Gambling Act 2005. The Gambling Commission, as national regulator also does not seek to define what vulnerability is in their Guidance to Local Authorities, although it has made a Vulnerability Statement, referenced in this section, with a link provided in the footnotes.

Therefore the Council must cast a wider net to find a definition of vulnerability, enshrined in law. In this case, the Care Act 2014 provides a definition of financial abuse that may be relevant and is provided in the Policy.

The protection of children and other vulnerable persons from being harmed or exploited by gambling is an objective under the Gambling Act 2005. These paragraphs simply seek to provide a definition of vulnerability in that absence. Paragraphs 13.11 to 13.29 show how this is relevant to licensing decisions in Leeds.

Comment: Para 13.26 In the final bullet point, the word “other” is missing before “vulnerable people”. That is the wording of the Act and the context is important.

Response: Agreed

Comment: Para 13.27 references advertising. There are strict codes in existence and the Statement should not seek to replace them. Further, in the in the final sentence it is stated that the Council “recommends advertising material is not displayed within 100 metres of venues accessed by vulnerable groups”. That wording is too loose as it would include shops, houses – indeed anywhere that anyone who is a member of a “vulnerable group” accesses. That is clearly not intended but the Statement must be clear. This is particularly important in light of the above comments and those of the Commission in relation to the definition of “vulnerable”.

Response: Agreed, this is too general. However this policy has sought to provide a clearer definition of vulnerable, as this is important for the licensing authority to undertake its functions under the Gambling Act 2005. Examples will be provided of venues accessed by vulnerable groups.

Comment: Para 14.10 The wording is unclear. The purpose of the LRA is to assess the risks posed to the licensing objectives and the ways that those risks are to be mitigated. The location cannot be considered without the assessment and mitigations.

Response: This paragraph predates the introduction of local area risk assessment requirements in the Gambling Commissions Licence Conditions and Codes of Practice. It simply sought to ensure that there was evidence of harm to the licensing objectives before locality could be considered. This paragraph can be deleted.

Comment: Para 14.11 As noted, demand is not a matter that can be considered when dealing with an application for a premises licence. However the rest of the paragraph seems to conflate other matters and mis-state the purpose of a Local Risk Assessment. That purpose is to “assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises”. It is not to assess a general “impact on residents” – it is purely to assess risks in relation to the licensing objectives. The currently proposed wording might be seen as an attempt to introduce a test of demand which would plainly fall foul of the Act. Further the wording refers to “residents and other vulnerable groups”. With respect, residents are not by themselves a vulnerable group. We suggest that this paragraph should be reworded or, save for the correct reference to the demand test, deleted.

Response: Agreed, this matter will be dealt with under any changes the government applies to the Gambling Act in relation to cumulative impact. The direct impact the clustering of premises has on children and other vulnerable people will be considered at that point. Paragraph 14.11 to be deleted.

Comment: Para 14.16 The requirement of Local Risk assessments is to “assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks” It is not the operators’ obligation to “show how children are to be protected with the following issues to be addressed” “including asb, graffiti, tagging, underage drinking etc””. Indeed the wording even seems to suggest that gambling venues are responsible for that conduct. The operators’ concerns are with the licensing objectives and with respect, the wording which suggests otherwise, should be removed.

Response: Agreed, this bullet point is to be removed.

Comment: Para 14.18 the Matrix should be attached. Further, presumably not all “risk” is related to or will impact gambling applications.

Para 14.18 Additionally, the reference to “children” in the Act is to all children - it is not a case of separately assessing children at risk in other contexts.

Health and Safety is not a licensing objective under the Act unlike the Licensing Act 2003 and the references to the Health matrix could be viewed as an attempt to change that. With respect the Act and GLA etc make it clear what grounds are to be taken into account when assessing any application and the current draft Statement indicates that it might be seeking to unilaterally change that.

Response: The council references a Health Risk Matrix in paragraph 14.18. The term Health Matrix comes from the work undertaken by the same team on an alcohol risk matrix used when considering alcohol licensed premises. The title Health Matrix does not truly represent the types of data provided in this tool which is more closely related to vulnerability. As such this Matrix will be renamed the Gambling Harm Vulnerability Matrix.

The Matrix is under development and due to be published in early 2025. It can be provided to applicants, residents, those that represent them, as well as responsible authorities to use when considering an application under the Gambling Act 2005. It is designed to provide a locality based ranking of vulnerability in the area and is based on data held by the Council and partners which is linked to gambling harm.

It is not mandatory to use, and it does not form an integral part of the Policy. Applicants and the licensing authority can apply the appropriate weight to the data provided by the Matrix. It is likely to be more useful in planning decisions than licensing, which has additional requirements under the Gambling Act 2005 to consider, such as the ‘aim to permit’ requirement in the Gambling Act 2005, Licence Conditions and Codes of Practice, and the Gambling Commission’s Guidance to Licensing Authorities.

GamCare

This response, prepared by GamCare is provided at Appendix C. For the purposes of this report, the following information specific to the Leeds City Council Gambling Act 2005 Statement of Licensing Policy has been reproduced and commented upon:

Comment: We welcome the position Leeds City Council is taking to go beyond the mandatory and default conditions of the Gambling Act 2005 in its statement of principles.

Local authorities can play a greater role in reducing gambling harm, particularly for those of our clients who experience harm in land-based gambling venues, due to council's licensing responsibilities.

It is vital that Leeds City Council develops a local picture of the level of gambling harms, in order to best target resources and tailor service provision. This could be achieved by gathering data from the National Gambling Helpline, as well as those already providing services in the area.

Response: This is the purpose of producing a risk tool, which allows applicants and other interested parties to evaluate data sets relevant to gambling harm by a postcode. This tool, developed by Public Health, is due to be available in early 2025.

Comment: Building on the proactive approach the council is already taking, we are pleased to see Leeds City Council regard gambling as a matter of **public health** in the statement of principles.

This commitment should include training frontline and primary care staff to recognise the signs of gambling harm and develop referral pathways to the National Gambling Helpline or local treatment providers. GamCare has worked with Haringey Council to implement a similar system, that has received widespread support.

Response: Leeds City Council is working with the Yorkshire and Humber Association of Directors of Public Health on a pilot to raise awareness for front line workers and enable access to support for gambling harm. Further to this, we await the release of NICE guideline 'Harmful Gambling: identification, assessment and management' and national guidance on embedding an evidence based approach to assessment and support for people harmed by gambling.

Comment: In the absence of Cumulative Impact Assessments as a method by which the "aim to permit" approach can be challenged, Leeds City Council should continue to pursue a Local Area Profile approach that specifically analyses gambling risk, and use this data as a basis from which to scrutinise and possibly oppose a licensing application.

Response: Agreed.

Comment: The changes to Leeds City Council's statement of principles should be viewed in the context of the Gambling Act Review and subsequent process of white paper consultations, so take account of the rapidly changing regulatory environment.

Response: The Policy has to be reviewed this year due to the statutory requirements. The council has followed the developments of the Gambling Act Review and the subsequent White Paper and consultations. The legislation required to make the proposed changes in the Government's White Paper were stalled by the change in Government. At this point it was not possible to predict what changes may be made to the Gambling Act or the requirements on local government. All care has been given to remove any part of the Policy that is not necessary and that may be affected by the wider Gambling Act Review.

Summary of Changes Pre-consultation

Executive Summary

- Fifth para Removed the licensing objectives in full. These are described several times in the body of the policy.
- Final para Removed “The policy has four appendices, describing the stakes and prizes which determine the category of a gaming machine, a glossary of terms, exempt gaming in pubs and clubs and the procedure to be applied for determined a large casino licence.” These appendices have been removed and this paragraph has no purpose.

Part A **The Gambling Act 2005**

2. The Leeds district

- 2.2 Updated population figure.
- 2.3 Removed “Leeds City Council has a policy promoting mixed use development including residential and evening uses throughout the city centre”. This is not relevant to this policy, and the Council’s aspirations have been updated.
- 2.6 Replaced the descriptions of minority groups to match those in the population statistics the ONS use and updated statistics.
- 2.7-2.10 Added new paragraphs updating the information regarding deprivation and priority neighbourhoods and provided a reference.

Removed paragraphs relating to previous priority neighbourhoods
- 2.11-2.13 Added new title “Economy” and updated information relating to the economy and provided a reference.
- 2.14-2.15 Added new title “Health and Wellbeing” and updated information regarding suicide rates.**

Removed paragraphs relating to life expectancy.
- #### **3. Integration with other guidance, policies, objectives, and strategies**
- 3.1-3.3 Replaced Vision for Leeds with Best City Ambition information
- 3.4-3.6 Replaced Best Council Plan 2020-2025 with Better Lives Strategy 2022-2027 information
- 3.7 Updated priorities for the Leeds Health and Wellbeing strategy 2023-2030
- 3.8-3.9 Inserted Children and Young People’s Plan 2023-2028

Removed Leeds Inclusive Growth Strategy 2018-2023

Removed Children and Young People's Plan 2018-2023

Added list of other strategies.

4. The purpose of this policy

4.2-4.3 Replaced previous consultation, response, and approval details with place holder text. This section will be completed before the Policy is referred to Council for approval.

10. Licensing authority functions

10.2 Replaced "The council will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operator licences."
With

"The council is not involved in the licensing of remote gambling. This is in the remit of the Gambling Commission via operator licences."

Part B The licensing objectives

13. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

13.6-13.7 Update the Gambling Commission definition of vulnerable persons and provided a reference.

13.9 Minor rewording to replace "and for that purpose" with "It states".

13.12 Added title "Vulnerability to gambling harms in Leeds"

Replaced the term problem gambling with the term gambling harm.

Removed extensive description of the groups the research identified as vulnerable to gambling harm.

