



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 1ST DECEMBER, 2009 AT 10.00 AM

MEMBERSHIP

Councillors

- D Wilson (Chair) - Rothwell;
- S Armitage - Cross Gates and Whinmoor;
- M Dobson - Garforth and Swillington;
- J Dunn - Ardsley and Robin Hood;
- T Grayshon - Morley South;
- T Hanley - Bramley and Stanningley;
- G Hyde - Killingbeck and Seacroft;
- V Morgan - Killingbeck and Seacroft;
- B Selby - Killingbeck and Seacroft;
- A Castle - Harewood;
- R D Feldman - Alwoodley;
- D Hollingsworth - Burmantofts and Richmond Hill;
- L Rhodes-Clayton - Hyde Park and Woodhouse;
- C Townsley - Horsforth;
- G Wilkinson - Wetherby;

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A G E N D A

Item No	Ward/Equal Opportunities	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 25 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 25, written notice of an appeal must be received by the Chief Democratic Services Officer 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/Equal Opportunities	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>DECLARATIONS OF INTEREST</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the following meetings as a correct record</p> <ul style="list-style-type: none"> a) 6th October 2009 b) 16th November 2009 <p>(Copies attached)</p>	1 - 8
7	Gipton and Harehills;		<p>PROPOSED DESIGNATED PUBLIC PLACES ORDER (DPPO) - GIPTON</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on proposals to make a Designated Public Places Order to cover the centre of Gipton</p> <p>(Draft report attached)</p>	9 - 20

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8	Headingley; Hyde Park and Woodhouse;		<p>WOODHOUSE MOOR AND SURROUNDING AREAS DPPO FEEDBACK REPORT</p> <p>To consider the report of the Director of Environment and Neighbourhoods providing details on the interventions used in the first 6 months following the implementation of the Woodhouse Moor DPPO on 1st April 2009.</p> <p>(Report attached)</p>	21 - 26
9	Wetherby;		<p>LEEDS FESTIVAL 2009, GROUNDS OF BRAMHAM PARK, BRAMHAM, LEEDS LS23 6ND</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) providing a de-brief on the matters arising from the Leeds Festival 2009, held within the grounds of Bramham Park, August 2009.</p> <p>(Report attached)</p>	27 - 32
10	All Wards;		<p>THE POLICING AND CRIME ACT 2009</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) updating Members on the progress of the Policing and Crime Bill which has now received Royal Assent.</p> <p>(Report attached)</p>	33 - 36
11			<p>LARGE CASINO UPDATE</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on the next steps in the Large Casino process and the delegated responsibilities of the Committee in this process</p> <p>(Report attached)</p>	37 - 40

Item No	Ward/Equal Opportunities	Item Not Open		Page No
12			<p>YELLOW AND RED CARD SCHEME</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on the “Yellow and Red Card” initiative and whether this could be adopted by the Authority as another system to deal with problem premises</p> <p>(Report attached)</p>	41 - 58
13			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next scheduled Committee meeting as Tuesday 2nd February 2009 at 10.00 am</p>	

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Agenda Item 6

Licensing Committee

Tuesday, 6th October, 2009

PRESENT: Councillor D Wilson in the Chair

Councillors M Dobson, J Dunn,
R D Feldman, D Hollingsworth, L Rhodes-
Clayton, C Townsley and G Wilkinson

IN ATTENDANCE –

Chief Superintendent M Milsom – West Yorkshire Police
Mr K Lawrance – Development Manager, Leeds Community Safety
Mrs G Hunter – LCC Community Safety Officer (West)
Inspector R Cawkwell – West Yorkshire Police
Mrs B Yearwood – LCC Area Community Safety Officer (North East)
Sergeant S Goodwill – West Yorkshire Police
Inspector C Jones – West Yorkshire Police
Councillor J Lewis – Kippax & Methley Ward

22 Exempt Information - Possible Exclusion of the Press and Public

The Committee considered the request of Chief Superintendent Milsom that his verbal submission in support of the report at agenda item 7 be heard in closed session. Members noted he stated his intention to discuss matters which in the opinion of the police should not be divulged in open session.

RESOLVED – That the public be excluded from the meeting during consideration of that part of the agenda now designated exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information under the terms of Access to Information Procedure Rule 10.4(7) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as disclosure could prejudice any activities to be taken in the prevention, investigation or prosecution of crime.

23 Declarations of Interest

There were no declarations of interest

24 Apologies for Absence

Apologies for absence were received from Councillors Armitage, Castle, Hyde, Morgan and Selby.

25 Minutes

RESOLVED – That the minutes of the previous meeting held 4th August 2009 be agreed as a correct record

26 Matters Arising

Minute 19 Leeds Festival - It was noted that an update on the Multi Agency De-Briefing following the Leeds Festival 2009 would be presented to the next Committee

27 Designated Public Places Order - Farsley

The Director of Environment and Neighbourhoods submitted a report setting out proposals for a Designated Public Places Order (DPPO) to be made to cover the Town Street and surrounding area in Farsley (detailed in Appendix 3 of the report). The report outlined the background to the proposals and the consultation process undertaken so far.

Mrs G Hunter attended the meeting to present the proposals and explained this DPPO was intended to address incidents of anti social behaviour and alcohol related incidents which had affected the area during the last 4 years. She stated that since the anti smoking legislation had come into force, this along with sales of cheaper alcohol, had exacerbated problems in the Town Street and Farfield Estate areas.

(Councillor Hollingsworth joined the meeting at this point)

Inspector Cawkwell attended to explain the evidence presented in the report from West Yorkshire Police and stated this DPPO would provide the police with additional powers to deal with incidents of disorder related to alcohol consumption. The report included schedules and maps detailing the type and locations of anti social behaviour in the area. The Committee heard that Inspector Cawkwell had liaised with local licensees and that they were in favour of the DPPO.

Members discussed the impact of the smoking ban on those public houses without the benefit of a beer garden or an area to designate for smokers and were concerned that a DPPO would impact on patrons who had to stand on the street outside a premises to smoke. The Committee was advised that a DPPO would not apply to the curtilage of a licensed premises.

RESOLVED –

- a) That approval be given for a Designated Public Places Order to be made in respect of the Farsley area as detailed in the map attached at Appendix 3 of the submitted report
- b) That the Director of Environment and Neighbourhoods be authorised to advertise the making of the Order, to procure the required signage and carry out any further steps necessary to bring the Order into force

28 Proposed Designated Public Places Order (DPPO) Kippax; Allerton Bywater and Great Preston

The Director of Environment and Neighbourhoods submitted a report setting out proposals for a Designated Public Places Order (DPPO) to be made to cover Kippax, Allerton Bywater and Great Preston. A map showing the proposed boundary was attached at appendix 3 of the report. The report also outlined the background to the proposals and the findings of the public consultation process.

Mrs B Yearwood presented the proposals and explained the request for this DPPO arose out of a recorded increase in the number of alcohol related violent assault within Kippax and Allerton Bywater during the last 2 years. Proposals for the DPPO had been discussed at and supported by the local Area Committee and extra policing specifically to address who was out in the area and what they were doing between the hours of 9.00 pm and 2.00 am had resulted in 104 persons being stopped.

Inspector C Jones of West Yorkshire Police addressed the Committee stating his belief that due to rising youth unemployment the groups of young people purchasing cheap alcohol from supermarkets to consume in parks now included 17 to 19 year olds, as well 15/16 year olds. There had been a 30% increase in violent crimes recorded in the locality including a series of violent assaults on Kippax High Street. culminating in on incident when drinkers from the pubs on Kippax High The Garforth and Kippax Pubwatch schemes had merged recently and this had proved an effective tool to address those previously banned from pubs in Garforth who had simply gone to Kippax to drink there instead. Insp. Jones explained Great Preston was included within the proposal for two reasons. Firstly to address the antisocial behaviour and disorder which occurred in the locality after events held at the public house, and secondly, WYP believed that if Great Preston was not included, those prevented from drinking in Kippax and Allerton Bywater by the DPPO would congregate in Great Preston.

RESOLVED –

- c) That approval be given for a Designated Public Places Order to be made in respect of Kippax, Allerton Bywater and Great Preston as detailed in the map attached at Appendix 3 of the submitted report
- d) That the Director of Environment and Neighbourhoods be authorised to advertise the making of the Order, to procure the required signage and carry out any further steps necessary to bring the Order into force

29 Closed Session

RESOLVED – That the meeting now continue in closed session

30 Police Presentation on City Centre Crime and Licensing Issues (10.4 (7))

The Committee received a presentation from Chief Superintendent M Milsom on various matters relating to licensing issues and crime and disorder in Leeds City Centre.

Discussions related to:

- Methods of communication between WYP and the Committee
- The city centre Cumulative Impact Policy and DPPO
- Incidents of serious crime and serious disorder which had occurred recently in the city centre
- Recent operations undertaken by WYP in the city centre
- Role of the Licensing Committee and the role of WYP in terms of the Licensing Act 2003

Members welcomed the opportunity to have full and frank discussions with Chief Superintendent Milsom and thanked him for his attendance at the

meeting. The Committee was keen to ensure that good communication links were established between the police and the Committee and invited Chief Superintendent Milsom to attend a further meeting with all 15 Members. It was agreed that that meeting should include a representative of Safer Leeds
RESOLVED – To thank Chief Superintendent Milsom for his attendance and to note the information offered during discussions at the meeting

31 Open Session

RESOLVED – The Committee resolved to re-open the meeting to the public at this point

32 Best Bar None Scheme

Further to minute 20 of the meeting held 4th August 2009 the Committee received a report from the Assistant Chief Executive (Corporate Governance) advising them of the Best Bar None scheme supported by Safer Leeds as part of the Pubwatch scheme.

Mr K Lawrance, of Leeds Community Safety attended the meeting to provide detailed information on the background, nature and scope of the scheme and the accreditation offered to premises which took part. The scheme aimed to improve the standard and quality of licensed premises and in doing so, to reduce crime and disorder associated with licensed premises.

Mr Lawrance explained that BIIAB trained assessors visited premises to assess them against criteria which would include quality of management; policies; training and service and they would liaise with premises throughout the accreditation process. Accreditation lasted for one year and if a premise “failed” any aspect they would receive advice on how to achieve success. If during the 12 months, serious failings were found at the premises, the accreditation could be removed. The Pubwatch Management Committee for the area would be responsible for that decision.

The initiative was supported by the Home Office and generally welcomed by licensees. The scheme currently focussed on city centre premises but would expand in the future to encompass the suburbs.

The Committee discussed the following issues with Mr Lawrance and Chief Superintendent Milsom:

- Membership of the scheme was voluntary, each premises paid a £30 fee; and could not be enforced. Similarly membership of the scheme could not be imposed as a condition on a Licence
- During the first half of 2009, there had been problems in the city centre with alcohol related anti social behaviour and crime levels. However the alcohol related violent crime figures had actually reduced to below the figures for 2008. This was due to policing strategies and premises employing their own strategies
- The majority of premises were responsible, and in the last few months had provided early indications to the licensing authority of unsuitable promotions being offered (such as 2-4-1 or for Freshers Week).

