



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 15TH MARCH, 2011 AT 10.00 AM

MEMBERSHIP

Councillors

S Armitage - Cross Gates and Whinmoor;
M Dobson - Garforth and Swillington;
R Downes - Otley and Yeadon;
J Dunn - Ardsley and Robin Hood;
Mrs R Feldman - Alwoodley;
R D Feldman - Alwoodley;
T Grayshon - Morley South;
T Hanley - Bramley and Stanningley;
G Hussain - Roundhay;
G Hyde - Killingbeck and Seacroft;
V Morgan - Killingbeck and Seacroft;
B Selby - Killingbeck and Seacroft;
C Townsley - Horsforth;
D Wilson - Rothwell;
G Wilkinson - Wetherby;

Agenda compiled by:
Tel No:
Governance Services
Civic Hall
LEEDS LS1 1UR

Helen Gray
247 4355

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 last meeting held on 15th February 2011</p> <p>(Copy attached)</p>	3 - 6
7			<p>ECONOMIC AND SOCIAL COST OF ALCOHOL IN LEEDS 2008/09</p> <p>To consider a report previously discussed by Scrutiny Board (Health) which estimates the wider economic and social costs of alcohol-related harm in Leeds.</p> <p>(Report attached)</p>	7 - 86

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8		10.4(3)	<p>NVQ & VRQ QUALIFICATIONS - OFFICER RESPONSE TO LICENSING COMMITTEE - REQUEST TO CONSIDER ALTERNATIVE TRAINING DELIVERY</p> <p>To consider a report by the Assistant Chief Executive (Corporate Governance) on issues relating to NVQ and VRQ professional qualifications for private hire and hackney carriage drivers</p> <p>Please note that Appendix 1 of the report is exempt under the provisions of Access to Information Procedure Rule 10.4(3)</p> <p>(Report attached)</p>	87 - 114
9	Various;		<p>SEXUAL ENTERTAINMENT VENUES UPDATE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on the progress made by the SEV Working Group in developing a Policy and standard conditions relating to sexual entertainment venues. The report includes a copy of the Consultation Report and the draft Policy</p> <p>(Report attached)</p>	115 - 196
10	All Wards;		<p>SEX ESTABLISHMENT FEES AND CHARGES - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) seeking Members approval in principal to the proposed fees for Sex Establishments having regard to recent changes in the law through the European Services Directive</p> <p>(Report attached)</p>	197 - 202
11			<p>LICENSING WORK PROGRAMME</p> <p>To consider the contents of the Licensing Work Programme for the 2011/12 Municipal year</p> <p>(Schedule attached)</p>	203 - 206

Item No	Ward/Equal Opportunities	Item Not Open		Page No
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Tuesday 12th April 2011 at 10.00am in the Civic Hall, Leeds</p>	

This page is intentionally left blank

CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

This page is intentionally left blank

Licensing Committee

Tuesday, 15th February, 2011

PRESENT: Councillor S Armitage in the Chair

Councillors R Downes, J Dunn,
Mrs R Feldman, R D Feldman, G Hussain,
G Hyde, V Morgan, C Townsley, D Wilson
and G Wilkinson

IN ATTENDANCE Mr T McSharry – Access Committee for Leeds
Mr P Gleeson – Access Committee for Leeds
Hackney Carriage & Private Hire Trade Representatives

55 Declarations of Interest

There were no declarations of interest

56 Apologies for Absence

Apologies for absence were received from Councillors Dobson, Grayshon, Hanley and Selby

57 Minutes

RESOLVED – That the minutes of the meeting held 21st December 2011 be agreed as a correct record

58 Report on the Programme of Review on Consultation process of policies, conditions and Byelaws affecting Taxi and Private Hire Licensing

The Assistant Chief Executive (Corporate Governance) submitted a report on the rolling programme of the review of the policies, conditions and Byelaws affecting Taxi and Private Hire licensing.