13.13 Inserted statistics provided by the Office of Health Improvements and Disparities (OHID) regarding national prevalence of gambling harm.

13.14-13.15 Inserted Leeds specific statistics provided by research undertaken by the University of Sheffield and the University of Glasgow on behalf of OHID.

13.16-13.22 Added title "Council approach to gambling harms"

Inserted information regarding the council approach to gambling harm.

13.23 Added title "Considering vulnerability when making applications"

Replaced the term problem gambling with the term gambling harm.

13.26 Removed the detailed information provided regarding the risk matrix, as this has been repeated in Part C.

13.27 Replaced the term problem gambling with the term gambling harm.

13.28 Removed the cross reference to a previous paragraph.

Part C Premises licence

14. General Requirements

14.9 Inserted “deprivation in the area”

14.19 Removed the word “special” in relation to conditions.

14.21 Inserted detailed information regarding the risk matrix, and the top scoring neighbourhoods.

16. Licensed family entertainment centres (FECs)

16.1 Removed reference to Appendix 1 as this has been removed.

17. Casinos

17.6 Amended appendix number.

Part D Permits, notices, and lottery registrations

24. Gaming machine permits in premises licensed for the sale of alcohol

24.4 Added “as well as any policy they may have regarding people becoming distressed, or who may be gambling excessively, or for an excessive amount of time.”

26. Club gaming and club machine permits

26.3 Replaced the bulleted list with “Measures which may satisfy the council that people under 18 years will be prevented from using the machines may include the machines being near the bar, or in any other area where they are capable of being adequately supervised. Notices and signage may also help. As regards the protection of vulnerable people, applicants may wish to consider the provision of information leaflets and or helpline numbers for organisations such as GamCare, as well as any policy they may have regarding people becoming distressed or who may be gambling excessively, or for an excessive amount of time.”

Appendix 1 Gaming machines

Removed entire appendix as this is subject to change following the Government’s White Paper and subsequent consultation on changes to land based gambling.

Appendix 3 Summary of gaming entitlements for clubs and pubs

Removed entire appendix as this is subject to change following the Government's White Paper and subsequent consultation on changes to land based gambling.

Summary of Changes Following Consultation

- 2.14 Move to Section 3.
- Insert these two paragraphs
- “Gambling With Lives is a community of families bereaved by gambling-related suicide that provides support, raises awareness of the devastating effects of gambling disorder and campaigns for change. In their response to the National Suicide Prevention Strategy, Gambling With Lives provided a well referenced statement on how gambling harm is linked with a high suicide rate. In this paper it is explained that people suffering with gambling disorder are two to three times more likely to attempt to kill themselves or have major depressive episodes than other types of addicts, with 12-18% of those seeking treatment having already attempted suicide. One landmark study found that people suffering with gambling disorder are 15 times more likely to take their own lives than members of the general population.
- Further to this, analysis on pupils asked about gambling in the latest My Health My School survey of school pupils in Leeds found that the gambling rate for young people who reported suicidal thoughts was higher than for those who did not (35.2% v 26.3%).”
- 13.26 Replace the word “should” with “could”.
- 13.26 Replace the last bullet point with “Windows, entrances and advertisements to be positioned or designed not to entice children or other vulnerable people.”
- 13.27 Amend last sentence “To protect those most vulnerable or susceptible to gambling harm, Leeds City Council recommends advertising material is not displayed within 100 metres of venues accessed by vulnerable groups, such as council offices, Community Hubs, addiction treatment services, advice centres, family centres and organisations that may provide financial and other advice.”
- 14.10 Delete paragraph.
- 14.11 Delete paragraph.
- 14.14 Remove following bullet points
- The commercial environment
 - Factors affecting the footfall
 - Whether the area is in an area of deprivation
 - Whether the premises is in an area subject to high levels of crime and/or disorder.

- The ethnic profile of residents in the area
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity etc.
- The proximity of churches, mosques, temples or any other such place of worship.

- 14.16 Remove last bullet point “Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.”
- 14.18 “Replace term “Health Risk Matrix” with “Gambling Harm Vulnerability Matrix”. Add “The Matrix uses several data sources to rank Medium Super Output Areas against one another to identify the risk of harm. This matrix is available on request from Entertainment Licensing. “
- 14.21 Delete this paragraph.

Statement of Licensing Policy

2025-2027

Gambling Act 2005

Further copies of this document can be obtained from:

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Tel: 0113 378 5029

Email: entertainment.licensing@leeds.gov.uk

Web: www.leeds.gov.uk/licensing

Please note:

The information contained within this document can be made available in different languages and formats including Braille, large print, and audio cassette.

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Executive Summary

The Gambling Act 2005 obtained Royal Assent in 2005 and came into effect in 2007.

Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

The purpose of the Statement of Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

Any decision taken by the Council regarding determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives.

The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises, tracks and travelling fairs.

The council can issue permits for prize gaming and unlicensed family entertainment centres. The council can specify the information it requires as part of the application process which will aid determination and this information is described in this Policy.

Club gaming and club machine permits are also issued by the council. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.

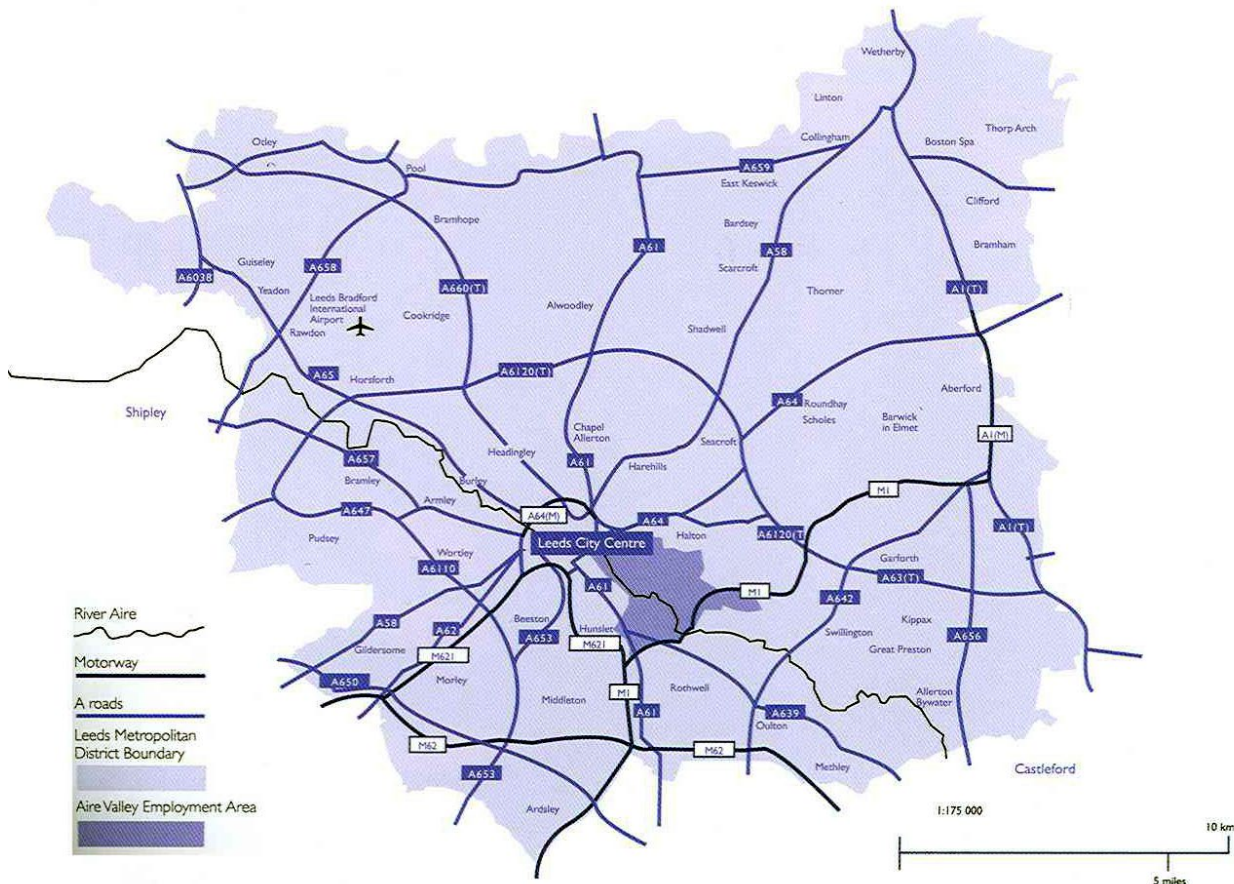
Enforcement of the legislation is a requirement of the Act that is undertaken by the council in conjunction with the Gambling Commission. The policy describes the council's enforcement principles and the principles underpinning the right of review.

Part A The Gambling Act 2005

1. The licensing objectives

- 1.1 Under the Gambling Act 2005 (the Act) Leeds City Council is the licensing authority for the Leeds district and licences premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the council are to the Leeds Licensing Authority.
- 1.2 The council will carry out its functions under the Act with a view to aiming to permit the use of premises for gambling in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 More information can be found about how the council will achieve this in Part B and C of this document.
- 1.4 The council will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.
- 1.5 The council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with this document.
- 1.6 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration their local information. Specific information about localities is provided in this policy at Section 14.

2. The Leeds district



- 2.1 Leeds City Council has sought to establish Leeds as a major European city and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within a 30 minute drive of the city centre.
- 2.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 811,953 (ONS, 2021). It includes the city centre and the urban areas that surround it, the more rural outer suburbs, and several towns, all with their very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 2.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the city coupled with a significant increase in residential development. The proximity of a range of land uses and the creation of mixed-use schemes has many benefits including the creation of a vibrant 24-hour city.
- 2.4 Leeds has strong artistic traditions and top performing artistes can be seen at the Leeds first direct Arena, Leeds Town Hall and at other indoor and outdoor venues across the city. The success of arts and heritage organisations including

the Grand Theatre, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackray Medical Museum. The city also boasts a wealth of community based sports, entertainment, heritage, and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.