- The remaining 5% were often the subject of licensing enforcement meeting discussions. The comment was made that the Licensing Act 2003 was flawed because a local Licensing Authority could not instigate a Review
RESOLVED – That the contents of the report and the discussions be noted and Mr Lawrance be thanked for his informative presentation to the Committee

33 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 1st December 2009 at 10.00 am

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Licensing Committee

Monday, 16th November, 2009

PRESENT: Councillor D Wilson in the Chair

Councillors T Hanley, V Morgan, A Castle,
L Rhodes-Clayton and C Townsley

34 **Declarations of Interest**

There were no declarations of interest

35 **Apologies for Absence**

Apologies for absence were received from Councillors Armitage, Dobson, Dunn; R D Feldman; Grayshon; Hanley; Hollingsworth; Selby and Wilkinson

36 **Designated Public Places Order - Farsley**

Further to minute 27 of the meeting held 6th October 2009 the Assistant Chief Executive (Corporate Governance) submitted a further report on proposals for a Designated Public Place Order (DPPO) to be made to cover the Town Street and surrounding area of Farsley. The area to be covered was detailed in a map at Appendix 3 of the report

The report outlined the background to the proposals; the consultation process undertaken and evidence in support of the proposals submitted by West Yorkshire Police.

Members noted that proposals for a Farsley DPPO had been presented and approved at the Committee meeting held 6th October 2009. However following that meeting it came to light that the Notice placed in the newspaper had been incorrect and it was likely that the DPPO as approved would be invalid.

The Authority had undertaken the process again and re-advertised the DPPO. There were no changes to the proposals or information supplied by the police. No further comments had been received from the public.

RESOLVED –

- a) That approval be given for a Designated Public Places Order to be made in respect of the Farsley area as detailed in the map attached at Appendix 3 of the submitted report
- b) That the Director of Environment and Neighbourhoods be authorised to advertise the making of the Order, to procure the required signage and carry out any further steps necessary to bring the Order into force

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Agenda item:

Originator: B Yearwood

Tel: 0113 2145947

Report of the Assistant Chief Executive (Corporate Governance)

Licensing Committee.

Date: 1 December 2009

Subject: Proposed Designated Public Place Order (DPPO) Gipton

Electoral wards affected:

Gipton and Harehills

Specific implications for:

Ethnic minorities

Women

Disabled people

Narrowing the gap

Executive Summary

This report sets out the proposal for a Designated Public Place Order to be made covering the area of Gipton situated in East Leeds . The content outlines the legal framework and summarises the evidence to support such an Order, the consultation and legal implications if Members resolve to make the Order.

1.0 Purpose of this report

- 1.1 The report outlines the recommendation for Gipton to be designated as an area where it would be a criminal offence to consume alcohol after being requested by a Police Constable or a Police Community Support Officer not to do so by making a Designated Public Place Order (DPPO) and invites members to consider making the DPPO.

2.0 Legal framework

- 2.1 Designated Public Place Orders (DPPOs) are made under the Criminal Justice and Police Act 2001. Under the Act, the Council can by Order (or a series of Orders) designate public places within which it is an offence to consume alcohol after being requested by a Police Constable or a Police Community Support Officer (PCSO) not to do so. An Officer can ask any person to surrender alcohol or open alcohol containers if the Officer reasonably believes the person is, has been or intends to consume alcohol in that place. In due course, wardens will be accredited to exercise these powers.
- 2.2 Penalties for this offence include a penalty for disorder (PND) £50 or arrest and prosecution for a level 2 fine, maximum of £500. Bail conditions can be used to stop the individual from drinking in the public place pending prosecution for the offence
- 2.3 The legislation does not ban the drinking of alcohol in Designated Public Places, and therefore it **does not** prohibit drinking alcohol in authorised street cafes and at authorised public entertainment events in public areas. Legislation is designed to reduce anti-social street drinking either during the day (typically street users of alcohol and other substances) or in respect of night-time issues such as people drinking in the street and on the way to and from licensed areas or premises, eg in the queue for a club, having left a public house or in a fast food queue.
- 2.4 Section 26 of the Violent Crime Reduction Act 2006 came into force on 6th April 2007. It amended the Criminal Justice and Police Act 2001. Prior to this amendment pubs and clubs that have a licence to sell or supply alcohol under the Licensing Act 2003 could not form part of the DPPO. These premises would include public spaces licensed by local authorities for alcohol and regulated entertainment. This led to a conflict between the local authorities desire to licence public spaces for community events and the desire to use DPPOs to tackle anti-social drinking. This conflict was rectified by the amendment. There are no public places licensed by the Local Authority within the proposed area.
- 2.5 Under the amendment, premises where local authorities are permitted to sell or supply alcohol or premises that are occupied or managed on behalf of local authorities, for the sale and supply of alcohol, will be excluded from a DPPO. The exclusion will only last while the premises is in use and for 30 minutes following the last supply/sale of alcohol. At all other times the premises will be subject to the DPPO.

3.0 The Statutory Test

3.1 The test for designation is set out at section 13(2) of Criminal Justice and Police Act 2001. Before making the designation, Members must be satisfied that:

- (a) Nuisance or annoyance to members of the public or a section of the public; or
- (b) disorder;

has been associated with the consumption of alcohol in the proposed place for designation.

3.2 Home Office guidance suggests that Members, in exercising their discretion to make the Order, must assess the likelihood that the problems evidenced will continue unless the DPPO is made. Members would need to consider if the problems identified will be remedied by use of their powers. Supporting evidence is set out for Members in this report.

4.0 Existing powers

4.1 The Confiscation of Alcohol (Young Persons) Act 1997 (as amended) already gives powers to the Police and PCSOs to confiscate alcohol held by or for the use of a young person under the age of 18 in public and certain other places.

4.2 Problems with litter, including bottles and glasses outside licensed premises, are dealt with under the Environmental Protection Act 1990. Section 87 allows fixed penalty notices of £50. Section 93 permits street litter control notices to be served on relevant businesses. The penalty and conviction for failing to comply with such a notice is £2,500.

5.0 Supporting evidence

5.1 Evidence has been sought from West Yorkshire Police and Street Scene Services regarding the history of drinking related anti-social behaviour in Gipton and a summary of that evidence appears at Appendix 1.

6.0 Consultation

6.1 As part of the application process to establish a DPPO, statutory consultation has been carried out with relevant agencies and Council Departments. Support for the application has been given by Gipton Elected Members, West Yorkshire Police, North East Divisional Community Safety Partnership. Further statutory consultation with the general public, relevant bodies and licensees in the area has also been completed, in order to inform them of the proposed designated area and the implication of such an Order being granted.

6.2 Methods of consultation included:

- Letters to licensees
- Discussions with Superintendent Simon Atkin at North East Police Division
- Discussions at meetings of the North East Divisional Community Safety Partnership
- Discussions at Anti-Social Behaviour Panel

- Discussions with the Police Inspector (Nik Adams) at Gipton/Harehills Neighbourhood policing team
- Direct consultation via personal visits to all licensees of on and off licensed premises from management at Gipton and Harehills Neighbourhood Policing team
- Direct consultation with Area Committee members at Gipton Neighbourhood management tasking meeting
- Publication of an "Order of Notice" via the local press (Appendix 2) published on 27th October 2009 and expired on 24th November 2009. Copies have been made available at Killingbeck Police station and the Councils internet site.
- Direct Consultation at the Gipton Community Forum on 4th November 2009
- A map showing proposed boundaries is presented at Appendix 3. A consultation on the boundary has been undertaken by the methods mentioned above.

6.3 Following consultation, if a Designated Order is approved, compulsory signage will be distributed throughout the area. This will be done by the licensees displaying signage on their premises and via notices situated in prominent positions around the specific area. This signage will inform customers and the general public that they are in a Designated Public Place and explain the conditions attached to this Order.

6.4 The design for the signs has already been established as a result of previous DPPOs established in the city.

7.0 Consultation findings

7.1 At the time of writing this report, 4 statements have been given to the anti social behaviour unit and comments noted at Gipton Community Forum have been received supporting the Order. To date no objections have been received. All agencies and groups consulted support the Order. The deadline for advice to the "Order of Notice" was 24th September 2009, and any comments received between the time of writing this report to Licensing Panel will be presented verbally.

Feedback One: .

'Since I have worked at the shop, there has always been a problem with anti social behaviour. The main problems are fuelled by alcohol. The problems consist of people throwing beer cans, smashing bottles on the road and pavements, using the side of the shop to urinate, which I find disgusting and general verbal abuse from people in drink. I have had to call the police previously due to such problems. The problems have made the area an unclean, messy place to work and live in and it is very intimidating to have a large group of up to 20 people who are in drink outside the shop. The age group is from around 14 years old to 60. It is generally the younger ones that cause a nuisance and the older ones that cause the litter. Last summer in 2008 I gave a statement to the asbu officer and we obtained five injunctions against such individuals who were causing the sort of problems described above. Since that time I have seen most of the individuals still congregating on the circus causing anti social behaviour and drinking . The problem has definitely not gone away.'

I think that the problems affect my business. I have had many people come into the shop who inform me that they don't like to come in because they are intimidated by the group. I am personally intimidated by them but they seem to target black, Asian people or females by shouting abuse at them.

I strongly feel that drinking alcohol should be banned in this area as it will help to combat these issues especially if the police are regularly here to move them on '

Feedback Two –

'For the last three years we have had problems on the circus with gangs of youths who are mostly under 25 years old congregate on the circus, outside shops and on the stops at the side of Pats News & Booze. The gangs sit and drink alcohol and then throw glass bottles or leave them lying around. There is a big problem with litter around the circus due to the drinkers.

On many occasions I have had to call the police as my staff have been abused and assaulted. A couple of years ago a male threw a bottle at a staff member and only a few months ago a female member of staff was assaulted by two females who were in drink. One Sunday morning I came to work to open up and there was a female stood in the doorway of the shop drinking vodka from a bottle. I moved her away and she went to stand next to her friend who then started vomiting on the pavement near the shop which was revolting .

I have had to ban numerous people from my shop due to drink related incidents which has helped but they still congregate outside. In my opinion if people weren't allowed to drink alcohol the constant problems of litter, vomit, verbal and physical abuse would become less frequent'

Feedback Three –

' Myself and staff have been verbally abused and physically threatened. These problems usually occur when local drunks come in the store. There is a regular group of local people that gather about 2 or 3 times a week on Coldcotes Circus and sit and drink alcohol. I know most of these people as they are local and are usually fine but once they are drunk their attitudes change. We have had to phone the police on numerous occasions due to thefts of alcohol and verbal abuse and threats from people who are drunk. There is a problem with litter outside the shop due to the people who congregate and drink alcohol. The litter is mainly empty cans and smashed bottles. Previously customers have told me they are intimidated by the gangs of up to ten people on the circus of and have been afraid .