Members noted that both the Hackney Carriage and Private Hire trades had been consulted and the responses were included within the report. Additionally the Section had written to all drivers. Reports on each policy, set of conditions or Byelaw would be presented in due course once the review process had been completed. Members also discussed issues relating to the Licensing Newsletter; the grounds for Medical Exemptions; and the usual course of action should a private hire driver be found to be plying for hire.

It was reported that a report on the NVQ/VRQ qualifications for drivers would be presented to the next meeting and Members noted the request that a full equality impact assessment be submitted in relation to the implementation of that policy. In addition it was agreed that information be supplied directly to Mr McSharry of the Access Committee on whether a specific disability impact assessment had been undertaken.

Members acknowledged that many people were dependant on the HC or PH trade as their preferred transport and, noting that representatives of the trade were present, urged all members of the trade to get involved in the consultation. Furthermore, the Chair took the opportunity to remind the trade that issues relating to hackney carriage access and facilities at Leeds Bradford Airport were a matter for the Development Department and all correspondence should be directed to the appropriate Councillor and officers, not to Licensing Committee

RESOLVED – That the timetable for the review be agreed

59 Large Casino Update

The Committee considered the report of the Assistant Chief Executive (Corporate Governance) providing an update on the progress on the Large Casino application process and noted the intention to present a draft application pack to the April Committee meeting

RESOLVED – To note the contents of the report and the work undertaken so far

60 Sexual Entertainment Venues - Update. Local Government (Miscellaneous Provisions) Act 1982

The Committee considered the report of the Assistant Chief Executive (Corporate Governance) on the progress made so far on the drafting and implementation of a Statement of Licensing Policy for the licensing of Sex Establishments. Members noted that discussions had been held with Operators, and the draft Policy would be open to public consultation from 4th April 2011.

RESOLVED – That the contents of the report and the progress made so far be noted

61 Variation of Premises Licence for Leeds Festival, Grounds of Bramham Park, Bramham, Leeds LS23 6ND

The Assistant Chief Executive (Corporate Governance) submitted a report on the outcome of an application received to vary the Premises Licence associated with the Leeds Festival, held within the grounds of Bramham Park, Bramham. Members noted that no representations had been received to the application and the Licence had subsequently been granted to allow the capacity of the Festival to increase to 89,999. It was noted the festival organisers intended to increase the capacity at a rate of 5000 patrons per year until the limit was met.

Officers reported that multi agency meetings had already commenced in readiness for the 2011 Festival

RESOLVED – That the contents of the report be noted

62 Licensing Work Programme

RESOLVED – To note the contents of the Licensing Work Programme for the remainder of the 2010/11 Municipal Year

63 Date of the Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 15th March 2011 at 10.00 am

This page is intentionally left blank



Report of the Assistant Chief Executive (Corporate Governance)

LICENSING COMMITTEE

Date: 15TH March 2011

Subject: ITEM REFERRED FROM SCRUTINY BOARD (HEALTH) – THE ECONOMIC AND SOCIAL COST OF ALCOHOL IN LEEDS 2008/09

<p>Electoral Wards Affected: All</p> <p><input type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
--	--

1. Purpose Of This Report

- 1.1 The attached report commissioned by NHS Leeds estimates the wider economic and social costs of alcohol related harm in Leeds and was presented to Scrutiny Board (Health) in January 2011 for discussion.
- 1.2 The report is brought to the Licensing Committee at the request of LCC Scrutiny Board (Health) for information.
- 1.3 The report, associated Leeds Alcohol Harm Reduction Plan 2011-15 and Needs Assessment are due to be formally launched at an event at Leeds Museum on 21st March 2011 to be hosted by the Chair of Scrutiny Board (Health) and the Chief Executive.
- 1.4 The Committee will receive a short presentation on the findings of the report, relevant to the work of the Licensing Committee, with a further opportunity for discussion at the meeting