- 2.5 Sport is a passion for people in Leeds and Yorkshire. Leeds United Football Club has a loyal and passionate following and Elland Road is one of England's great traditional grounds. Cricket is followed with enthusiasm with Yorkshire Cricket Club's home in Headingley. Leeds has a world's first dual code rugby partnership – Leeds Rhino Rugby League and Leeds Carnegie Rugby Union. The Leeds Rhinos have enjoyed great success in recent years. Wetherby racecourse was established in 1891 and is considered one of the best jump courses in the country.
- 2.6 Leeds is a city with many cultures, languages, races, and faiths. A wide range of minority groups including Indian, Pakistani and African being predominant, but with many other smaller communities which make up 21% of the city population (ONS, 2021).

Deprivation

- 2.7 Leeds has a strong economy that has enabled the city to recover well from the recession. However, Leeds is also a city marked by health inequalities, indicating that not everyone has benefited from the economic growth equally. In 2015 the National Indices of Multiple Deprivation (IMD) data, a set of descriptive statistics that are published by the Office of National Statistics every 3-4 years, identified sixteen neighbourhoods in Leeds that were categorised as being in the most disadvantaged 1% of neighbourhoods nationally.
- 2.8 According to the 2019 Leeds Index of Multiple Deprivation (IMD), of the 482 Lower-layer Super Output Areas (LSOA) that make up the city, 114 of them (10%) are ranked amongst the most deprived 10% nationally, 9 higher than the figure from 2015's IMD. 12 of them have been ranked in the most deprived 1% nationally, though this a reduction from the 16 that were ranked in this group in 2015.¹
- 2.9 In 2020 the Covid-19 pandemic emergency initiated a crisis that quickly brought to the fore a large number of needs across the communities in Leeds. The impact of Covid-19 has been greater in the poorer areas of the city where the ability to withstand shocks is restricted. Work continues to take place in Leeds to understand and get a picture of the disproportionate or differential impact on

¹ [Current housing strategy \(leeds.gov.uk\)](https://leeds.gov.uk/current-housing-strategy)

inequality that is happening due to Covid-19. However, the emerging evidence highlights that the Covid-19 pandemic has further exacerbated social and economic inequalities. It mirrors national evidence and the local narrative that Covid-19 does have a disproportionate and differential impact based on where you live, your gender, your ethnicity, and your job.²

- 2.10 The council is committed to locality working and has identified the 12 priority neighbourhoods, located in six of the city’s wards. These neighbourhoods have been identified for more intensive support:

Priority Wards	Priority Neighbourhoods (LSOA)
Hunslet & Riverside	Stratford Street, Beverleys
	Wickham Street, Seftons, Harlechs
Killingbeck & Seacroft	Foundry Mill Terr, Brooklands
	Boggart Hill
	Foundary Mill Drive, Hawkshead Cres, Alston Lane
Beeston & Holbeck	Crosby St, Recreations, Bartons
Armley	Holdsforth, Clyde Approach
	Armley Grove Place, Hall Lane, Abbot View
Burmantofts & Richmond Hill	St Hildas, Copperfields, Gartons
	Cliftons, Nowells
	East Park Drive, Glensdales, Raincliffes
Gipton & Harehills	Easterly Grove, St Wilfreds

Economy

- 2.11 Leeds is the UK’s fastest growing city and is the main driver of a city region with the £64.6 billion economy, a combined population of 3 million and a workforce of 1.37 million. Over the next ten years, the economy is forecast to grow by 21% with financial and business services set to generate over half of GVA growth over that period.
- 2.12 Financial and business services account for 38% of total output. Other key sectors include retail, leisure and visitor economy, construction, manufacturing and the creative and digital industries.
- 2.13 Leeds has one of the most diverse economies of the all the UK’s main employment centres. In 2016, Leeds saw the fastest rate of private sector jobs growth of any UK city and has the highest ration of public to private sector jobs of

² [Locality Working and Priority Neighbourhoods.pdf \(leeds.gov.uk\)](#)

all the UK's Core Cities. The city has the third largest jobs total by local authority area with 392,000 people aged 16 and over work in Leeds (ONS, Dec 2023).³

- 2.14 For further health and deprivation information about the local area visit <http://observatory.leeds.gov.uk>.

3. Integration with other guidance, policies, objectives, and strategies

Best City Ambition

- 3.1 The [Best City Ambition](#) is our overall vision for the future of Leeds. At its heart is our mission to tackle poverty and inequality and improve quality of life for everyone who calls Leeds home.
- 3.2 The 3 pillars of the Best City Ambition bring together the key priorities set out in the main strategies we are working together towards. They provide a clear and coherent vision for the future of Leeds.
- **Health and wellbeing** – Leeds will be a healthy and caring city for everyone: where those who are most likely to experience poverty improve their mental and physical health the fastest, with health and care inequalities reducing, and people being supported to thrive from early years to later life.
 - **Inclusive Growth** – Leeds will be a place where we create growth in our economy that works for everyone, where people and businesses can thrive, and we work together to tackle poverty and inequality.
 - **Zero Carbon** – Leeds aims to become the first net zero city in the UK, rapidly reducing carbon emissions and reversing the decline in biodiversity, while supporting people to make more sustainable choices which can improve their standard of living.
- 3.3 Tackling poverty and inequality is at the heart of our Best city Ambition. We know that across Leeds, many issues disproportionately impact some groups of people and communities, and this can make stubborn long-term challenges even more difficult to overcome.

Better Lives Strategy 2022 to 2027

- 3.4 We believe that everyone has the right to a good and fulfilling life. In Leeds, we want every person with care and support needs to be able to live the life they want to live, doing what's important to them in good homes, and in caring communities. We know that to live a good life, people need more than adult social care. This Council wide strategy sets out how our services, from parks to libraries, housing to physical activity, will work together to achieve our vision.

³ [Leeds economy](#)

3.5 Our vision is:

We want every person in Leeds that needs care and support to live in the place they call home with the people and things they love, in communities that look out for one another, doing the things that matter most to them.

3.6 The [Better Lives Strategy](#) is a whole Council strategy. While this strategy does include our approach to services provided via Adult Social Care, we also want to consider the ways in which other parts of the Council and our community can support people drawing on care and support services to live a good life.

Leeds Health and Wellbeing Strategy 2023-2030

3.7 [Leeds Health and Wellbeing Strategy](#) describes the council's vision for health and wellbeing as 'Leeds will be a health and caring city for all ages, where people who are the poorest improve their health the fastest'. This policy is particularly affected by the following health and wellbeing priorities:

- Strong, engaged, and well-connected communities
- Safe and sustainable places that protect and promote health and wellbeing
- Promoting prevention and improving health outcomes through an integrated health and care system

Leeds Suicide Audit

3.8 The [Leeds Suicide Audit 2019-2021](#) shows an average rate of 9.6 deaths per 100,000 for all persons, with a female rate of 6.3 and a male rate of 12.9. The most recorded risk factor was having a history of a mental health problem. Other risk factors are:

- Partner relationship issues
- Divorce or separations
- Physical illness or disability
- Bereavement
- Adverse childhood experiences
- Previous suicide attempts
- History of drug and alcohol misuse
- Long term conditions
- Worklessness

3.9 Financial difficulties were recorded in 24% of the audit population which is lower than the previous audit. The most common age group where financial difficulties was recorded was the 40-49 age group. Men were more likely than women to have financial difficulties and those identified were evenly represented across the deprivation quantiles. There were frequent records of negative benefit decisions, debt, housing debt, repossession and drugs debt amongst other worries and concerns.

- 3.10 Gambling With Lives is a community of families bereaved by gambling-related suicide that provides support, raises awareness of the devastating effects of gambling disorder and campaigns for change. In their response to the National Suicide Prevention Strategy, Gambling With Lives provided a well referenced statement on how gambling harm is linked with a high suicide rate. In this paper it is explained that people suffering with gambling disorder are two to three times more likely to attempt to kill themselves or have major depressive episodes than other types of addicts, with 12-18% of those seeking treatment having already attempted suicide. One landmark study found that people suffering with gambling disorder are 15 times more likely to take their own lives than members of the general population.
- 3.11 Further to this, analysis on pupils asked about gambling in the latest My Health My School survey of school pupils in Leeds found that the gambling rate for young people who reported suicidal thoughts was higher than for those who did not (35.2% v 26.3%).

Children and Young People’s Plan 2023-2028

- 3.12 The UN convention on the rights of the child set out the basic rights for children worldwide. The UN developed the model for child friendly city model; a place where children’s rights are known and understood by children and adults alike and where these rights are reflected in policies and budgets.
- 3.13 The council’s [Children and Young People’s Plan](#) describes 5 outcomes, 14 priorities and 3 obsessions. The most relevant priorities to this policy are:
- Help children and parents to live in safe, supportive, and loving families
 - Ensure that the most vulnerable children and young people are protected
 - Improve social, emotional, and mental health and wellbeing of children and young people
 - Support young people to make good choices and minimise risk taking behaviours
 - Help young people into adulthood, to develop life skills, and be ready for work

Other strategies and plans

- 3.14 The council has developed [several strategies and plans](#) which support the ambition to be the Best City. These include:
- Housing Strategies
 - Leeds Food Strategy
 - Parks And Green Spaces Strategy
 - People Strategy 2020 – 2025
 - Financial Strategy 2020 – 2025
 - Estate Management Strategy
 - Digital Strategy 2022 – 2025
 - Equalities Improvement Priorities Strategy

4. The purpose of the Gambling Act 2005 – Statement of Licensing Policy

- 4.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published at least every three years. The statement can also be reviewed from “time to time” and any amendments must be consulted upon. The statement must then be re-published.
- 4.2 Leeds City Council consulted widely upon this policy statement before finalising and publishing it. The policy was presented for public consultation on the website, and by email and post to solicitors, licensees, support organisations, responsible authorities, ward members, MPs, trade associations, and parish councils. In total xxx emails and xxx letters were sent advising interested parties of the consultation. The consultation was also advertised via a press release.
- 4.3 The consultation took place between 29th July and 27th August 2024 and followed the Cabinet Office’s Code of Practice on Consultation and the requirements of the Gambling Act 2005. The consultation elicited three response which are available on request. The policy was approved at a meeting of the Full Council on 23rd November 2024.