Feedback Four – *'I have owned a shop on Coldcotes Circus for around 25 years. During that time I have gotten to know many of the people and local problems. Ffor as long as I can remember there have been problems of anti social behaviour on the parade of shops where my shop is situated. The problems generally get worse in the summer and mainly consists of rowdy drinkers hanging around the shops causing asb, throwing litter , urinating and shouting. I have been forced to call the police on many occasions. The group of drinkers that sit on a green box next to my shop is getting larger. There have been up to forty people hanging around, shouting, drinking beer, throwing litter and kicking balls at my window and at cars. Even though I know a lot of the individuals involved, it can be very intimidating going past the group as they change character when they have had a drink . I have often had verbal abuse from this group, especially the younger ones when I have refused to sell them alcohol. Not only is their intimidation and verbal abuse , there is also the problem of many beer cans and smashed bottles outside my shop which looks*

awful and is dangerous. I would like Leeds City Council and the police to do something about this problem as it has gone on for too long now and is a very serious problem. I think that a drinking ban would definitely help to combat the problem as targeting individuals hasn't seemed to work and the group just continues to grow'

Comments from consultation at Local Forum Meeting

' I would be really happy if an order came in stopping drinking'

' Very happy to see the order in place'

' Great to see things becoming under control '

'Most anti social behaviour is fuelled by alcohol and underage drinking is a real problem'

' Very good idea'

'Fantastic Idea'

'Brilliant Idea'

'Very good idea, practical and very much needed'

'Very good idea, especially on Coldcotes Circus Shops'

Cost of designating the recommended area and other costs associated with the statutory consultation, statutory advertising, together with the recommended signage to inform the public of the designation

7.2 All costs associated with the consultation process and signage have been approved by Safer Stronger Communities Funding via Intensive Neighbourhood Management officer in consultation with local Councillors. Set out below are approximate costs:

- Advertisement in local press (Yorkshire Post) £718.08
- (statutory notice/consultation) £1000 approx (28 days notice implementation)
- Signage (including fixing to post/wall) 25 x £60.00 each £1, 500
- Posters for licensees (In house)

8.0 Recommendations

8.1 Members are recommended to:

8.2 Consider the evidence in support of making an Order and if satisfied the statutory test has been met and the Order will remedy the problems evidenced:

- (i) Make a Designated Public Places Order in respect of Gipton; and
- (ii) Authorise the Director of Environment and Neighbourhoods to advertise the making of the Order, procure the required signage and carry out any further steps necessary to bring the Order into force.

Research showing the history and evidence of anti-social drinking and disorder in the proposed Gipton Area

1. Introduction

- 1.1 Before it can consult on the making of a Designation Order, the Council must be satisfied that there is a history of anti-social drinking and disorder in the proposed Designated Order.
- 1.2 Within Gipton , there is already evidence of such problems from a number of sources. These can be summarised as night-time issues, consisting of persons moving from licensed areas/premises to other licensed areas/premises and carrying bottles and glasses, which can result in anti-social behaviour (rowdiness, abuse, litter, etc) and crime (damage, public drunkenness and assault).

2. The geography and distribution of alcohol licences in Gipton

- 2.1 The Area has 4 public houses and bars, which make it easy to carry drinks from pub to pub due to the proximity of each other. The map at Appendix 3 shows the the boundary for the proposed DPPO. The licensed premises in the area are:

Off License Premises:

- LIDL Oak Tree Drive
- Co-Op Late Shop 29 Coldcotes Circus
- Tesco Express 224 Easterly Road
- Local shop 166 Easterly Road
- Local shop 105 Gipton Approach
- Local shop 97 Foundry Avenue
- Local shop 35 Coldcotes Circus
- Co-Op Oakwood Lane

On License Premises:

- Fairway Public House Coldcotes Avenue
- Gipton WMC Coldcotes Circus
- United Services WMC 51 St Alban Road
- Dog and Gun York Road

3. Anti-social behaviour

- 3.1 Most anti-social behaviour attributed to drink in Gipton occurs across the whole week but peaks during weekends. Debris associated with drinking, such as bottles and glasses, will be found in the streets the following morning. Vomit and urine is also evident in the streets on a weekend. Street Scene Services are supporting the DPPO for Gipton , as experience from other DPPOs shows it will reduce the amount of glass, bottles, cans and associated litter.

4. Crime and disorder

- 4.1 Included in this report have been Assaults, Criminal Damages, D&Ds and Public Order offences, all of which tend to exacerbated by alcohol consumption.

Crimes committed in the last 12 months (1st October 2008 – 30th September 2009) have been analysed by the divisional intelligence unit . Alcohol related crimes were classified as such at the time the offence was recorded.

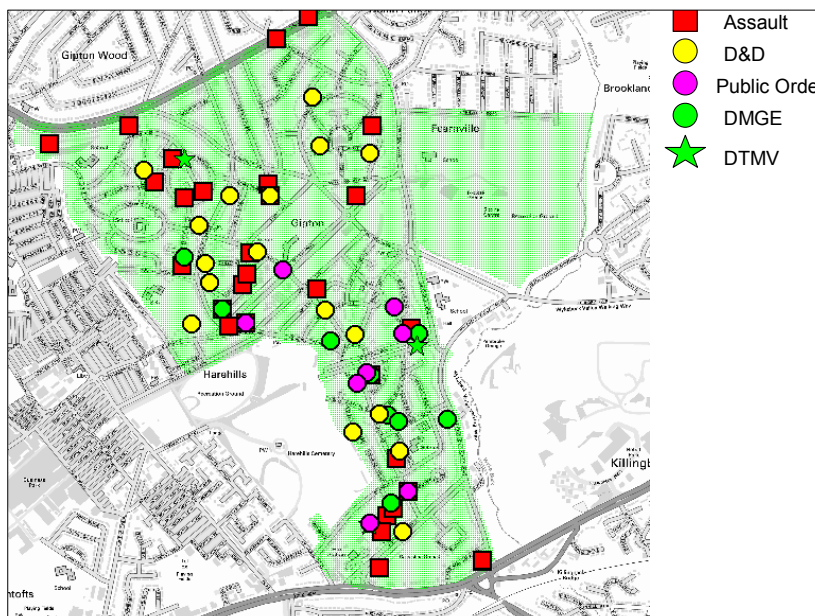
Within the geographical area highlighted on the previous page, a total of 141 Assaults, Damages, D&Ds and Public Order offences, classed as alcohol related, were recorded. This included domestics which accounted for almost half (43 per cent) of these offences (61 incidents). Taking out domestic related offences, leaves 80 crimes related to alcohol consumption.

	Assault	Damage - Non Dwelling	Damage - Dwelling	Damage - Motor Vehicle	Drunk And Disorderly	Public Order	Grand Total
Oct-08	2	0	0	0	7	0	9
Nov-08	0	0	1	1	2	0	4
Dec-08	4	0	1	0	1	2	8
Jan-09	3	0	2	0	2	0	7
Feb-09	4	0	1	0	2	2	9
Mar-09	5	0	1	0	1	0	7
Apr-09	1	0	1	0	3	3	8
May-09	4	1	0	0	0	1	6
Jun-09	3	0	0	1	1	0	5
Jul-09	2	0	1	0	1	0	4
Aug-09	3	0	3	0	0	1	7
Sep-09	4	1	0	1	0	0	6
Total	35	2	11	3	20	9	80

The table to the left shows the number of Alcohol related crimes (non-domestics) recorded in the Gipton area (as highlighted) over the last 12 months.

5. Violent crime hotspots

Assaults have been the most frequently recorded incident with 35 offences of this kind over the last 12 months. D&Ds have been the second most common, with 20 in the last year. Foundry Approach has been the top street for alcohol related crimes with eight recorded. Top streets for alcohol related crimes have been Coldcotes Circus, North Farm Road, Gate West and Brander Drive all with five offences recorded.



Peak times for alcohol related crimes have been 8pm to 1am 56 percent of offences committed between these times.

Apparent magnet areas for offences have been The Fairway Public House, William Hill Bookmakers on Coldcotes circus. Over half of offences (56%) have occurred on a street.

6. Anti-social behaviour incidents

The table to the right breaks down the ASB incidents recorded in Gipton (highlighted area) over the last 12 months.

	ASB - Animal Related	ASB - Begging-Vagranc	ASB - Emerg Serv Hoax	ASB - Mal Comms	ASB - Neighbour Disp	ASB - Noise	ASB - Nuisance M-cycle	ASB - Other	ASB - RNB - Fireworks	ASB - Rowdy Behaviour	ASB - Trespass	ASB - Vehicle Nuisance	Grand Total
Oct-08	0	1	2	0	7	0	1	0	5	63	1	2	82
Nov-08	1	0	1	2	9	0	3	0	5	33	0	0	54
Dec-08	1	0	2	4	5	0	3	0	0	55	1	0	71
Jan-09	2	0	2	5	4	0	2	0	0	39	0	0	54
Feb-09	2	0	2	2	4	1	3	0	1	62	0	1	78
Mar-09	0	1	2	2	4	2	7	0	0	54	1	0	73
Apr-09	0	0	1	5	2	0	6	1	0	68	0	0	83
May-09	1	0	6	5	9	0	6	0	0	78	0	0	105
Jun-09	1	0	3	3	8	1	3	0	0	61	0	3	83
Jul-09	1	0	6	4	11	1	12	0	0	51	0	5	91
Aug-09	3	0	7	7	4	2	11	1	0	77	0	8	120
Sep-09	0	0	2	7	6	0	8	0	0	59	0	2	84
Total	12	2	36	46	73	7	65	2	11	700	3	21	978

'Rowdy behaviour' has been the most commonly reported problem, it is not always possible to gauge whether an incident was drink related, however those that are known to be drink related are placed in the 'rowdy behaviour' sub-category.

The Anti Social Behaviour Unit have previously obtained five section 222 injunctions in an attempt to combat this problem by prohibiting five individuals from the area who were believed to be causing drink related anti social behaviour in Coldcotes Circus (expired October 2009). Unfortunately the injunctions have not been entirely successful in combating the problem and there has been several breaches which have been dealt with by Leeds County Court. This anti social behaviour consists of noise, shouting, swearing and verbal abuse and threatening behaviour towards local shopkeepers as well as theft of alcohol from shops. Local residents have informed officers that they are scared to be home alone at night. There has been persistent problems of broken glass bottles, cans and urine on the parade of shops.

**ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES FOR THE AREA OF
GIPTON
CRIMINAL JUSTICE AND POLICE ACT 2001**

The City of Leeds Metropolitan District Council propose to make an Designated Public Places Order under Section 13 of the Criminal Justice and Police Act 2001.