2. Main Issues

- 2.1 Entertainment Licensing has been identified as one of the stakeholders of the Leeds Alcohol Harm Reduction Plan and attends meetings of the Alcohol Board chaired by Dr Ian Cameron.
- 2.2 The draft Alcohol Harm Reduction Plan, presently in draft form, identifies five priority outcomes which are:
 1. Leeds will demonstrate strategic leadership and prioritise action at local, regional and national levels to prevent and tackle the harms caused by misuse of alcohol

2. Consumption of alcohol across all ages reduced to within nationally recognised safe limits
3. Fewer people experience alcohol-related violent crime and disorder
4. Fewer people experience alcohol-related ill health
- 5a. Fewer children and young people's lives are adversely affected by their parents drinking including neglect, physical and emotional abuse;
- 5b. Fewer under 18 year olds develop drinking habits which impact on their health, personal safety and offending behaviour.

2.3 In the present draft plan Entertainment Licensing has been identified as the owner of the following actions:

- Monitor progress of the Police Reform & Social Responsibility Bill and engage responsible authorities in the development of new Statement of Licensing Policy
- Increase the engagement of licensed premises in the PubWatch scheme across the City
- Address problems associated with licensed premises via the Licensing Enforcement Group

2.4 In terms of Licensing, members will be aware that there are proposals within the Police Reform and Social Responsibility Bill to reform the Licensing Act. One of the proposed changes is to make local health bodies responsible authorities which is expected to come into effect from April 2012, upon which the existing Statement of Licensing Policy will have to once again be reviewed to take account of this and other relevant changes.

The Bill also contained a proposal for the minimum pricing of alcohol but this is subject to further debate.

3. Implications For Council Policy And Governance

3.1 Members are asked to note the contents of the report as useful background information for the Licensing decision making process.

4. Legal And Resource Implications

4.1 There are no legal or resource implications

5. Recommendations

5.1 The Licensing Committee is requested to note the contents of the report

Background Papers

- Leeds Alcohol harm Reduction Plan 2011-15
- Police Reform & Social Responsibility Bill



Report of the Head of Scrutiny and Member Development

Scrutiny Board (Health)

Date: 25 January 2011

Subject: Economic and Social Cost of Alcohol in Leeds 2008/09

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose

1.1 The purpose of this report is to introduce and present a report, commissioned by NHS Leeds, which estimates the wider economic and social costs of alcohol-related harm in Leeds. The purpose of this report is to provide an opportunity for the Scrutiny Board (Health) to understand the national and local implications of the Government's proposed public health reforms. It also provides an opportunity for the Board to comment on such proposals.

2.0 Background

2.1 Alcohol plays an important role in society, being consumed by the majority of adults and making an important contribution to the economy. However, the consumption of alcohol has health and social consequences borne both by individuals and their families, and by the wider community - the cost of alcohol in Leeds to the NHS alone has been estimated to be in excess of £20 million per year.

3.0 Health Lives, Health People proposals

3.1 The research report, commissioned by NHS Leeds, and produced by Liverpool John Moores University, is attached at Appendix 1.

3.2 Representatives from NHS Leeds have been invited to outline the report and implications for the City.

4.0 Recommendations

4.1 Members are asked to consider and note the details and issues highlighted by this report and appendices, and identify any issues that warrant further scrutiny.

5.0 Background Documents

- None



The economic and social costs of alcohol-related harm in Leeds 2008-09

The economic and social costs of alcohol-related harm in Leeds 2008-09

Authors:

Lisa Jones*, Geoff Bates, Ellie McCoy, Claire Tiffany, Clare Perkins, Mark Bellis

Centre for Public Health

Research Directorate

Faculty of Health and Applied Social Sciences

Liverpool John Moores University

Henry Cotton Campus (3rd Floor)