5. The licensing framework

- 5.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.
- 5.2 The Gambling Commission issues operators licences and personal licences. Any operator wishing to provide gambling at a certain premises must have applied for the requisite personal licence and operator licence before they can approach the council for a premises licence. In this way the Gambling Commission can screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The council’s role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The council also issues various permits and notices to regulate smaller scale and or ad hoc gambling in various other locations such as pubs, clubs, and hotels.
- 5.3 The council does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.

6. Declaration

- 6.1 This statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 6.2 In producing this document, the council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

7. Responsible authorities

- 7.1 The Act empowers certain agencies to act as responsible authorities so that they can employ their area of expertise to help promote the licensing objectives. Responsible authorities can make representations about licence applications or apply for a review of an existing licence. Responsible authorities will also offer advice and guidance to applicants.
- 7.2 The council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- a. the need for the body to be responsible for an area covering the whole of the licensing authority's area
 - b. the need for the body to be answerable to democratically elected people, rather than any particular vested interest group etc.
- 7.3 In accordance with the regulations the council designates the Leeds Safeguarding Children Partnership for this purpose. Leeds Safeguarding Children Partnership has produced a "West Yorkshire Consortium Inter Agency Safeguarding and Child Protection Procedures Manual" which can be found at <http://westyorkscb.proceduresonline.com>. Applicants may find this manual useful as a point of reference, a guide for good practice and the mechanism by which to make a referral to Social Care, when producing their own policies and procedures in relation to the objective of protection of children and vulnerable people.
- 7.4 The contact details of all the responsible authorities under the Gambling Act 2005 are available on the council's website within the guidance documents at <http://www.leeds.gov.uk/Business/Pages/Gambling-Premises-Licences.aspx>.

8. Interested parties

8.1 Interested parties are certain types of people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person-

- a. lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b. has business interests that might be affected by the authorised activities, or
- c. represents persons who satisfy paragraph (a) or (b)”

8.2 The council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance to Local Authorities.
- Within this framework the council will accept representations made on behalf of residents and tenants associations.
- To determine if an interested party lives or has business interests, sufficiently close to the premises to be likely to be affected by the gambling activities, the council will consider factors such as the size of the premises and the nature of the activities taking place.

8.3 The council will provide more detailed information on the making of representations in a separate guidance note. The guidance note has been prepared in accordance with relevant Statutory Instruments and Gambling Commission guidance.

9. Exchange of information

9.1 Licensing authorities are required to include in their policy statement the principles to be applied by the authority with regards to the exchange of information between it and the Gambling Commission, as well as other people listed in Schedule 6 to the Act.

9.2 The principle that the council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. The council will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

10. Licensing authority functions

10.1 Licensing authorities are responsible under the Act for:

- Licensing premises where gambling activities are to take place by issuing premises licences
- Issuing provisional statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to commercial clubs
- Granting permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines
- Granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices (for tracks)
- Providing information to the Gambling Commission regarding details of licences issued (see section above on 'Exchange of information')
- Maintaining registers of the permits and licences that are issued under these functions.

10.2 The council is not involved in licensing remote gambling. This is in the remit of the Gambling Commission via operator licences.

Part B The licensing objectives

11. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 11.1 The Gambling Commission will take a lead role in keeping gambling crime free by vetting all applicants for personal and operator licences. The council's main role is to try and promote this area with regard actual premises. Thus, where an area has known high levels of organised crime the council will consider carefully whether gambling premises are suitable to be located there (see paragraph 14.8 and 14.9) and whether conditions may be required such as the provision of door supervision (see paragraph 14.31).
- 11.2 There is a distinction between disorder and nuisance. To make the distinction, when incidents of this nature occur, the council will consider factors such as whether police assistance was required and how threatening the behaviour was.
- 11.3 Issues of nuisance cannot be addressed by the Gambling Act provisions however problems of this nature can be addressed through other legislation as appropriate.
- 11.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and in Part D which covers permits and notices.

12. Ensuring that gambling is conducted in a fair and open way

- 12.1 The council is aware that except in the case of tracks (see section 18) generally the Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- 12.2 However the council will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other matters as set out in the Gambling Commission's Licence Conditions and Code of Practice.
- 12.3 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and in Part D which covers permits and notices.

13. Protecting children and other vulnerable persons from being harmed or exploited by gambling

Protection of children

13.1 This licensing objective means preventing children from taking part in most types of gambling. The council will therefore consider whether specific measures are required at premises, regarding this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

13.2 The Act provides the following definition for child and young adult in Section 45:

Meaning of “child” and “young person”

- (1) In this Act “child” means an individual who is less than 16 years old.
- (2) In this Act “young person” means an individual who is not a child but who is less than 18 years old.

For this section protection of children will encompass both child and young person as defined by the Act.

13.3 The council will pay particular attention to any codes of practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.

13.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and in Part D which covers permits and notices.

Protection of vulnerable people

13.5 The council is aware of the difficulty in defining the term “vulnerable person”. In most recent literature it is not a term that is used, with the term “adults at risk of abuse or neglect” or “adults at risk” being the preferred terms.

13.6 The Gambling Commission, in its Guidance to Local Authorities, does not seek to define ‘vulnerable persons’ but it does, for regulatory purposes, assume that this group includes

“people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.”

13.7 However, in their Vulnerability Statement⁴ they also state:

“We know that adults may be in a vulnerable situation at any age, but young adults may be particularly vulnerable to gambling related harms due to a combination of biological, situational and environmental factors.”

13.8 The Care Act 2014 imposes a requirement on a local authority to “make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it”.

13.9 The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult’s case (whether under this Part or otherwise) and, if so, what and by whom. The Care Act 2014 considers abuse to include financial abuse. It states “financial abuse” includes:

- a. having money or other property stolen,
- b. being defrauded,
- c. being put under pressure in relation to money or other property, and
- d. having money or other property misused.

13.10 Leeds Safeguarding Adults considers “financial and material abuse” to include theft, fraud, exploitation, pressure in connection with financial matters, or the misuse of someone else’s finances.

13.11 Prior to the introduction of the Care Act in 2014, the No Secrets statutory Guidance which covered adult safeguarding, used a broad definition of a ‘vulnerable adult’ as a person: “who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”. The Care Act 2014 has superseded this, and s42 now identifies ‘an adult at risk.’ An adult at risk of abuse or neglect is defined as someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and because of their care needs – is unable to protect themselves.

Vulnerability to gambling harms in Leeds

13.12 In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into gambling harm in Leeds (*Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016*). This research, which focussed specifically on gambling harm in Leeds, established that Leeds and areas like Leeds are broadly likely to have gambling harm rates at double the national

⁴ [What do we mean by vulnerability? \(gamblingcommission.gov.uk\)](http://www.gamblingcommission.gov.uk/what-do-we-mean-by-vulnerability/)

average. The research also looked specifically at identifying groups in society that could be considered vulnerable to, or at higher risk of, gambling harm:

- Young people
- Minority ethnic people
- Unemployed people and those constrained by economic circumstance
- Area of deprivation
- Homelessness
- Mental ill health
- Substance abuse/misuse
- Personality traits/cognitive disorders
- People gambling at problem level seeking treatment

13.13 The Public Health England Evidence Review (2021, updated by OHID in 2023) provides national context on the prevalence of gambling harm. It states:

“During 2018, 0.4% of the population were gambling at ‘problem’ levels, with an additional 3.5% gambling ‘at risk’. The proportion of people gambling at lower-risk levels has increased since 2016 (from 1,094,066 in 2016 to 1,213,830 in 2018), and a recent 2023 evidence update has estimated around 1.76 million people in England have a level of risk attached to their gambling participation (Jan 2023, Office for Health Improvement & Disparities). Local prevalence data requires further development, but current estimates indicate that 60.8% of adults gambled in the past 12 months in Yorkshire and Humber (Y&H ADPH) with 3.6% at-risk and a further 0.7% gambling at ‘problem’ level.

Those harms are experienced as debt (often long term), impact on employment and personal relationships, involvement in crime, mental health issues such as depression and anxiety, suicidal feelings and behaviour, and homelessness. Furthermore, for each person who gambles with negative consequences, around 6 other people are affected, often partners and children. Women are more likely to experience this type of harm and severity increases according to the closeness of the relationship with the person who gambles.”⁵

13.14 The Office for Health Improvement and Disparities (OHID) commissioned researchers at the University of Sheffield and the University of Glasgow to produce estimates of the number of adults who gamble in England who might benefit from treatment or support. The estimates are by national, regional and local authority level.⁶

⁵ [Gambling-related harms: evidence review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/evidence-reviews/gambling-related-harms-evidence-review)

⁶ [Gambling treatment need and support: prevalence estimates - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/evidence-reviews/gambling-treatment-need-and-support-prevalence-estimates)

13.15 This estimates that 25,719 adults might benefit from some type of gambling treatment or support in Leeds. There are an estimated 15,140 children living with these adults.