The effect of the Order is that the police will have the power to require a person not to drink alcohol in the designated area and to surrender alcohol to the police. Failure to comply with the request is an offence.

The proposed designated area comprises all public highways, streets, byways and other public places within Gipton.

This area is defined to the north along A58 Easterly Road to the junction with Oakwood Lane, running South along Oakwood Lane and Wykebeck Valley Road to the junction with the A64 York Road. To the South then running West along A64 York Road to the junction with St Alban Road. To the West then running north along St Alban Rd, following the boundary of Harehills Cemetery along Foundry Place, then between Sandhurst Avenue and St Wilfrids Drive, crossing Hovingham Avenue to the Northern border of A58 Easterly Road.

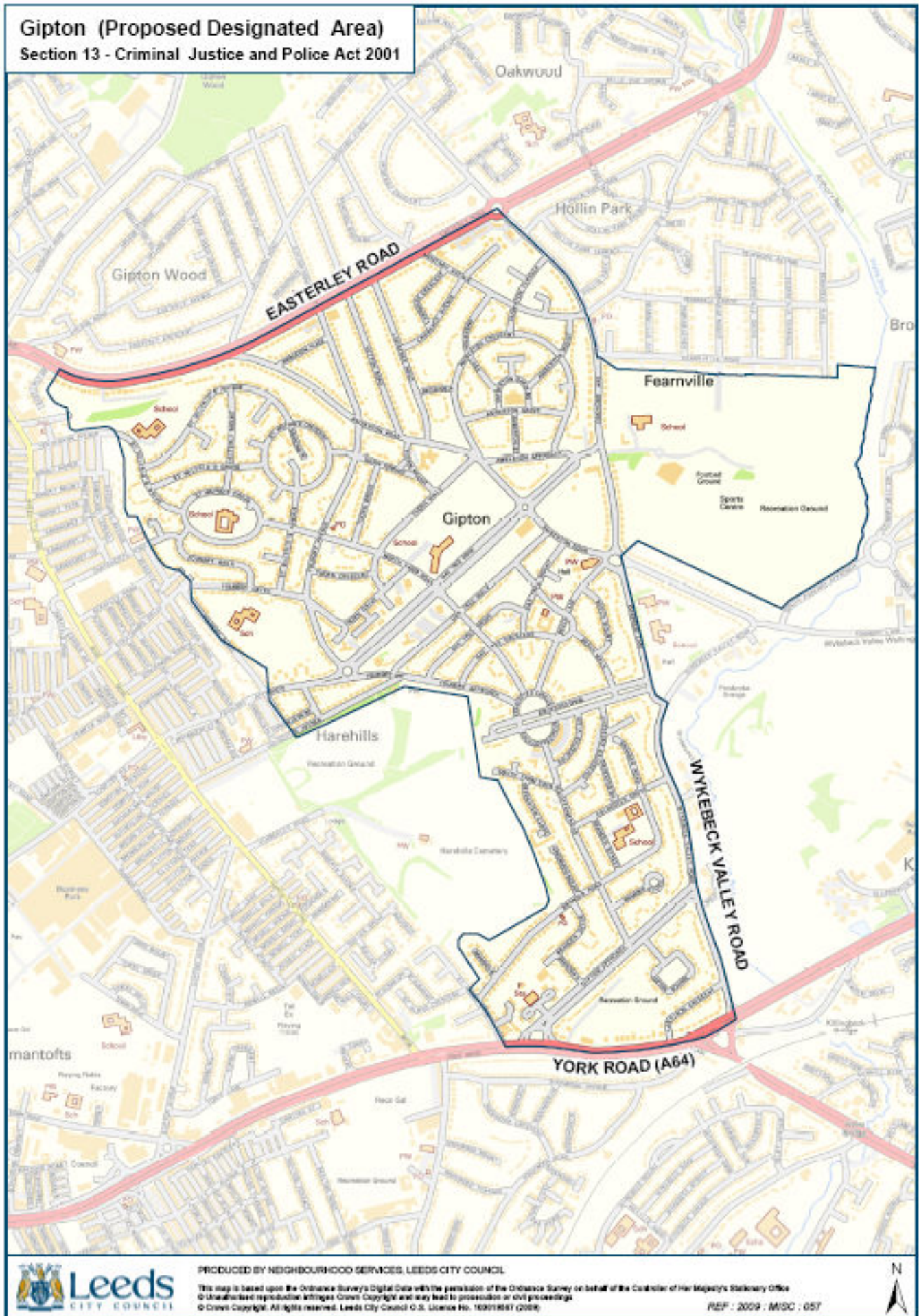
A map identifying the specific location of the designated public place and a list of licensed premises within the area is available for inspection at Killingbeck Police Station, Killingbeck Drive. Alternatively you can view the information at www.leeds.gov.uk.

The Order will not apply to premises with a premises license or club premises certificate granted by the Licensing Authority. It will not apply within the curtilage of such premises. It will not apply where a temporary event notice authorises use of the premises for the supply of alcohol during the authorised times and for 30 minutes afterwards. It will not apply to outside areas covered by a street café licence.

Any representations as to whether or not the order should be made must be made in writing to Beverley Yearwood, Leeds City Council, East North East Area Management Team, 21 Savile Mount, Leeds, LS7 3HZ by no later than 24 November 2009.

Alternatively you can contact us through the Leeds Community Safety website www.leeds-csp.org.uk.

Paul Rogerson
Chief Executive
Leeds City Council
27 October 2009



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Report of the Director of Environment & Neighbourhoods

Report to Licensing Committee

Date: 1st December 2009

Subject: Woodhouse Moor and Surrounding areas DPPO Feedback Report

Electoral Wards Affected:

Hyde Park & Woodhouse
Headingley

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report provides details about the interventions used in the first 6 months of the Woodhouse Moor DPPO and how the Order has been implemented.

1.0 Purpose Of This Report

- 1.1 This report provides details of how the Designated Public Places Order for Woodhouse Moor and surrounding areas has been implemented and who has been affected by the Order by way of Police intervention to confiscate alcohol.

2.0 Background Information

- 2.1 At the Licensing Committee meeting of 3rd February 2009, Members requested a 6 month report on how the DPPO for Woodhouse Moor and Surrounding areas is being implemented and reassurance that the Order was not being used to target the service users of the Crypt. Members were also concerned about the impact of this order on those who used the park for leisure activities, such as picnics, but did not cause a nuisance or behave in an anti social manner.
- 2.2 The order was granted on 3rd February 2009, but did not come into force until 1st April 2009. This report covers the period 1st April 2009 to 30th September 2009.

3.0 The review

- 3.1 In conducting it's review West Yorkshire Police have obtained information from the Police Computer System NICHE, which has been used for recording DPPO interactions made by Police Officers (PCSOs and PC) for this specific project. The data also covers both the Woodhouse Moor (Appendix 1) and Little Woodhouse DPPOs (Appendix 2) due to their close proximity to each other.
- 3.2 47 DPPO interventions have taken place in the Little Woodhouse DPPO area. The majority of these have focused on the Rosebank, Hanover Square and Woodhouse Square. The majority of these could be classed as street drinkers.
- 3.3 236 DPPO interventions have taken place around the A660 corridor running alongside Woodhouse Moor. The majority of these could be classed as students.
- 3.4 16 DPPO interventions have taken place on Woodhouse Moor itself. 6 of these were known street drinkers and 10 were students.
- 3.5 No arrests have had to be made by Officers in enforcing the DPPO for non-compliance in either area.
- 3.6 It is difficult to provide exact figures as the categories used are subjective. However, the views of patrolling officers, the Crypt and Little Woodhouse Resident Group support the above figures.

4.0 Agency Views

- 4.1 Patrolling officers have noticed that there are no longer large groups of street drinkers drinking in Woodhouse or Hanover Squares and those that remain are fully aware of the DPPO.
- 4.2 Staff at the Crypt report that they have used the DPPO as a mechanism to promote social drinking to their clients. The Crypt works with Police Officers to raise awareness about the DPPO. The Crypt is supportive of the DPPO and believes the Order has helped to keep down the level of complaints it received when it moved, see Appendix 3 letter from the Crypt.

4.3 The Little Woodhouse Forum has reported a noticeable improvement in Hanover and Woodhouse Squares. Whilst some street drinkers continue to use the squares they are in much smaller groups and have been known to tidy up after themselves. There has been some displacement to Rosebank and this is currently being dealt with by the Police.

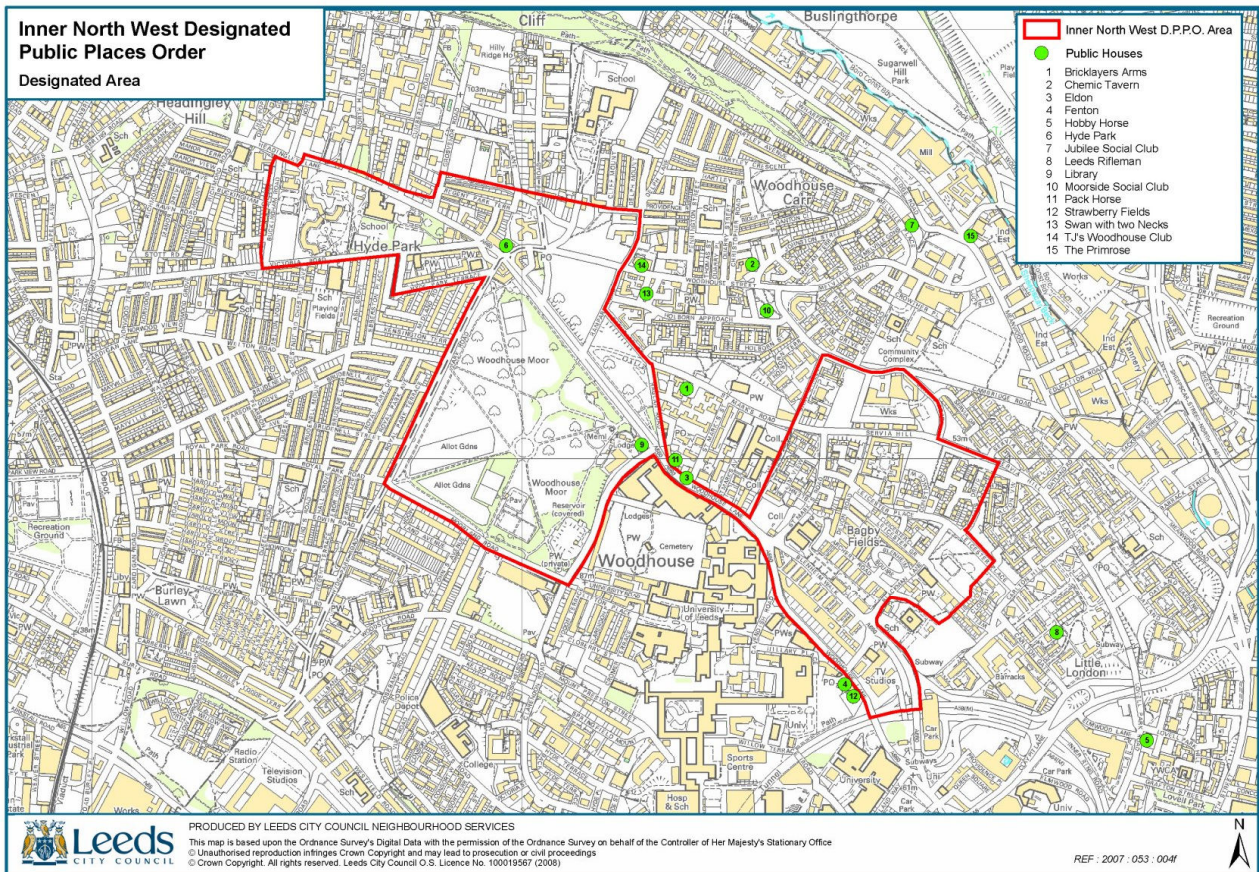
5.0 **Conclusions**

5.1 Data relating to the number and location of DPPO interactions show that the additional power granted by the Order has been used evenly and in a fair manner, as intended by the Licensing Committee. The figures show a correlation with the street population in that more street drinkers congregate in Hanover and Woodhouse Squares and more students will use the A660 corridor.