15-21 Webster Street

Liverpool L3 2ET

www.cph.org.uk

tel: 0151 231 4510

fax: 0151 231 4552

*email: l.jones1@ljmu.ac.uk

TABLE OF CONTENTS

Foreword	iv
Executive summary	v
1 Introduction	1
2 Alcohol and Leeds	2
2.1 Alcohol consumption	2
2.2 Household expenditure on alcohol	3
2.3 The contribution of alcohol to the Leeds economy	4
3 Methodology	7
3.1 Introduction	7
3.2 Literature review	7
3.3 Identification of new research studies	7
3.4 Calculation of the economic and social costs	7
4 Review of the economic and social costs of alcohol-related harm	8
4.1 Estimation of the social and economic costs of alcohol use	8
4.2 Recent studies of the economic and social costs of alcohol	10
5 The costs of healthcare	13
5.1 Introduction	13
5.2 GP and practice nurse consultations	13
5.3 Other primary care usage	14
5.4 Hospital inpatient visits and day hospital attendances	15
5.5 Outpatient visits	15
5.6 Accident and emergency attendances	16
5.7 Ambulance service	17
5.8 Alcohol dependency prescribed drugs	18
5.9 Alcohol treatment services	19
6 The costs of social care	22
6.1 Children’s and families services	22
6.2 Adult social care	23
7 Criminal justice system costs	24
7.1 Alcohol-specific crimes	24
7.2 Alcohol-related crimes	25

8	The costs of lost productivity.....	29
8.1	Presenteeism	29
8.2	Absenteeism	30
8.3	Unemployment.....	30
8.4	Premature mortality	31
9	Wider social & economic costs	33
9.1	Fire service attendance at alcohol-related house fires and RTAs	33
9.2	Lost value of non-paid work and activities before retirement.....	33
9.3	Lost value of non-paid work and activities after retirement.....	34
9.4	Intangible costs	34
9.5	School failure and reduced educational attainment	35
9.6	Alcohol-related litter	36
10	Discussion	37
11	References	39

Appendices

Appendix 1:	Studies of the economic and social costs of alcohol misuse	46
Appendix 2:	Additional tables	59

Table of figures

Figure 1. Trends in alcohol-attributable hospital admissions in Leeds (rate per 100,000 population)	3
Figure 2. Weekly spend on alcoholic drinking by English Government Region, 2006-2008 ..	4

Table of tables

Table 1. Number of licensed premises in Leeds city centre, August 2009	5
Table 2. Employment in alcohol retail sales in Leeds, 2008	6
Table 3. Definition of social costs	9
Table 4. Cost categories included	11
Table 5. Estimated costs of alcohol-related harms in the UK (£ millions)	12
Table 6. Estimated annual usage of other primary care services	14
Table 7. Estimated costs of annual usage of other primary care services	15
Table 8. Estimated costs of alcohol-related A&E attendance	17
Table 9. Estimated costs of alcohol-related emergency ambulance journeys.....	18
Table 10. Expenditure on alcohol treatment services in Leeds, 2008/09	20
Table 11. Estimated alcohol-related expenditure on children's and families services in Leeds	22
Table 12. Estimated number of alcohol-related crimes and offences	26
Table 13. Estimated cost of alcohol-related crimes and offences in Leeds LA, 2008/09 ...	27
Table 14. Costs of alcohol-related presenteeism in 2008/09	29
Table 15. Costs of alcohol-related absenteeism in Leeds, 2008/09	30
Table 16. Number of alcohol-related deaths in Leeds, 2007.....	31
Table 17. Intangible costs of premature mortality	35
Table 18. Annual costs of alcohol misuse to the Leeds economy, 2008/09.....	38
Table 19. Healthcare cost components	47
Table 20. Social care cost components	50
Table 21. Criminal justice cost components	51
Table 22. Source of estimates for the proportion of alcohol-related crimes and offences.	52
Table 23. Workplace and productivity costs.....	54
Table 24. Human costs associated with alcohol misuse	56
Table 25. Alcohol-related inpatient episodes: NI39	59

FOREWORD

Leeds is a vibrant and exciting city that has become a leading centre for the arts, leisure, culture and tourism. Alcohol is a major feature of the life of the city bringing economic benefits in terms of jobs and attracting visitors. I also recognise that alcohol can play an important and positive role in our social and family life, enhancing special occasions and time spent with friends.