Council approach to Gambling Harms

13.16 In Leeds, gambling harms is regarded as a matter of public health, and this has been the case since partnership working to address gambling related harms. Public Health co-lead on the partnership working arrangements and project delivery in the city and continue to provide advice, support, and evidence to guide possible interventions to reduce gambling harms.

13.17 When compared to other local areas the work to address gambling-related harms in the city is well developed. The Leeds approach has been recognised nationally including by both the Local Government Association and the Gambling Commission and is a key reason for the city now hosting two treatment services (the NHS Northern Gambling Service and Leeds Community Gambling Service) in the city.

13.18 Leeds City Council's Public Health and Financial Inclusion teams co-lead partnership working arrangements, treatment service liaison and project delivery. Entertainment Licensing lead on the licensing of physical gambling premises, enforcement of these same premises and lobbying through the Local Government Association and liaison with the Gambling Commission.

13.19 The Council's local approach to gambling related harm is delivered successfully through a multi-agency approach and has been since 2016 when the Leeds Gambling Harms Group was formed. Representatives from a wide range of services attend the quarterly meetings, including Financial Inclusion, Public Health, Entertainment Licensing, treatment services (Leeds Community Gambling Service/GamCare, NHS Northern Gambling Service, YGAM), Citizen's Advice, University money support teams, GambleAware and Leeds City Council Communications.

13.20 The partnership was recently refreshed, and key priorities identified by the group, based on evidence and local insight. These four priorities are:

- Building and sharing the evidence base
- Improving identification and recognition of gambling-related harm
- Protecting children and young people from gambling-related harm
- Reducing exposure of vulnerable people to gambling products

- 13.21 The priorities already contribute to aspects of the three pillars from the Best City Ambition but as the themes are developed, further consideration will be given to this to ensure that the pillars are embedded within the work programme. The work is also well linked to range of other city strategies and plans including the Thriving Strategy and Better Lives strategy. Work will continue to ensure that there is link up with relevant strategies and work areas.
- 13.22 On a national level, the Council is represented at a Communities of Improvement Group, coordinated by the Office of Health Improvement and Disparities (OHID), which brings together Public Health leads in Yorkshire and the Humber with a focus on gambling related harm. ⁷

Considering vulnerability when making applications

- 13.23 In the case of premises licences the council is aware of the extensive requirements set out for operators in the Gambling Commission’s Code of Practice regarding social responsibility. In this document the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:
- Combating gambling harm
 - Access to gambling by children and young people
 - Information on how to gamble responsibly and help for problem gamblers
 - Customer interaction
 - Self-exclusion
 - Employment of children and young people
- 13.24 All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.
- 13.25 Applicants may also like to refer to Leeds Safeguarding Adults Partnership document entitled “Multi Agency Safeguarding Adults Policies and Procedures – West and North Yorkshire and York” which provides extensive guidance on identifying vulnerable people and what can be done to reduce risk for this group. This document can be accessed via <http://www.leedssafeguardingadults.org.uk>
- 13.26 The council has developed a risk matrix which identifies those areas which may have a population experiencing higher levels, and an accumulation of risk, therefore increasing vulnerability to gambling related harms. More information on areas identified as very high risk can be found in Part C.

⁷ [Council and democracy \(leeds.gov.uk\)](http://www.leeds.gov.uk)

13.27 Applicants could consider offering measures to be imposed on licences as conditions, which protect and support vulnerable people in the area, for example:

- Reduced opening hours.
- Working with local authority and treatment partners in training staff in gambling harm prevention.
- Training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect people who may be vulnerable.
- Training for staff members which focuses on identifying and providing support to vulnerable people
- Restrict single manning operations (no lone working) due to concerns over timely age verification, safety of staff, supervision, ability to comply with company policies on gambling harm, and the ability to provide brief interventions.
- Use of security to minimise risk of disturbances including CCTV, SIA licensed security presence at the venue.
- Outline the amount and content of gambling harms support advertising that should be in the premises, including advertising of local treatment support.
- The level of detail that will be collected in the incident log, including interventions made by staff to support customers who are gambling problematically. Define how often this information should be shared with the local authority.
- Provision of leaflets aiding problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
- The administration and enforcement of self-exclusion schemes
- Windows, entrances, and advertisements to be positioned or designed not to entice children or other vulnerable people.

13.28 When licensed premises wish to advertise to local communities, a risk assessment with the Licensing Authority should be undertaken to ensure the most deprived areas and vulnerable client groups are not targeted. To protect those most vulnerable or susceptible to gambling related harm Leeds City Council recommends advertising material is not displayed within 100 metres of venues accessed by vulnerable groups, such as council offices, community hubs, addiction treatment services, advice centres, family centres and organisations that may provide financial and other advice.

13.29 It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.

13.30 The council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

Part C Premises licences

14. General Requirements

- 14.1 The council will issue premises licences to allow those premises to be used for certain types of gambling. For example premises licences will be issued to amusement arcades, bingo halls, bookmakers, and casinos.
- 14.2 Premises licences are subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities can exclude default conditions and attach other conditions, where it is believed to be necessary and proportionate.
- 14.3 Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each interest area for which they must have regard. The council will also have regard to these Codes of Practice.

Definition of “premises”

- 14.4 Premises is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.
- 14.5 The council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. The council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised, and that people do not ‘drift’ into a gambling area.
- 14.6 The council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the council will consider before granting such applications include whether children can gain access, compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the act.
- 14.7 An applicant cannot obtain a full premises licence until they have the right to occupy the premises to which the application relates.

Location

- 14.8 The council is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered regarding the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable people from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 14.9 With regards to these objectives it is the council's policy, upon receipt of any relevant representations, to look at specific location issues including:
- the possible impact a gambling premises may have on any premises that provide services to children or young people, for example a school, or vulnerable adult centres in the area
 - the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
 - the size of the premises and the nature of the activities taking place
 - deprivation in the area
 - any levels of organised crime in the area.

Local Risk Assessments

- 14.10 From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees (except for those which hold betting licences for tracks) to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures, and control measures to mitigate those risks. In making risk assessments, licensees must consider relevant matters identified in this policy.
- 14.11 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:
- a. to take account of significant changes in local circumstance, including those identified in this policy.
 - b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks.
 - c. when applying for a variation of a premises licence; and
 - d. in any case, undertake a local risk assessment when applying for a new premises licence.
- 14.12 The council will expect the local risk assessment to consider the urban setting:
- The proximity of the premises to schools.
 - The demographics of the area in relation to vulnerable groups.
 - The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.

- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment, and entertainment type facilities.

14.13 The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected:

- The training of staff by a quality assured training provider in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with under-age people and vulnerable people, which may include:
 - dedicated and trained personnel,
 - leaflets and posters,
 - self-exclusion schemes,
 - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

14.14 The local risk assessment should show how children are to be protected:

- The proximity of institutions, places, or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds, and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.

14.15 Other matters that the assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

- 14.16 The council has developed a Gambling Harm Vulnerability Matrix which identifies localities in Leeds which may have a higher the normal number of vulnerable adults and children at risk. The Matrix uses several data sources to rank Medium Super Output Areas against one another to identify the risk of harm. This matrix is available on request from Entertainment Licensing.
- 14.17 Information in the Local Area Risk Assessment and the council's Gambling Harm Vulnerability Matrix may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with conditions or to refuse the application.
- 14.18 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.
- 14.19 Applicants may find it useful to request a copy of the Matrix and use the results to develop their local area risk assessment. When considering the application, the licensing authority and other responsible authorities and interested persons will use the Matrix to rank the location. This may be a determining factor in any representations and this evidence will be provided to licensing sub-committee.

Local Area Profile

- 14.20 Each locality has its own character and challenges. To assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the council may publish a local area profile. This profile, compiled in conjunction with the Community Hubs and approved by the Licensing Committee, can be obtained from Entertainment Licensing.
- 14.21 The local area profiles should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent licensing subcommittee when they determine an application that has received representations.
- 14.22 The council recognises that it cannot insist on applicants using the local area profiles when completing their risk assessments. However an applicant who decides to disregard the profiles may face additional representations and the expense of a hearing as a result.

Duplication with other regulatory regimes

14.23 The council will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. The council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about proposed conditions which are not able to be met by the applicant due to planning restrictions, should such a situation arise.

Conditions

14.24 The council is aware that the Secretary of State has set mandatory conditions and default conditions and the Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.

14.25 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the council will attach individual conditions to address this.

14.26 Any conditions attached to a licence issued by the council will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility.
- directly related to the premises and the type of licence applied for, and/or related to the area where the premises is based.
- fairly and reasonably related to the scale, type, and location of premises.
- consistent with the licensing objectives, and
- reasonable in all other respects.

14.27 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures the council will consider using, such as supervision of entrances, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types in this policy. The council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively

14.28 Where certain measures are not already addressed by the mandatory/default conditions or by the applicant, the council may consider licence conditions to cover issues such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances.
- Supervision of machine areas.
- A reduction in the number of betting machines (betting premises).
- The manning of premises.
- Physical separation of areas.
- Location of entrance points.
- Notices/signage.
- Specific opening hours.
- A requirement that children must be accompanied by an adult (in premises where children are allowed).
- Enhanced DBS checks of the applicant and/or staff.
- Staff training in brief intervention, conflict resolution, basic knowledge of mental health, learning disabilities and addiction, including substance misuse.
- Support to people with gambling addiction, including brief intervention.
- Policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays.
- Policies to address the problems associated with truant children who may attempt to gain access to premises and gamble.
- Obscuring windows where appropriate and labelling premises so it's clear that they are gambling premises.

14.29 This list is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the licensing authority and the responsible authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

14.30 There are conditions which the council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition.
- conditions relating to gaming machine categories, numbers, or method of operation.
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winnings, or prizes.