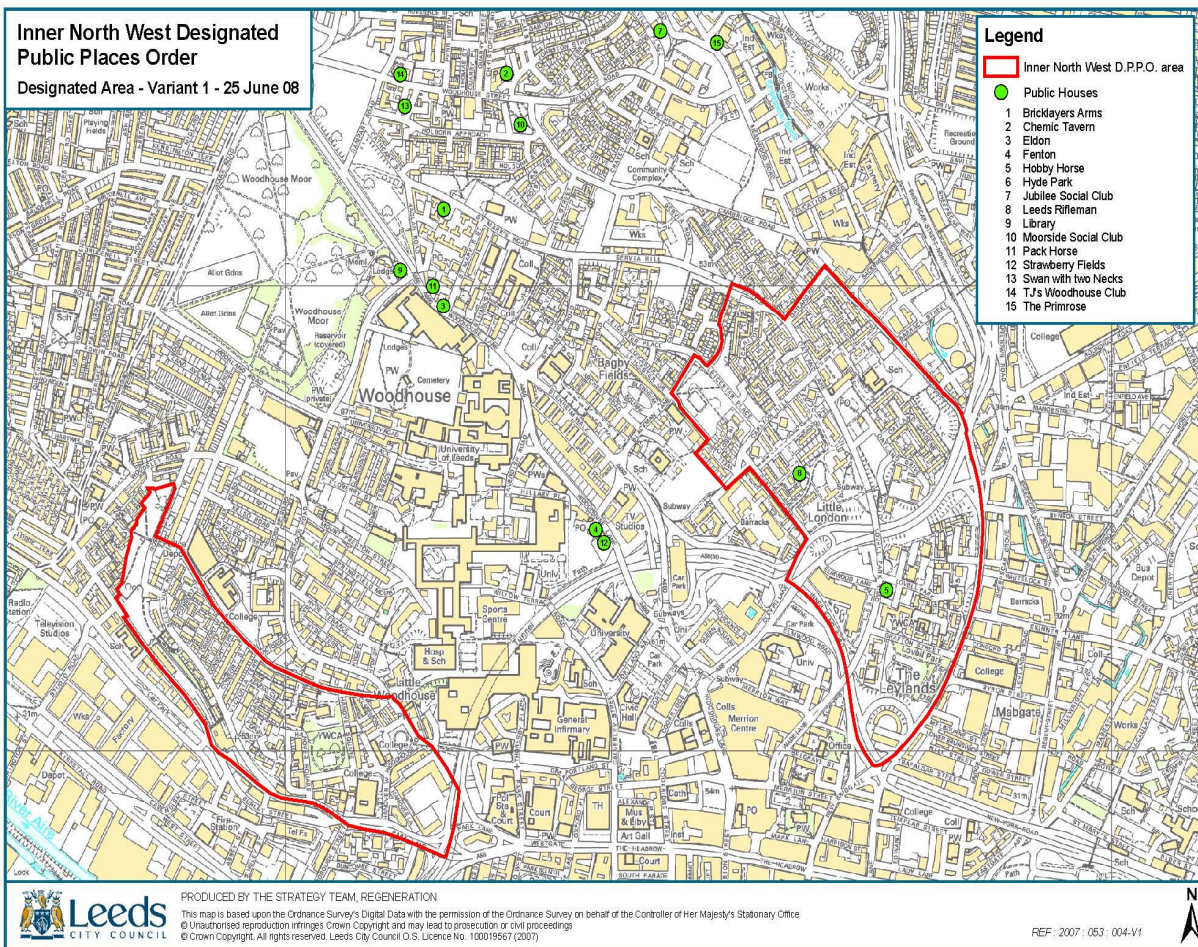
6.0 Recommendation

6.1 Members are asked to note this report and offer comments

Appendix 1



Appendix 2



St George's Crypt
Great George Street
Leeds LS1 3BR
United Kingdom

Tel +44 0 113 245 9061
Fax +44 0 113 244 3646
Email admin@
stgeorgescrypt.org.uk
www.stgeorgescrypt.org.uk

Registered Charity No. 250016

**FAO: Frances Naughton
St Johns Road
LS3 1EY**

**RE: DPPO
28/10/09**



Dear Frances,

On behalf of St George's Crypt I wish to confirm our support of the DPPO and the systems by which it is administered and monitored.

St George's Crypt has a positive and pro-active approach to anti-social behaviour especially through drink.

We have had regular meetings and communications with the local constabulary which ensure the best practice and delivery of the DPPO within the local vicinity.

On reporting anti-social behaviour the police response has been swift and effective.

We are of an opinion that the DPPO has been a useful and successful tool in managing street drinking and subsequent behaviour.

If St George's Crypt can be of any help in developing or working towards further protocols for the city of Leeds with the police or council we would be delighted to do so.

Yours sincerely

Chris Fields
C.E.O.

A handwritten signature in black ink, appearing to read 'Chris Fields', is written over the typed name and title.



Originator: S Holder

Tel: 2474720

Report of the Assistant Chief Executive (Corporate Governance)

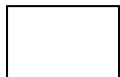
Report to the Licensing Committee

Date: 1 December 2009

**Subject: LEEDS FESTIVAL 2009
 GROUNDS OF BRAMHAM PARK BRAMHAM LEEDS LS23 6ND**

Electoral Wards Affected:

Wetherby



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

EXECUTIVE SUMMARY

This report provides a de-brief for the Members of the Licensing Committee following the Leeds Festival 2009.

1.0 PURPOSE OF REPORT

1.1 This report informs Members of the matters arising from the Leeds Festival 2009, following the multi-agency debrief meetings held on the 6th October last.

2.0 BACKGROUND INFORMATION

2.1 The Premises Licence for the Leeds Festival was considered and approved by the Members of the Licensing Committee on the 28th April 2006.

2.2 The Licence is held for Bramham Park and allows the Leeds Festival to take place every August Bank Holiday weekend.

2.2 Members resolved to grant the application as requested and accepted the applicants offer to include the following additional three conditions:

- 1) There shall be an Event Management Plan which incorporates the operating schedule submitted to the Licensing Authority at least 6 months prior to the festival each year.
- 2) The Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the festival.
- 3) The Premises licence Holder shall comply with the terms and requirements of the Event Management Plan each year.

- 2.3 In addition, the Committee reserved the right to determine how the final Event Management Plan for the festival should be agreed, with the facility for the final plan to be agreed by the Committee or officers under delegated authority.
- 2.4 In 2008 the licence was varied to include the following licensable activities (B) Films, (E) Live Music, (F) Recorded Music, (H) Anything of a similar Description to that Falling within (E) or (F), (I) Provision of Facilities for Making Music, (J) Provision of facilities for Dancing, (K) Provision of facilities for Entertainment of a Similar Description to that falling within (I) or (J), within designated camp site areas until 06:00hrs.
- 2.5 Members may recall that at the Licensing Committee meeting on the 4 December 2008 (Minute 3.1) a report of the outcome of the 2008 event was given which advised Members that the main issue was the traffic Management on the Thursday prior to the start of the event. Mr. Benn the festival organiser advised Members that an alternative traffic management plan would be considered for the 2009 event.
- 2.6 The applicant provided the draft Event Management Plan for the 2009 Festival to all responsible agencies on the 16th February 2009. As in previous years a copy of the Summary of Changes from the 2008 event was circulated to Members of the Licensing Committee and Ward members in the wards surrounding the event site.
- 2.7 To ensure the widest circulation of information the organisers held meetings with the Parish/Town Councils in the areas surrounding the event site and maintained regular contact with them.
- 2.8 The first multi agency meeting with the responsible agencies was held on the 10 February 2009 and these meetings were held on a regular basis up until the event.
- 2.9 Members considered the changes to the Event Management Plan for the 2009 event at their meeting on the 7 April (Item 49) at which they resolved to:
- 1) To note the content of the report
 - 2) To rescind the Committee decision of the 2nd December 2008 which requested that “ local ward councilors, the appropriate Executive member and relevant Parish Councils be consulted on the Traffic Management Plan” (minute 31c) refers, in order to allow the Licensing Committee to undertake a site visit and play a formal role in the process.
 - 3) To undertake a site visit to travel the proposed Traffic Management Plan route to Bramham Park for festival goers and request that arrangements be made to transport the Licensing Committee to Bramham Park.
 - 4) To note that multi Agency meetings will continue and the applicant intends to continue to liaise with Town and Parish councils culminating in the production of the final Event Management plan no later than 28 days prior to the start of the event.
 - 5) To note that the final Event Management Plan will be presented to the Licensing Committee in August 2009 when Members will determine how the final Event Management Plan will be agreed.
- 2.10 Members attended a presentation of the Traffic Management Plan given by Festival Republic at Bramham Park on the 23rd April 2009 and were given a guided tour of the new route arrangements.
- 2.11 At the Licensing Committee meeting on the 4 August 2009 Members resolved:
- 1) That the Event Management Plan as submitted be approved.

- 2) That the Assistant Chief Executive (Corporate Governance) be authorised to approve any minor amendments to the Event Management Plan prior to the start of the event.
- 3) To note that the direct contact numbers for Ms Blake (Mr. Benn's representative at the meeting) for the duration of the Leeds festival will be made available to Committee Members.

3.0 FESTIVAL LIAISON

- 3.1 Throughout the duration of the festival multi-agency meetings were coordinated between all agencies and the licence holder or his representatives.
- 3.2 Throughout the course of the event with the exception of two crowd dynamic issues no major concerns were expressed by agencies.