However these benefits have a hidden cost. The misuse of alcohol across many of our citizens from young to old is leading to a steady increase in damage to health, crime and disorder, and to loss of work productivity. The services that we all pay for through our taxes, such as health, police, fire and rescue and ambulance are bearing a heavy price for the work they do in managing and reducing the harm caused by alcohol within our communities.

I am pleased to introduce this important report that makes clear the economic impact that alcohol is having on us all.

Organisations working in Leeds, including business and industry, must take the lead in making the reduction of harm caused by alcohol a priority - and we all have a responsibility and a part to play in promoting a sensible drinking culture that reduces violence and disorder, and improves health and wellbeing.



Councillor Mark Dobson

Chair Scrutiny Board - Health and Healthy Leeds Partnership

Executive summary

Alcohol plays an important role in society, being consumed by the majority of adults and making an important contribution to the economy. However, the consumption of alcohol has health and social consequences borne both by individuals and their families, and by the wider community - the cost of alcohol in Leeds to the NHS alone has been estimated to be in excess of £20 million per year. The purpose of this report is to present estimates of the wider economic and social costs of alcohol-related harm in Leeds.

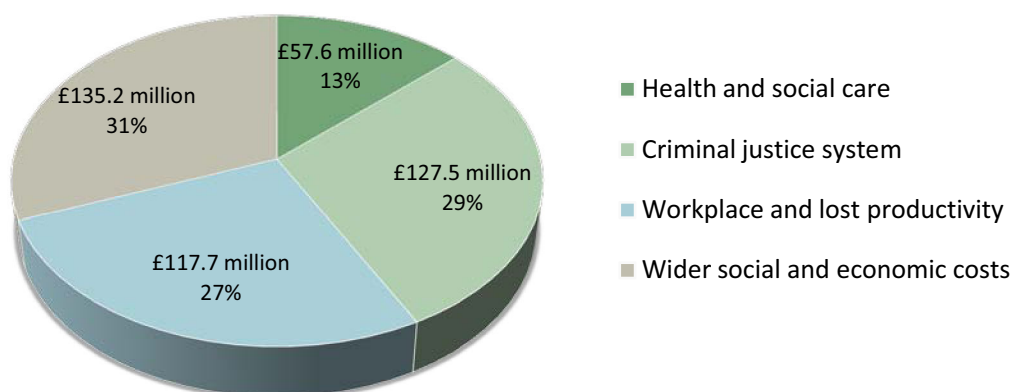
The economic and social costs of alcohol-related harm in Leeds 2008-09

Identifying the costs of alcohol-related harm is essential in informing decision-making across government and multi-agency partners regarding alcohol policy, investment in and commissioning of alcohol interventions at a regional and local level, and at an individual level, influencing lifestyle behaviour. Using cost of illness methodology this report attempts to identify and quantify, in economic terms, the impact of alcohol-related harm in Leeds through expenditure on:

- The costs of **health and social care** for people with alcohol-related ill health, including services provided by NHS Leeds and Leeds City Council;
- **Criminal justice system** costs for alcohol-specific and alcohol-related crimes;
- The costs of **productivity losses in the workplace** due to absenteeism, reduced productivity and premature mortality; and
- An estimate of the intangible or **human costs**, representing the wider impacts of premature death.

Alcohol also makes an important **contribution to the economy**, for example through the key role it plays within the leisure and tourist industry, and the report considers the contribution that the production, distribution and sale of alcohol makes to the Leeds economy.