Door supervision

14.31 The council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable people from being harmed or exploited by gambling, and in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority. Where door supervisors are provided at these premises the

operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

15. Adult gaming centres

- 15.1 Adult gaming centres are a category of premises introduced by the Act that are most closely related to adult only amusement arcades seen in many city centres.
- 15.2 Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises.
- 15.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.
- 15.4 Where certain measures are not already addressed by the mandatory and default conditions and the Gambling Commission Codes of Practice or by the applicant, the council may consider licence conditions to address such issues.

16. Licensed family entertainment centres (FECs)

- 16.1 Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes. Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place, so children do not access the areas where the category C machines are located.
- 16.2 Where category C or above machines are available in premises to which children are admitted then the council will ensure that:
 - all such machines are in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice, and the council may insist on a permanent barrier of at least 1 meter high
 - only adults are admitted to the area where the machines (category C) are located
 - access to the area where the machines are located is always supervised
 - the area where the machines are located is arranged so that it can be observed by staff; and
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18.

- 16.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 16.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 16.5 The efficiency of such policies and procedures will each be considered on their merits; however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
 - measures and training covering how staff would deal with unsupervised very young children being on the premises
 - measures and training covering how staff would deal with children causing perceived problems on or around the premises
 - the arrangements for the supervision of the premises either by staff or the use of a suitable CCTV system. Advice regarding the suitability of a CCTV system can be obtained from West Yorkshire Police.
- 16.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 16.7 The council will refer to the Commission's website to familiarise itself with any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of the mandatory or default conditions and any Gambling Commission Codes of Practice on these premises licences.

17. Casinos

- 17.1 Leeds has several casinos which were licensed under the Gaming Act 1968, which have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences.
- 17.2 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines. Large and small casinos can also provide betting machines.

Licence considerations/conditions

- 17.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for converted casino licences.
- 17.4 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.
- 17.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Licence Conditions and Codes of Practice or by the applicant, the council may consider licence conditions to cover certain issues.
- 17.6 Detailed information on the Large Casino Application Process can be found in Appendix 2.

18. Bingo premises

- 18.1 There is no official definition for bingo in the Gambling Act 2005 however from a licensing point of view there is a category of premises licence specifically for bingo premises which is used by traditional commercial bingo halls for both cash and prize bingo. In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act (see Appendix 1).
- 18.2 The council is aware that it is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the council will ensure that:
- all such machines are in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice, and the council may insist on a permanent barrier of at least one meter high
 - only adults are admitted to the area where the machines are located
 - access to the area where the machines are located is always supervised
 - the area where the machines are located is arranged so that it can be observed by staff
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
 - children will not be admitted to bingo premises unless accompanied by an adult.

- 18.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for bingo premises.
- 18.4 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

19. Betting premises

- 19.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at racecourses as well as the general betting premises licences that track operators will require.
- 19.2 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

Betting machines

- 19.3 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature, and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will consider the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.
- 19.4 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable people, highlighted in section 13.
- 19.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

20. Tracks

- 20.1 Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totaliser” or “tote”), and general betting, often known as fixed odds betting. Multiple betting outlets are usually located on tracks such as ‘on-course’ betting operators who come onto the track just on race days to provide betting for the races taking place on that track. There can also be ‘off-course’ betting operators who may operate self-contained facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track.
- 20.2 All tracks will require a primary ‘general betting premises licence’ that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.
- 20.3 Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track. This may be preferable for any self-contained premises providing off-course betting facilities at the track. The council will however assess each individual case on its merits before deciding if this is necessary. Where possible the council will be happy for the track operator to decide if any off-course operators should apply for a separate premises licence.
- 20.4 If any off-course operators are permitted to provide betting facilities under the authorisation of the track operator’s premises licence, then it will be the responsibility of the premises licence holder to ensure the proper conduct of such betting within the premises boundary.
- 20.5 Gambling Commission guidance also indicates that it would be possible for other types of gambling premises to be located at a track under the authorisation of separate premises licences, e.g. a casino premises licence or adult gaming centre premises licence. If you require further guidance on this provision, please contact the Entertainment Licensing Section.
- 20.6 Children and young people will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines and betting machines (other than category D machines) are provided.
- 20.7 The council will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of betting premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

Betting machines

- 20.8 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature, and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will consider the size of the premises, the number of counter positions available for person-to-person transactions and the location of the machines, to ensure they are in a properly segregated area where children are not permitted.
- 20.9 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission's Licence Conditions and Code of Practice or the applicant, the council may consider licence conditions to address such issues.

21. Travelling fairs

- 21.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met, and this provision continues in similar fashion under the new Act.
- 21.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair (see Appendix 1).
- 21.3 The council will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair.
- 21.4 The council is aware that the 27 day statutory maximum for the land being used as a fair is per calendar year and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The council will work with its neighbouring authorities to ensure that land which crosses the council boundary is monitored so that the statutory limits are not exceeded.

22. Provisional statements

- 22.1 A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which he expects to be constructed, to be altered or to acquire a right to occupy would be granted a premises licence. A provisional statement is not a licence and merely gives the holder some form of guarantee that a premises licence would be granted so the developer can judge whether a development is worth taking forward considering

the need to obtain a premises licence. An applicant may also apply for a provisional statement for premises which already hold a premises licence (either for a different type of gambling or the same type).

22.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from responsible authorities or interested parties can be considered unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- a. which could not have been raised by objectors at the provisional licence stage; or
- b. which in the authority's opinion reflect a change in the operator's circumstances.

22.3 When determining a provisional statement application the council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

Part D Permits, notices, and lottery registrations

23 Unlicensed family entertainment centre gaming machine permits (UFECs)

- 23.1 The term ‘unlicensed family entertainment centre’ is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises is ‘unlicensed’ in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a ‘licensed family entertainment centre’ which requires a premises licence because it contains both category C and D gaming machines.
- 23.2 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, Para 7 of the Act states “In preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.
- 23.3 In line with the above provision the council has prepared a ‘Statement of Principles’ in relation to unlicensed family entertainment centre gaming machines as follows:

Statement of Principles

- 23.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 23.5 The efficiency of such policies and procedures will each be considered on their merits; however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
 - measures and training covering how staff would deal with unsupervised very young children being on the premises
 - measures and training covering how staff would deal with children causing perceived problems on or around the premises.
 - the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the latest Home Office and ACPO standards and to the satisfaction of West Yorkshire Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible, and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.

- 23.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 23.7 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres,
 - That the applicant has no relevant conviction (those that are set out in Schedule 7 of the Act), and
 - That staff are trained to have a full understanding of the maximum stakes and prizes.
- 23.8 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.
- 23.9 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

24. Gaming machine permits in premises licensed for the sale of alcohol

- 24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D. The premises merely need to notify the council. The council can remove the automatic authorisation in respect of any premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
 - gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises.
- 24.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” The council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable people from harm or being exploited by gambling. The council will also expect the applicant to satisfy the authority that there will be sufficient

measures to ensure that children and young people under the age of 18 do not have access to the adult only gaming machines.

- 24.3 All alcohol licensed premises with gaming machines must have regard to the need to protect children and vulnerable people from harm or being exploited by gambling and provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines.
- 24.4 Measures which may satisfy the council that people under 18 years will be prevented from using the machines may include the machines being near the bar, or in any other area where they are capable of being adequately supervised. Notices and signage may also help. As regards the protection of vulnerable people, applicants may wish to consider the provision of information leaflets and or helpline numbers for organisations such as GamCare, as well as any policy they may have regarding people becoming distressed or who may be gambling excessively, or for an excessive amount of time.
- 24.5 The council can decide to grant the permit with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 24.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).
- 24.7 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.
- 24.8 Alcohol licensed premises can provide some limited equal chance gaming. Licensees are referred to the advice provided by the Gambling Commission and Appendix 3 of this document.

25. Prize gaming permits

- 25.1 Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered, and the prizes are displayed on the walls.
- 25.2 A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.
- 25.3 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 14, Para 8 of the Act states, “in

preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25.

25.4 In line with the above provision the council has prepared a Statement of Principles in relation to prize gaming permits as follows:

Statement of Principles

25.5 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

25.6 The efficiency of such policies and procedures will each be considered on their merits; however, they may include:

- appropriate measures and training for staff as regards suspected truant children on the premises
- measures and training covering how staff would deal with unsupervised very young children being on the premises
- measures and training covering how staff would deal with children causing perceived problems on or around the premises. the arrangements for supervision of premises either by staff or the use of CCTV.
- Any CCTV system installed should both the interior and the entrance working to the Home Office and ACPO standards as described PSDB leaflet 09/05 and to the satisfaction of West Yorkshire Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible, and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.

25.7 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.

25.8 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible
- That the gaming offered is within the law.

25.9 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.

- 25.10 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.
- 25.11 There are conditions in the Gambling Act 2005 by which the permit holder must comply. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with.
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played.
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

26. Club gaming and club machine permits

- 26.1 Members clubs and miners’ welfare institutes may apply for a ‘club gaming permit’ or a ‘club machine permit’. The ‘club gaming permit’ will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming. i.e. poker, bingo etc. A ‘club machine permit’ will enable the premises to provide gaming machines (three machines of categories B4, C or D). Commercial clubs may apply for a ‘club machine permit’ only.
- 26.2 To qualify for these special club permits a member’s club must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming. A members’ club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men’s clubs, branches of the Royal British Legion and clubs with political affiliations.
- 26.3 Clubs must have regard to the protection of children and vulnerable people from harm or being exploited by gambling. They must provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines. Measures which may satisfy the council that people under 18 years will be prevented from using the machines may include the machines being near the bar, or in any other area where they are capable of being adequately supervised. Notices and signage may also help. As regards the protection of vulnerable people, applicants may wish to consider the provision of information leaflets and or helpline numbers for organisations such as GamCare, as well as any policy they may have regarding people becoming distressed or who may be gambling excessively, or for an excessive amount of time.
- 26.4 Before granting the permit the council will need to satisfy itself that the premises meets the requirements of a members’ club, and that most members are over 18.