4.0 MULTI AGENCY DEBRIEF

- 4.1 Multi agency debriefs were held on the 6 October 2009.
- 4.2 In general all agencies were satisfied with the running of the event.

4.3 West Yorkshire Police comments:

- 1) Traffic management on the Thursday was a vast improvement on previous years.
- 2) Crime figures up on last year to 267 from 204. An increase in theft from person – pickpocketing in the arena was highlighted.
- 3) Arrests 39 up from 17 last year. Not a sign of additional trouble but rather additional proactiveness by security.
- 4) Some issues with the CCTV transmission to Wetherby Police station but a contingency was put in place.
- 5) An excellent working relationship with the Festival Republic management

West Yorkshire Fire and Rescue

No requests to attend the site and good working relationship with Midland Fire the on site fire provider.

Environmental Protection

- 1) A total of 20 noise complaints received 10 to the Environmental Protections out of hour's services and 10 to Festival Republic staff.
- 2) All complaints received were from the Bramham area. This was due to the direction and speed of the wind over the weekend
- 3) Environmental protection happy with the noise management considering the wind conditions.

Environmental Health/Health and Safety

- 1) Generally the Campsites were very good this year and officers were impressed with the compostable toilets.
- 2) It was noted that there was a delay in the positioning of some of the rubbish bins at water points in the camp sites where this occurred rubbish was noticeably worse.
- 3) The new locations of the water points with the revised toilet block/fence line created some positions where access was hard both in terms of servicing and for the festival goers.
- 4) Some of the water point standpipes were not fixed leading to boggy conditions.
- 5) On the Sunday evening there was a noticeable drop off on the cleaning of the female urinals and toilet block stage left of the Radio 1 stage.

- 6) The post event clean up was monitored and there was a massive improvement compared to last year. It was recommended that the company consider providing waterproof trousers for their staff.
- 7) Noise at work issues need to be addressed for next year's event.
- 8) Good working relationship with the Festival Republic Health and Safety team.

Building Control

- 1) The disabled viewing platforms were not up to the standard of previous years.
- 2) Guy ropes on the Dance tent and Alternative Stage could be positioned better in the future.
- 3) The crowd dynamic issues were discussed and a solution was agreed for next year with major alterations to the site in 2011.

Yorkshire Ambulance Service

- 1) Transfer to offsite hospital down to 17 from 19 last year
- 2) Medical figures 1490 treated on site up from 1402 last year.

Traffic Management De Brief

- 1) All traffic related agencies considered the traffic management plan for the Thursday a huge success and are already looking at minor alterations to improve for 2010.
- 2) Also to look at some improvements to the traffic management plan for the Wednesday as the early bird tickets now total some 20,000.

Crowd Dynamics Issues De Brief

- 1) A de brief meeting to discuss the crowd dynamics issues was held between Festival Republic and representatives of Health & Safety, Building Control and Entertainment Licensing.
- 2) The two instances identified were as follows
 - 1) During the performance by the band Prodigy on the Friday the large screen situated behind the front of house tower failed resulting in the audience moving to stage right which caused pressure on the steel shield fence line between the arena and the VIP area.
 - 2) On the Sunday evening at the change over to the headline band (Kings of Leon) festival goers leaving the main area via the Foxtrot cut through (the main egress/access point between arena 1 and 2) were met by the crowd coming into the arena which was further exacerbated by festival goers exiting the Alternative Stage Marquee which had overrun.
- 3) Mr. Benn advised the meeting that to prevent the issues occurring in the future a modification to the site and the reduction in the number of catering units in both the stage right location and Foxtrot area will be made for 2010 and an escape route from stage right will be created to relieve any pressure that may build up. A more permanent solution will be considered for 2011 which may include a re alignment of the main stage location.

Festival Republic Mr. Benn

- 1) Festival Republic very happy with the festival and felt it went well.
- 2) The crime level increase was a disappointment as generally it had gone down at other events.

- 3) A significant number of people were evicted this year from the site 451 up from 206 last year. Security were very proactive this year which is evidenced by an increase in arrests.
- 4) The working relationship with both the Police and all agencies was very good.
- 5) The fire teams worked well and the number of fires they attended was down on previous years, the banning of gas canisters and the organised bonfires helped this.
- 6) The crowd dynamic issues will be addressed for next year with a permanent solution in place for 2011.
- 7) The issues raised by Health and Safety should not have occurred and will be addressed for next year.

5.0 RECOMMENDATION

- 5.1 Members are requested to note this report.

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Report of the Assistant Chief Executive (Corporate Governance)

Licensing Committee

Date: 1 December 2009

Subject: The Policing and Crime Act of 2009

Electoral wards affected:

All electoral wards

Specific implications for:

Ethnic minorities

Women

Disabled people

Narrowing the gap

Executive Summary

1. This report updates the Licensing Committee on the progress of the Policing and Crime Bill since summer 2009. The report confirms the Bill has now received Royal Assent and sets out the provisions that survived the passage of the Bill through the House of Lords. Finally this report is for the information of Members.

1.0 Purpose of this report

- 1.1 This report informs Members that the Policing and Crime Bill (“the Bill”) has received Royal Assent and has now become the Policing and Crime Act 2009 (“the Act”). The Act is not yet in force.
- 1.2 The report also indicates which of the alcohol related proposals of the Bill form part of the Act. This is for the information of Members only at this stage.

2.0 Background information

- 2.1 In December 2008 the Government published the Policing and Crime Bill. The Bill aimed to increase the effectiveness and public accountability of policing. The Bill also contained provisions relating to the regulation of alcohol licensing and sex establishments.
- 2.2 The main provisions of the Bill were set out in a report brought before Licensing Committee on 2 June 2009. This report also invited Members to respond to a Home Office consultation on a proposed Code of Practice for alcohol retailers.
- 2.3 The June 2009 report set out the main provisions of the Bill in relation to alcohol licensing, which were:
- (a) A statutory Code of Practice on the supply of alcohol;
 - (b) Mandatory licensing conditions;
 - (c) Discretionary local licensing conditions that could be applied to groups of two or more premises imposed by a Local Authority; and
 - (d) A requirement for the display of alcohol unit content and health related information at the point of sale.

3.0 Main issues

- 3.1 The Bill aimed to raise standards in how licensed premises were operated by the introduction of a mandatory Code of Practice. The mandatory Code contained four distinct constituent parts.
- New mandatory conditions introduced by the Secretary of State
 - Discretionary local licensing conditions
 - Point of sale alcohol unit content and health information
 - Guidance

Mandatory and Discretionary local Conditions.

- 3.2 The Act provides the Secretary of State with the power to introduce new mandatory or discretionary conditions in addition to those already permitted. The new conditions will be introduced via secondary legislation. Any new conditions relating point of sale alcohol unit content will be introduced under food safety legislation. At the time of writing there has been no indication when these regulations will be drafted and laid before Parliament. Officers will keep Members informed on the progress of these proposals and when the relevant regulations are consulted upon and laid before Parliament.

Individual members of Licensing Authorities to be interested parties.

- 3.3 On 19 November 2009 the Bill was subject to a number of amendments in the House of Lords. The Lords amended the Bill to allow amendments to the Licensing Act 2003. The Lords inserted a clause into the Bill which amended section 13 and Section 69 of the Licensing Act 2003. This clause now forms part of the Act.
- 3.4 Section 13 was amended to include local ward councillors within the definition of interested party for the purposes of premises licences. The amendment to section 69 is identical except this section applies to club premises certificates.
- 3.5 In practical terms this that local ward councillors can make representations about applications for and variations of premises licences. This also means the same in terms of club premises certificates. It should be noted that the amendment to the Act does not include any reference to vicinity. Local ward councillors will not be restricted to making representations about premises in their local vicinity. Councillors as interested parties will also have the same rights to instigate reviews and make representations about minor variation applications. Representations made by councillors will also of course be subject to the same restrictions therefore representations must be relevant. Representations must not be frivolous, vexatious or a repetition.
- 3.6 The Secretary of State's guidance about these or any changes to the licensing laws has not been published. Officers anticipate that the guidance will have to be revised to take into account these potentially far reaching amendments.

4.0 Implications for council policy and governance

- 4.1 The Act has not yet been brought into force. To be brought into force it requires the Secretary of State to appoint a day. Members will also note that many of the provisions relating to the Code of Practice for the retail of alcohol will require the laying of regulations before Parliament before they become effective. Without the full terms of the Act being enforced there are no implications at this time.
- 4.2 The amendments made directly to Sections 13 and 63 of the Licensing Act 2003 in r will have implications for the Council's statement on licensing policy. The Statement is due to be reviewed in any event next year. This revision will take into account the amendments made to the Licensing Act 2003.

5.0 Legal and resource implications

- 5.1 No significant resource implications are identified.
- 5.2 Once the provisions are fully brought into law the Licensing Authority will of course be required to adhere to those provisions or face legal challenge.

6.0 Recommendations

- 6.1 Members are requested to:
- 6.2 Note the contents of this report.

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Report of the Assistant Chief Executive (Corporate and Governance)

Licensing Committee

Date: 1st December 2009

Subject: Large Casino Update

Electoral Wards Affected:
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Specific Implications For:
Ethnic minorities <input type="checkbox"/>
Women <input type="checkbox"/>
Disabled people <input type="checkbox"/>

Executive Summary

The Gambling Act 2005 provided Leeds City Council with the opportunity to grant a Large Casino Premises Licence under a two stage process which will determine a licence on the greatest benefit to the City.

Officers are now starting the preliminary stages for this competition and are reporting to Licensing Committee on the next steps in the process.

1.0 Purpose Of This Report

- 1.1 This report is to inform the Licensing Committee of the next steps in the Large Casino process and their delegated responsibilities during this process.

2.0 Background Information

- 2.1 The Gambling Act 2005 (the Act) changed the legislation governing the licensing of casinos significantly. Under the Act seventeen new casino licences will be granted, each of which will be significantly larger than existing casinos. The licences are broken down as follows: one regional casino, eight large casinos, and eight small casinos. The DCMS formed a special Casino Advisory Panel (CAP) to recommend where the new casinos should be located.
- 2.2 In April 2008 Parliament dropped the regional casino and approved the eight small and eight large casinos in line with the CAPs original recommendations. Leeds was awarded a large casino licence.
- 2.3 This means the council can now begin preparations for inviting applications for its large casino licence subject to certain statutory obligations and other internal preparations.

3.0 Main Issues

3.1 Statement of Licensing Policy

- 3.1.1 The Act requires that the principles that the authority will apply to determine which application will deliver the greatest benefit to the city must be included in the council's Statement of Licensing Policy.
- 3.1.2 Although the Statement of Licensing Policy is currently under review it was not possible to include the detail required by the Act regarding the Large Casino Application Process. As a consequence it is likely that this part of the policy will be reviewed and consulted upon separately in the early part of next year. The amended policy will follow the normal process including public consultation. Review of the policy also requires input from Executive Board and Scrutiny Board. Approval of the Council's Statement of Licensing Policy is a matter reserved for Full Council in line with Budget and Policy Framework.