The methods used to estimate the economic and social costs of alcohol-related harm in Leeds were based on approaches used in other costing studies, in particular those related to alcohol misuse. These methods aim to identify and measure all costs related to alcohol misuse, including the direct costs, indirect costs in the form of production losses, and intangible or 'human' costs. Estimates of the economic and social costs of alcohol-related harm in Leeds in 2008/09 totalled **£438.0 million** across the four categories as follows:



Alcohol consumption and expenditure in Leeds

Presented below is information on alcohol consumption among the general population of Leeds and household expenditure on alcohol.

- In Yorkshire and the Humber, three quarters of men and two thirds of women report drinking in the last week.
- Almost 40% of Yorkshire and the Humber residents drink more than the recommended daily maximums (2-3 units for women and 3-4 for men) on at least one day a week.
- Over 35,000 adults in Leeds may be classified as high risk drinkers; that is, men drinking more than 50 units a week and women drinking more than 35 units a week.
- Households in Yorkshire and the Humber spent more than the England average on alcoholic drinks, despite total household expenditure being less than the UK average.
- The estimated weekly spend on alcoholic drinks in households in Leeds is approximately £4.5 million, indicating a total spend of **£232 million each year** on alcohol in the city

The contribution of alcohol to the Leeds economy

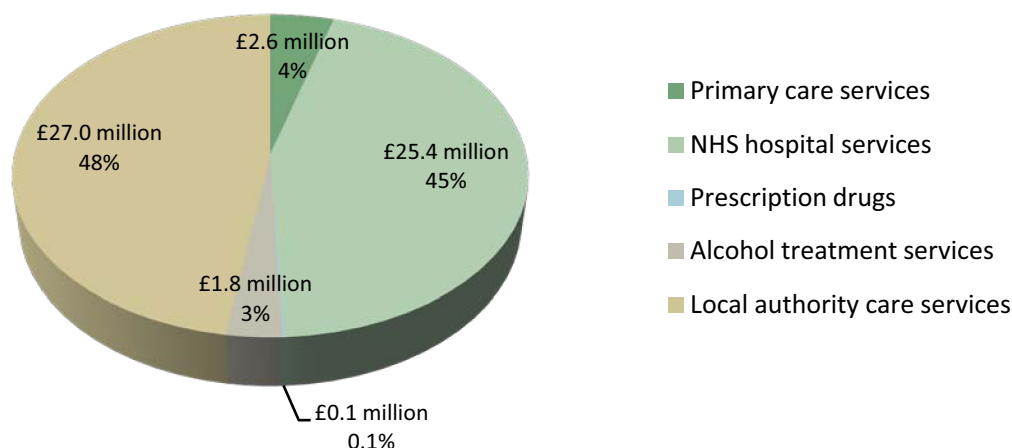
Figures on alcohol-related employment can provide a measure of the contribution that alcohol makes to the Leeds economy and the estimates presented below approximate the size of this benefit.

The majority of alcohol-related employment in Leeds is centred on jobs in pubs, bars and restaurants. Over the last decade, there has been an expansion in the city's entertainment and cultural scene and a corresponding increase in the number of music venues, bars, clubs and restaurants within Leeds city centre.

- In 2008, around 11,000 jobs in Leeds were related to the sale of alcohol, **3% of all jobs in Leeds**.
- The Gross Value Added from jobs related to alcohol retail in 2008 was between £144.4 and £167.1 million, approximately **1% of the total Leeds' GVA** for that year.
- However, the estimates presented are conservative and do not take into account the wider contribution that the night time economy and tourism make to the Leeds economy, sectors that are both closely linked to alcohol retail.

Health and social care

The estimated costs of health and social care for alcohol-related harm in Leeds in 2008/09 are presented below. The majority of the estimated costs arose from NHS hospital services and local authority care services.