- 26.5 The council may only refuse an application on the grounds that:
- a. the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied.
 - b. the applicant's premises are used wholly or mainly by children and/or young people.
 - c. an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.
 - d. a permit held by the applicant has been cancelled in the previous ten years; or
 - e. an objection has been lodged by the Commission or the police.
- 26.6 There is also a 'fast-track' procedure available for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which the council can refuse a permit is reduced. The grounds on which an application under the process may be refused are:
- a. that the club is established primarily for gaming,
 - b. that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - c. that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

27. Temporary use notices

- 27.1 Temporary use notices allow the use of premises on not more than 21 days in any 12 month period for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 27.2 Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.
- 27.3 Only people or companies holding a relevant operating licence can apply for a temporary use notice to authorise the class of gambling permitted by their operating licence.
- 27.4 A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice will be available in a separate guidance note.
- 27.5 The Act makes a special reference, in the context of temporary use notices, to a "set of premises" to try and ensure that large premises which cannot reasonably

be viewed as separate are not used for more temporary use notices than permitted under the Act. The council considers that the determination of what constitutes “a set of premises” will be a question of fact in the circumstances of each notice that is given. In considering whether a place falls within the definition of a “set of premises”, the council will look at, amongst other things, the ownership/occupation and control of the premises. The council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

28. Occasional use notices (for tracks)

- 28.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice. The application may be made in writing, to the council by the person responsible for the administration of the events on a track or by an occupier of the track.
- 28.2 The council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The council will however consider the definition of a ‘track’ and whether the applicant is entitled to benefit from such notice.

29. Small society lottery registrations

- 29.1 A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.
- 29.2 The Act creates two principal classes of lotteries: Licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries there are four sub classes, one of which is small society lotteries.
- 29.3 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the council for small societies who have a principal office in Leeds and want to run such lottery.
- 29.4 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.
- 29.5 To be ‘non-commercial’ a society must be established and conducted:

- for charitable purposes,
- for the purpose of enabling participation in, or supporting, sport, athletics, or a cultural activity; or
- for any other non-commercial purpose other than that of private gain.

29.6 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'. If you require guidance on the different categories of lotteries, please contact the council.

29.7 The National lottery is not licensed by the Gambling Act 2005 and continues to be regulated by the National Lottery Commission under the National Lottery Act 1993.

Part E Enforcement

30. Enforcement principles

30.1 The council will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation. Specifically the council is subject to the Regulators' Code which provides the following six provisions which the Council should follow in its enforcement activities, unless it concludes, based on material evidence, that a specific provision of the Code is either not applicable or outweighed by another relevant consideration.

- a. Regulators should carry out their activities in a way that supports those they regulate to comply and grow
- b. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
- c. Regulators should base their regulatory activities on risk
- d. Regulators should share information about compliance and risk
- e. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- f. Regulators should ensure that their approach to their regulatory activities is transparent

30.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the council will endeavour to be:

Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised.

Accountable: regulators must be able to justify decisions and be subject to public scrutiny.

Consistent: rules and standards must be joined up and implemented fairly.

Transparent: regulators should be open, and keep regulations simple and user friendly; and

Targeted: regulation should be focused on the problem and minimise side effects.

30.3 The council will endeavour to avoid duplication with other regulatory regimes so far as possible.

30.4 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At

the time of the publication of this policy there were seven Primary Authority arrangements with host local authorities:

BACTA	Reading
Coral Racing	Milton Keynes
Ladbrokes	Milton Keynes
Paddy Power	Reading
Rank Group	City of Westminster
Sky Betting & Gaming	Wakefield
William Hill	Reading

- 30.5 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par>
- 30.6 The council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.
- 30.7 The main enforcement and compliance role for the council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the council but will be notified to the Gambling Commission. In circumstances where the council believes a premises requires a premises licence for gambling activities and no such licence is in force, the council will alert the Gambling Commission.
- 30.8 The council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 30.9 The council's enforcement/compliance protocols/written agreements will be available upon request.

31. Reviews

- 31.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked, suspended or that conditions may amended, or new conditions added.
- 31.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the council to decide whether the review is to be carried out. This will be based on whether the request for the review is:

- a. in accordance with any relevant code of practice issued by the Gambling Commission
- b. in accordance with any relevant guidance issued by the Gambling Commission
- c. reasonably consistent with the licensing objectives and
- d. in accordance with this authority's Gambling Act 2005 – Statement of Licensing Policy.

31.3 In addition the council may also reject the application on the grounds that the request is frivolous, vexatious, will certainly not cause this authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.

31.4 The council can also initiate a review of a licence based on any reason which it thinks is appropriate.

Appendix 1 Glossary of terms

Term	Description
ATM	Cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not.
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming such as roulette and blackjack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device. i.e. a grab mechanism.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the council.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler can establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touchscreen' displays and look like quiz machines familiar in pubs and clubs but offer several games, roulette being the most popular.
Gaming	Gaming, in reference to gambling, can be defined as 'the playing of a game of chance for winnings in money or monies worth,

Term	Description
	whether any person playing the game is at risk of losing any money or monies worth or not'. Gaming is also the common term for the playing of online video games and should not be confused.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.
Licensing Objectives	<p>The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives: The licensing objectives are:</p> <ul style="list-style-type: none"> • Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. • Ensuring that gambling is conducted in a fair and open way. • Protecting children and other vulnerable people from being harmed or exploited by gambling.
Lottery	<p>A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate, and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate, and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).</p>
Mandatory condition	A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The council will have no discretion to alter or remove these conditions.
Money prize machine	A machine in respect of which every prize which can be won because of using the machine is a money prize.

Term	Description
Non-money prize machine	<p>A machine in respect of which every prize which can be won because of using the machine is a non-money prize. The winner of the prize is determined by:</p> <p>(i) the position in which the coin or token comes to rest after it is inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or</p> <p>(ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after release, together with the position of other tokens which have previously been released.</p>
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmaker. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	<p>For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings:</p> <p>1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting</p> <p>2) Shall be divided among the winners or</p> <p>3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.</p>
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom

Term	Description
	Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed. For Leeds the RAs include West Yorkshire Police, The local Safeguarding Children Board, Leeds City Council's Development Department as well as several others.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes because of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the council which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place. Examples of tracks within the Leeds district would be Elland Road Football ground and Headingley Stadium.

Appendix 2 Large Casino

The status of the Large Casino is that a premises licence has been granted. The following process will apply should the current licence cease to exist because it has either been surrendered or revoked.

1. Background

- 1.1 The Act introduces three new categories of casino: one regional casino, eight large casinos and eight small casinos. In 2006 the council submitted a proposal for a regional and large casino to the Casino Advisory Panel.
- 1.2 On 15th May 2008 the Categories of Casino Regulation 2008 and the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 was approved. This specified which licensing authorities could issue premises licences for large and small casinos. Leeds City Council was authorised to issue a large casino premises licence.
- 1.3 On 26th February 2008 the Secretary of State for Culture, Media and Sport issued the Code of Practice on Determinations Relating to Large and Small Casinos (Code of Practice). The council will comply with this Code which sets out:
 - a. the procedure to be followed in making any determinations required under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005 and
 - b. matters to which the Licensing Authority should have regard in making these determinations.
- 1.4 The council recognises that applicants may either apply for a casino premises licence or a provisional statement. As for all premises licences, applicants for a casino premises licence must fulfil certain criteria in that they must:
 - a. hold or have applied for an operating licence from the Gambling Commission; and
 - b. have the right to occupy the premises in question.
- 1.5 Should an applicant be unable to meet these two criteria they should apply for a provisional statement.
- 1.6 Unless otherwise specified, any reference to the application and procedures for a premises licence for a casino in the following parts of this section will also include the application and procedures for a provisional statement for a casino.
- 1.7 Where a provisional statement application is successful, the council may limit the period for which the statement will have effect. This period may be extended if the applicant so applies.
- 1.8 The council will ensure that any pre-existing contract, arrangement or other relationship with a company or individual does not affect the procedure for

assessing applications to make it unfair or perceived to be unfair to any applicant.

- 1.9 In deciding on both stages the council will take heed of any current Codes of Practice, current Regulations and guidance issued by the Secretary of State for the Department of Digital, Culture, Media and Sport and the Gambling Commission.
- 1.10 The council has not passed a “no casino” resolution under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. It may choose to exercise this option should there be only one application for a large casino premises licence or should, where there is more than one application, those applications fail to meet the council’s aspirations for benefit for the Leeds metropolitan area. Should the council decide in the future to pass such a resolution, it will update this policy with details of that resolution and any such decision will be made by full Council.
- 1.11 As per Part 8, Section 210 of the Gambling Act 2005 the council will not have regard to whether a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building and any licensing decision will not constrain any later decision by the council under the law relating to planning or building.
- 1.12 The council does not have a preferred location for the new large casino. Applicants can submit proposals for any site or location within the Leeds metropolitan area and each will be judged on its own individual merits.

2. Application Process

Stage 1

- 2.1 The council will publish an invitation calling for applications. This invitation will be published in a trade newspaper, journal, or similar publication. It will state the latest date the application must be made and the place from which a person may obtain an application pack.
- 2.2 The part of the application pack which relates to stage 1 will include, as a minimum, the following:
 - Guidance for applicants
 - Application form for Stage 1
 - Example notices
- 2.3 With regard to stage 1 of the application process, the general principles as stated in Part C of this gambling policy will apply to all applications.