3.2 The Application Process

- 3.2.1 The Act assumes that these licences will be highly sought after and that authorities will receive multiple applications. For this reason the Act sets out a detailed two stage selection process.
- 3.2.2 Stage 1 is a routine licence application, similar to the process every gambling premises licence is subjected to. It is expected that most operators will pass through this stage. Each operator may object to other operators and this will result in sub-committee hearings in the normal manner. Adverse decisions can be appealed to the Magistrates Court. This process will take a minimum of four months but any appeals lodged will extend this process. The current waiting time for appeals in the Magistrates Courts is around six months.
- 3.2.3 Stage 2 will be operated like a competitive tender where each operator will be asked to demonstrate how their bid would result in the greatest benefit to the city. Schedule 9 paragraph 5(3) allows the authority to enter into a written agreement with the winning applicant to attach conditions to the licence to secure the proffered benefits.

3.2.4 Benefits might include a one off cash payment, a profit share scheme, commitment to local supplier agreements, or a targeted employment campaign in a given area. As the determination of the application and the grant of the licence is a Part 8 function of the Act, it is expressly a matter for the Council's Licensing Committee, although the principles that the committee will use to inform its decision on greatest benefit will be contained within the Council's Statement of Licensing Policy subject to Full Council approval. Challenges to decisions made at stage 2 are by way of judicial review.

3.3 Advisory Panel

3.3.1 The manner in which Licensing Committee will assess the competing bids and the scoring methodology needs to be developed and approved by the Licensing Committee. Although this need not be part of the policy, it is recommended by Counsel that this is included to avoid legal challenge later.

3.3.2 Formulating a specialist advisory panel will offer independent advice and scrutiny to Licensing Committee on both the scoring methodology and the quality of the competing bids.

3.3.3 It is expected that the Advisory Panel will first advise on the content of the Policy and when the time comes, assess each competing bid and provide a detailed assessment of each bid to Licensing Committee to assist them in making their determination.

3.4 Training

3.4.1 In order to further assist the Licensing Committee in making the determination full training will be given, which will aim to provide not just the basic knowledge of gambling and casino premises but also an understanding of the trade and its requirements.

3.5 Current Situation

3.5.1 Development Department have now appointed a Project Executive to push this project forward. They are looking at the ways in which we can maximize the benefit to the area. Development have identified that there are likely to be resource implications. They are planning to bring a report to Executive Board shortly to discuss these issues.

3.5.2 Work has started on drafting an amendment to the Statement of Licensing Policy. The next steps will be to agree the first draft and to distribute it to responsible authorities for their comments. Preliminary work has also started on the application pack.

4.0 Implications For Council Policy And Governance

4.1 The principles will need to be included in the Gambling Act 2005 Statement of Licensing Policy which will have to follow the normal approval process following the Budget and Policy Framework

5.0 Legal And Resource Implications

5.1 The contents of the application pack and the grant of the licence are Part 8 functions of the Act and are expressly a matter for the council's Licensing Committee, although the principles that the committee will use to inform its decision on greatest benefit will be contained within the council's statement of licensing policy subject to Full Council approval.

6.0 Conclusions

6.1 The project is proceeding, having received new impetus from the Development Department and the green light from Cabinet. The current timescales look realistic with the Policy being developed and consulted upon in the first half of 2010.

7.0 Recommendations

7.1 That Licensing Committee note the contents of this report.

Report of the Assistant Chief Executive (Corporate and Governance)

Licensing Committee

Date: 1st December

Subject: Yellow and Red Card Scheme

<p>Electoral Wards Affected:</p> <p>All</p>	<p>Specific Implications For:</p> <p>Ethnic minorities <input type="checkbox"/></p> <p>Women <input type="checkbox"/></p> <p>Disabled people <input type="checkbox"/></p>
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Executive Summary

In September 2008 Gerry Sutcliffe, Minister for Sport, wrote to all Chief Executives with a proposed initiative describing a Yellow and Red Card system which could be applied by Licensing Authorities to deal with problem premises.

In effect this would be an additional tool Licensing Committees can use when considering review applications especially when there has been no improvement. It provides an opportunity to make an example of premises and to provide a consistent approach.

However the scheme has no basis in law, and removes the step of negotiating with premises licence holders which could leave the council open to legal challenge.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to inform Licensing Committee of the Scheme, providing the details given by Mr Sutcliffe in 2008. This report asks the Licensing Committee to consider the use of the scheme and decide if it should be adopted.

2.0 Background Information

- 2.1 In March 2008 the Government evaluated the impact of the Licensing Act 2003 and found that the powers available to licensing authorities were being underused.
- 2.2 In June 2008 Ministers met with Local Authority representatives and senior police officers to explore how existing powers could be utilized to tackle problem premises.
- 2.3 In September 2008 Gerry Sutcliffe wrote to Chief Executives enclosing information on a proposed Yellow and Red Card Scheme (**Appendix 1**) and asked the Chief Executive to “share the letter and attachments with colleagues responsible for issues relating to the management for the night time economy and with local partnerships, such as CDRPs”.
- 2.4 Officers have been waiting for the Home Office toolkit and further guidance from the Government to support this scheme (para 15, appendix 1).
- 2.5 We are now in receipt of a further communication from the DCMS (**Appendix 2**) and so feel that it would now be an appropriate time to consider the use of this scheme.

3.0 Main Issues

The Scheme

- 3.1 The Yellow and Red Card Scheme itself is simple and similar to the practices of this Authority when dealing with problem premises and review applications. It introduces a two stage process which is instigated by a review of the premises licence taken by a responsible authority:
- 3.1.1 First Intervention (Yellow Card) – The responsible authority is encouraged as part of their first review application to propose a package of tough new conditions to be added to the existing conditions which are designed to combat the identified problem.
- 3.1.2 Second Intervention (Red Card) – In the absence of improvement, the responsible authority should seek a second review. If satisfied that there has been a lack of improvement, the Licensing Authority should revoke the licence.
- 3.2 The scheme encourages enforcement agencies to seek more reviews and not give informal warnings. Therefore the scheme does not allow for responsible authorities to implement a package of measures before review, such as action plans and warnings which are presently supported by the council’s Leeds Responsible Authority Liaison and Joint Enforcement Protocol (Licensing Act 2003). The

practice of negotiation, action plans and informal warning provide support for licensing sub-committee decisions if challenged on appeal.

- 3.3 As per Mr Sutcliffe's letter in September 2009, the Yellow Card should be "highly visible in the community and send a clear message to alcohol retailers, and the public, that action will be taken against those who act contrary to the licensing objectives and the law" although not necessarily a physical card on the premises.

Existing Measures

- 3.4 Leeds City Council's Entertainment Licensing Enforcement Team issued more Section 19 Closure Notices than any other council (*Alcohol, Entertainment and Late Night Refreshment Licensing, England and Wales, April 2008 - March 2009, DCMS*) which are effective in providing a warning to problem premises regarding the breach of licensing conditions whilst clearly highlighting steps to be taken to remedy the breach/es identified.
- 3.5 The Licensing sub-committees already operate a common sense approach whereby each review is dealt with on a case by case basis and any premises showing no improvement by the second review would have the appropriate action taken against them.
- 3.6 Members should note that there is existing provision under the Licensing Act 2003 for an immediate review of premises causing serious crime or disorder issues.

4.0 Implications For Council Policy And Governance

- 4.1 There are no direct implications for council policy and governance.

5.0 Legal And Resource Implications

- 5.1 This scheme is not mentioned in the Licensing Act 2003, secondary legislation or the Government's Guidance to Licensing Authorities. It would be open to legal challenge. Additional appeals based on the challenge to the Licensing Sub-committee decision to revoke a licence would have a resource implication for both Entertainment Licensing and Legal.

6.0 Conclusions

- 6.1 This is a simple scheme suggested by the Home Office and DCMS but has no basis in law and removes the step of negotiating with premises licence holders.
- 6.2 It is a scheme that may be effective in Authorities who have an inconsistent approach to enforcement, however Leeds City Council make good use of the powers already given to them under the Licensing Act 2003.
- 6.3 Paragraph 16 of the scheme advises "Central government cannot tell licensing authorities what to do. The review powers are devolved to them. Similarly, central Government cannot direct enforcement agencies how to enforce the law. It would remain their judgment when and how to act."

7.0 Recommendations

7.1 That Members note the contents of the report and appendices.

7.2 That Members consider the use of this scheme and decide on whether to adopt it.

Appendices

Appendix 1 – Yellow and Red Card Scheme

Appendix 2 – Letter from Gerry Sutcliffe dated 09/09



“PROBLEM PREMISES ON PROBATION” – RED AND YELLOW CARDS : HOW IT WOULD WORK

The problem

1. In many cases, revocation of a premises licences effectively kills any business which is focused on retailing alcohol. This means that the not only the business owner suffers, but most people working there will lose their livelihoods. Many of these workers will be entirely innocent of any wrong-doing. There is also an impact on those who rely indirectly on income from the premises - such as local food suppliers or cleaning contractors, and the closure of a premises can deprive some communities of their local shop or restrict local consumer choice. Enforcement agencies that apply for reviews and local councillors sitting on licensing committees are well aware of this potential impact and it can lead to a reluctance to use the powers in the Act to revoke the licence instantly for any failure to promote the licensing objectives. This risks patchy enforcement and uneven solutions to alcohol-related problems around the country.
2. In addition, in many cases, enforcement agencies will prefer to negotiate additional voluntary conditions with problem premises against the threat of review as an immediate, pragmatic and less bureaucratic solution. While this may be a reasonable approach in many cases, there is a risk that some premises are not being dealt with as firmly as necessary, particularly given the level of test purchase failures. Nor are voluntary agreements particularly visible, lessening the deterrent effect on other premises.
3. Government wishes to support the enforcement agencies and licensing authorities by providing clear guidance on a “yellow card / red card” system, which would ensure a firm response to problems, but which give premises an opportunity to reform. The intention is that such a system would be highly visible and send a clear message to alcohol retailers, and the public, that action will be taken against those who act contrary to the licensing objectives and the law.

4. The proposed interventions below would not prevent the giving of an instant red card in an appropriately serious case. It should be realised that a “test purchase” failure often masks multiple offences that have gone undetected.

Supporting enforcement agencies

5. The Government will encourage enforcement agencies – mainly the police, trading standards officers and environmental health officers – to seek more reviews in the knowledge of the yellow card/red card system described below. This will mean not giving informal warnings. It will mean that on identifying problem premises, the licensing authority will be engaged faster than it might have been in the past.
6. Enforcement agencies would be encouraged to seek reviews when local intelligence suggests that individual premises are selling to children or causing other crime problems or causing noise nuisance.
7. Under the law, the licensing authority must then hold a hearing so long as the application relates to one of the four licensing objectives and is made by a responsible authority or by an interested party like a local resident or another local business.