- 2.4 At stage 1 the Licensing Committee or sub-committee, will determine, if there are valid representations, which applications would be granted if they were able to grant more than one application.
- 2.5 At stage 1, the council will not consider whether any of the applications is more deserving of being granted.

Stage 2

- 2.6 Should more than one applicant pass through stage 1, the process will proceed to the second stage with each successful applicant being invited to submit information about how their application would, if granted, benefit the area.
- 2.7 The part of the application pack which relates to stage 2 will include, as a minimum, the following:
- Stage 2 evaluation methodology, including scoring matrix
 - Details of current Licensing Committee
 - Details of the Advisory Panel
 - Terms of reference for Advisory Panel
 - Example Schedule 9 agreement
 - Glossary
 - Vision for Leeds 2011 to 2030
- 2.8 At stage 2, the procedure will follow the DCMS Code of Practice. However, the Code leaves individual councils to determine the detail of their own procedure.
- 2.9 The council will not bear any abortive costs of the unsuccessful applicants and their participation in all phases of the licence process is conducted entirely at the applicants' risk.

Advisory Panel

- 2.10 It is recognised that the Licensing Committee does not necessarily have specialised expertise required to fully evaluate each application. It will seek professional expertise from officers of the council. Where this expertise is not available, it may seek independent expertise from outside the council.
- 2.11 For this purpose, the Licensing Committee will appoint a non-statutory panel to assist it in the evaluation of the stage 2 application process. This panel will be called the "Advisory Panel". The Advisory Panel will evaluate each application using the evaluation methodology and scoring provided in the application pack.
- 2.12 To ensure there are no conflicts of interest, applicants will be provided with a list of Advisory Panel members. Where objections are made, it will be necessary to give details of the substance of such objection. These objections will be considered by the Licensing Committee before the evaluation of stage 2 applications commence.

- 2.13 The Advisory Panel will engage in discussions with each second stage applicant with a view to the particulars of an application being refined, supplemented, or otherwise altered to maximise the benefits to the Leeds metropolitan area that would result from it (should it be granted).
- 2.14 The Advisory Panel will report its findings to the Licensing Committee. The report will be made available to the applicant before being submitted to ensure that the information provided within it is accurate. Should the applicant disagree with the evaluation, this will be noted and reported to the Licensing Committee, together with any necessary changes to the Advisory Panel's report.
- 2.15 The Licensing Committee will consider all the applications at Stage 2, and the report of the Advisory Panel. They will evaluate the proposals, in line with the principles below and determine which application, if granted, is likely to result in the greatest benefit to the area. This will involve an evaluation of the benefits and the likelihood of their delivery.
- 2.16 The Licensing Committee will instruct officers to complete negotiations on any written agreements made under Paragraph 5(3)(b) of Schedule 9 of the Act. Once the negotiations have been completed officers will report to Licensing Committee who will then grant the licence to the successful applicant and reject the remaining applications.
- 2.17 In line with paragraph 5.7.4 of the Code of Practice, in determining the principles the council intends to apply in making any determination for a casino premises licence, the council has had specific regard to the following:
- a. The financial and other contribution a second stage applicant proposes to make to the Leeds metropolitan area,
 - b. The likely effects of an application on employment, the local economy and regeneration within the authority's area,
 - c. Whether, and the extent to which, the benefits offered are pursuant to an agreement under paragraph 5(3)(b) of Schedule 9 or otherwise.
- 2.18 In line with paragraph 3.3 of the Code of Practice, in determining the principles the council intend to apply at Stage 2, it disregarded the existence of any contract, arrangement or other relationship already in place; and will
- put in place arrangements to ensure that any such contract, arrangement or other relationship does not or apparently, prejudice its ability to conduct the procedure fairly; and will
 - prepare a register of interests disclosing their interest in any contract, arrangement or other relationship with an applicant or a person connected or associated with an applicant.

3. Principles

3.1 At stage 2 the applicant will be required to state and demonstrate the benefit that they can bring to Leeds metropolitan area.

3.2 The council will seek to determine the greatest benefit through the following principles:

Financial To seek to maximise the financial return to the council.

Social To use any financial return accrued to facilitate the delivery of programmes and projects that support the Council's social and economic inclusion agenda, for the benefit of the Leeds metropolitan area.

Economic To secure a positive and significant economic impact for the local economy through the provision of a Large Casino in Leeds.

4. Evaluation Criteria

4.1 The council will publish a detailed evaluation methodology, which includes the information applicants are required to supply to support their application, and the weight that will be placed on each criterion. This evaluation methodology will be included in the application pack.

4.2 Applicants should carefully examine the evaluation methodology and tailor their application accordingly to ensure that they maximise benefits in accordance with this methodology.

4.3 In line with paragraph 5.7.4 of the Code of Practice, and the principles stated at 16.37 of this policy, the council has selected the following criteria which they will use to evaluate and score applications:

Financial Contribution This criterion relates to 16.33a and the first and second principles

Socio-economic This criterion relates to 16.33b and the second and third principles

Risk and deliverability This criterion relate to 16.33c and all three principles

Financial Contribution

4.4 The council is seeking to identify and quantify the level of financial contribution that could be secured for the Leeds metropolitan area. It is expected that the

contribution will comprise a mixture of annual payments received from the applicant and a lump sum payable upon signing of any agreements and on specified dates and/or events thereafter.

- 4.5 The financial contribution will be used by the council to establish and maintain the council administered Social Inclusion Fund (SIF) which will facilitate the delivery of programmes and projects that support the council’s social and economic inclusion agenda, for the benefit of the Leeds metropolitan area.
- 4.6 The financial contribution will be evaluated in terms of its ability to fund a credible and sustainable SIF. As such a mixture of upfront and annual payments is required.
- 4.7 The scoring of financial contributions will be weighted as follows:

1.0	1.0 Financial Contribution	33%
1.1	Net Present Value of total financial offer	
1.2	Upfront capital payment paid to the council on completion of the Schedule 9 Agreement	
1.3	Net Present Value of annual cash sum offer	
1.4	Credibility of financial assumptions and offer	

- 4.8 Further detail including the information required, its format and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack.

Socio-economic

- 4.9 The council is seeking to identify and quantify the level of expected net socio-economic benefits that could be secured for the Leeds metropolitan area based on the projected gross levels applicants believe their proposals will generate.
- 4.10 The council will expect to see that the applicant has tailored its proposals specifically to the requirements of Leeds through research and detailed assessment of the physical, social, and economic position as outlined in its vision documents. These documents will be made available in the stage 2 application pack.
- 4.11 Applicants should have regard to the proposed location of the premises, regarding meeting the licensing objective which seeks to protect children and vulnerable people from being harmed or exploited by gambling. Applicants will be asked to provide information related to the area in which their proposed development is situated in their strategy and vision documents.
- 4.12 Applicants will be asked to provide information on how their development will impact on employment and training, including amongst others, graduate

training, NEETs, and vocational qualifications as well as opportunities for Leeds businesses and the local supply chain.

4.13 Applicants must demonstrate a firm commitment to mitigation of negative impacts and ensuring residents’ safety and health is not put at risk by the large casino. Attention should be focussed on mitigation for the most vulnerable in society and for those living closest to the proposed casino and applicants must ensure that problem gambling issues do not increase in the Leeds area. Applicants must provide an assessment of the social, equality and health impacts of their proposed casino developments and provide mitigation plans to minimise and eliminate negative impacts. Applicants should also commit to supporting the ongoing monitoring of negative social, equality and health impacts of the large casino and make contractual commitments in the schedule 9 agreement on all mitigation measures proposed.

4.14 The scoring of the socio-economic benefits will be weighted as follows:

2.0 Socio-economic	34%
2.1 Strategy and vision for proposed development	
2.2 Economic Benefits (Gross):	
- Net contribution to local economy (including direct employment and GVA)	
- Credibility of economic assumptions	
2.3 Net social impacts	

4.15 Further detail including the information required, its format, data requirements and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack.

Risk and deliverability

4.16 At stage 2 the council will assess the risk and deliverability of the proposed scheme. The council will wish to consider what legal and financial assurances there are that the proposed development will be delivered within 5 years, and that the promised benefits will both materialise and be maintained. Firm evidence is required that all benefits and development proposed can be funded and a contractual obligation with penalties for non-delivery is required.

4.17 The application pack will include a template agreement under paragraph 5(3)(b) of Schedule 9 to the 2005 Act (‘a schedule 9 agreement’). Such an agreement will be negotiated with the applicants during the stage 2 evaluation process. This agreement will include a list of the benefits proposed, along with delivery targets and details of the penalties for non-delivery. Applications where

the benefits, including delivery of the development itself, are made subject of contractual obligation and where the applicant provides damages for non-delivery are likely to receive greater weight in the evaluation process.

4.18 The council is aware that the casino application may form part of a wider development proposal or be a new development. A casino development with firm contractual commitment to be fully operational within a 5 year timescale with proof of funding and with meaningful payment proposed for late or non-delivery will score more highly than a casino development that is not supported by a contractual commitment and/or meaningful payments for late or non-delivery and/or proof of funding. Any part of a wider development proposal which is not directly required for the delivery of the casino will score more highly if the applicant commits to completing the wider development within a 5 year timescale, proposes meaningful payment for late or non-delivery and provides proof of funding. These commitments will be contained within the schedule 9 agreement and the five year timescale will start from the signing of the schedule 9 agreement. Applicants must demonstrate that all development proposals are credible.

4.19 The scoring of risk and deliverability will be weighted as follows:

3.0 Risk and deliverability	33%
3.1 Contents of the Schedule 9 Agreement	
3.2 Deliverability:	
- Financing	
- Financial Standing	
- Right to occupy the site/premises	
- Credibility of approach to implementation	

4.20 Further detail including the information required, its format and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack along with a template schedule 9 agreement.

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