First intervention

8. Responsible authorities will be encouraged to propose a package of tough new conditions to be added to the existing conditions which are designed to combat the identified problem. The kinds of conditions that we have in mind are set out in Annex A. These would not be appropriate for every premises and need to be tailored to the nature of the problem and the type of premises. Such action should be supplemented where appropriate by:
 - Removal of the designated premises supervisor and his/her replacement (the manager is removed);
 - Suspension of the licence for between 1 day and 3 months according to the circumstances.
 - Restriction on trading hours – cutting hours of trading in alcohol.
 - Clear warning that a further appearance will give rise to a presumption of revocation.
9. If appropriate following review, the licensing authority should consider these packages of conditions and actions to challenge problem premises more aggressively.
10. For example, requiring a major supermarket to make all alcohol sales through a single till manned by a person aged 25 years or older in

order to tackle sales to underage. Over a year, this would potentially cost such a supermarket £millions. It would also make them reflect on their levels of supervision at other stores.

11. In addition, enforcement agencies should make the premises in question a priority for test purchases and more regular inspections.
12. The aim would be to put the premises on probation. Effectively, they are given a yellow card. They are put on notice that the next offence or breach would mean an automatic second intervention – a red card.

Second intervention

13. In the absence of improvement, enforcement agencies should seek another review. The licensing authority again must grant a hearing.
14. If satisfied on the issue of the lack of improvement, the licensing authority should look to **revoke the licence**. The action should be publicised in the area as an example to other retailers.

Implementation

15. Requires:
 - Development with the Home Office of a toolkit and guidance for police, trading standards and ethos;
 - Initial letters to Leaders of local authorities and Chief Executives;
 - Ultimately, stronger statutory Guidance to be laid in Parliament for licensing authorities themselves.
16. Central Government cannot tell licensing authorities what to do. The review powers are devolved to them. Similarly, central Government cannot direct enforcement agencies how to enforce the law. It would remain their judgement when and how to act.

ANNEX A

POSSIBLE TOUGH CONDITIONS TO BE ASSEMBLED INTO PACKAGES

GREATER CONTROL OVER SALE

1. Designated checkout(s) for alcohol sales (supermarket). Impact on protection of children from harm, but also impact on sales and goodwill (probable loss of trade to competitors).
2. Personal licence holder/DPS to be on site at all times during sales of alcohol. Impact on protection of children from harm and new costs if additional staff have to qualify as personal licence holder.
3. Personal licence holder/DPS to supervise and authorise every individual sale of alcohol. Impact on protection of children from harm and new costs if additional staff have to qualify as personal licence holder.
4. SIA registered security staff to be present at points of sales to support staff refusing sales to u-18s and drunks.
5. Alcohol sales only to be made only by person aged not less than 25 years. Impact on protection of children from harm, but also impact on sales and goodwill (probable loss of trade to competitors).
6. CCTV installed at all points of sale and recorded. Recordings can be examined by a constable or trading standards officer to determine sales to minors or drunks.

TRAINING

7. All staff to read and sign a declaration that they understand the law every time they start a shift.
8. Train all staff engaged in selling alcohol in alcohol awareness (not just personal licence holders). All new staff to be trained within two weeks of commencing employment. Evidence of training to be retained in writing and to be available for inspection by any authorised person and training standards officers. Impact on all licensing objectives.

ALCOHOL SALE BANNED AT CERTAIN HOURS

9. No alcohol sales Mon – Fri between 4pm and 8.30pm. Impact on protection of children from harm or targeted hours reflecting times when local intelligence indicates under 18s may be purchasing alcohol.
10. No alcohol sales --- Friday to Sunday. Impact on all four licensing objectives.

ALCOHOL DISPLAYS

11. No displays of alcohol or advertising of alcohol promotions that can be seen from outside the premises.
12. No alcohol stocks promoted alongside goods likely to appeal to children (eg. confectionary, toys).

CUTTING DOWN ON SHOPLIFTING

13. SIA registered security staff to be present at alcohol aisles during opening times to prevent attempted under age sales or theft.
14. Location of alcohol stocks/displays not to be sited near the entrance/exit to deter shoplifting.
15. No direct public access to alcohol products – like tobacco, alcohol to be kept behind a dedicated kiosk.

NAMING AND SHAMING

16. Display an external sign/yellow card to state which of the licensing act objectives they have breached and what action has been taken against them.

OTHERS

17. Maintain a log of all under attempted purchases from those who appear to be under 18 or drunk.
18. Children aged under [18 years] not to be present or (not more than one child at any one time) on premises (other than children living on the premises or of the people working on the premises); or only children under 18 accompanied by an adult to be permitted on the premises during retailing hours. Impact on protection of children from harm.
19. Products to be labelled (a label stuck to the bottle or can) to show the details of the shop from which it was bought. Purpose would be to provide evidence of unlawful sales if product found commonly in possession of persons under 18.
20. Designated single items --- beer, alcopops and cider ---- not to be sold to any person. Impact on protection of children from harm. Purpose would be to reduce sales to children and drunks. Alternative would be to prescribe sales of beer, alcopops and cider in quantities of less than four.

21. CCTV installed, monitored and 24 hour recordings kept for a week and made available to constables and persons authorised under the 2003 Act to help identify attempted proxy purchasing.

N Paper cc J Mulcahy

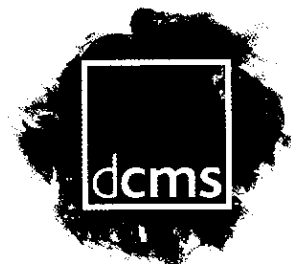
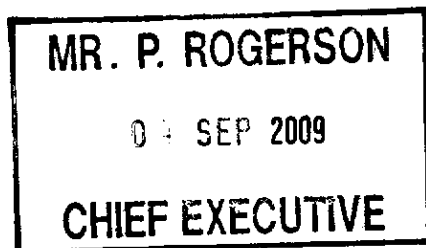
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department for
culture, media
and sport

2 September 2009

Dear Chief Executive

I wrote in September last year to ask Authorities to consider adopting a 'Yellow and Red' card approach to licensing reviews. I am writing again to see what use has been made of this approach and to encourage those who have not done so, to think about how the licensing review powers under the Licensing Act 2003 (the 2003 Act) can best be used to tackle problem premises.

I explained then that the evaluation of the impact of the 2003 Act found that the extensive powers under the Act were not always being used. In particular, in some areas, there was a reluctance among responsible authorities to review licences and seek revocations without very strong evidence.

Since then, we have worked hard at regional seminars to encourage the police and trading standards officers to be more pro-active in seeking early reviews of premises causing problems in communities. Where reviews have been sought, the yellow and red card approach represents a tough response by licensing committees where it is found that the premises are failing to promote one or more of the four statutory licensing objectives. At the same time, it provides an opportunity to reform. A yellow card involves the imposition of tough new conditions that are appropriate to the problems at issue (for example, sales of alcohol to children) together with the warning that if a further review is necessary and matters have not improved, the premises licence would be revoked.

It is important that any "yellow card" should be highly visible in the community and send a clear message to alcohol retailers, and the public, that action will be taken against those who act contrary to the licensing objectives and the law. It can make an important contribution to the community's confidence in their licensing committees.



INVESTOR IN PEOPLE

improving
the quality
of life for all

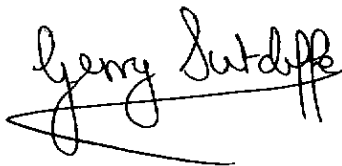
While the approach does not necessarily mean the physical issue of 'cards', I believe it is worth considering on first review, the imposition of a licence condition requiring the premises to display a visible notice at the premises detailing the outcome of that review and the warning it has been given. This visibility not only puts local people on alert to look out for breaches of conditions, but would help discourage under 18s from attempting to purchase alcohol at premises being closely monitored for improvement.

I am writing to you not only because of your authority's responsibilities for licensing, but also for the responsible authority functions of your environmental health, public safety, planning and child protection teams which all have a role to play in upholding the licensing objectives and may find the yellow and red card approach helpful. I am including for ease of reference the guidance which I enclosed last year and would be grateful if you could disseminate this information to relevant officers in your authority. It would be very helpful if you could also feed back your experience of using this, or indeed similar approach and how useful they have been.

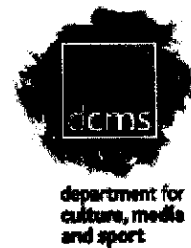
This approach aims to help licensing authorities to use their powers in a robust but proportionate manner. We recently heard from a police force who said that they found this approach useful in reviews - "to ensure that all partners and the licensing panel understand the gravity of underage selling and why we are taking such a robust stance at a first offence stage."

My Department is also writing to the Association of Chief Police Officers (ACPO) and to the Chief Executive of the Trading Standards Institute to encourage the use of the red and yellow card approach by those responsible authorities.

Yours

A handwritten signature in black ink that reads "Gerry Sutcliffe". The signature is written in a cursive style with a long horizontal stroke at the bottom.

GERRY SUTCLIFFE



“PROBLEM PREMISES ON PROBATION” – RED AND YELLOW CARDS : HOW IT WOULD WORK

The problem

1. In many cases, revocation of a premises licences effectively kills any business which is focused on retailing alcohol. This means that the not only the business owner suffers, but most people working there will lose their livelihoods. Many of these workers will be entirely innocent of any wrong-doing. There is also an impact on those who rely indirectly on income from the premises - such as local food suppliers or cleaning contractors, and the closure of a premises can deprive some communities of their local shop or restrict local consumer choice. Enforcement agencies that apply for reviews and local councillors sitting on licensing committees are well aware of this potential impact and it can lead to a reluctance to use the powers in the Act to revoke the licence instantly for any failure to promote the licensing objectives. This risks patchy enforcement and uneven solutions to alcohol-related problems around the country.
2. In addition, in many cases, enforcement agencies will prefer to negotiate additional voluntary conditions with problem premises against the threat of review as an immediate, pragmatic and less bureaucratic solution. While this may be a reasonable approach in many cases, there is a risk that some premises are not being dealt with as firmly as necessary, particularly given the level of test purchase failures. Nor are voluntary agreements particularly visible, lessening the deterrent effect on other premises.
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10. For example, requiring a major supermarket to make all alcohol sales through a single till manned by a person aged 25 years or older in order to tackle sales to underage. Over a year, this would potentially cost such a supermarket £millions. It would also make them reflect on their levels of supervision at other stores.

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Implementation

15. Requires:

- Development with the Home Office of a toolkit and guidance for police, trading standards and ethos;
- Initial letters to Leaders of local authorities and Chief Executives;
- Ultimately, stronger statutory Guidance to be laid in Parliament for licensing authorities themselves.

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