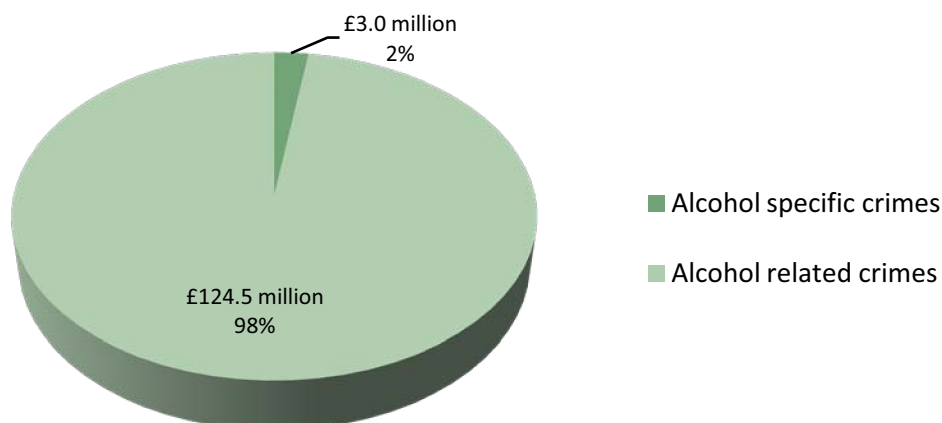


Expenditure on health and social care services was an estimated **£56.8 million** in Leeds in 2008/09. These costs comprised the following service elements:

- **£2.6 million** for the cost of primary care services, including over 96,000 alcohol-related consultations with GPs, practice nurses and other professionals;
- **£25.4 million** for the cost of NHS hospital services, including £13.1 million for inpatient hospital stays, £2.2 million for day hospital cases, £4.9 million for outpatient attendances, £0.7 million for A&E attendances and £4.3 million for ambulance journeys;
- **£0.1 million** on prescription drugs for treating alcohol dependence;
- **£1.8 million** on community and residential alcohol treatment services; and
- **£27.0 million** on local authority care services, including £26.8 million on child care social work and £0.2 million on adult services for alcohol misuse.

Criminal justice service

The estimated costs of alcohol specific and alcohol-related offences in Leeds in 2008/09 are presented below.

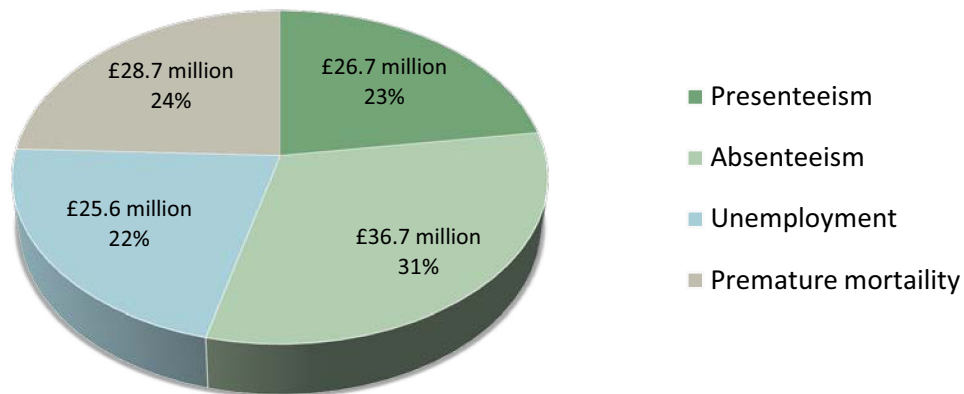


Expenditure on alcohol specific and alcohol-related offences was an estimated **£127.5 million** in Leeds in 2008/09.

- **£3.0 million** for the costs associated with alcohol specific crimes based on national estimates of £208 million.
- **£124.5 million** for the costs associated with alcohol-related crimes, with criminal damage and theft from shops comprising the majority of the offences committed. These costs were broken down across the following three categories:
 - **£8.3 million** spent in the *anticipation of crime*, including defensive expenditure and insurance administration costs;
 - **£96.3 million** arising from the *consequences of crime*, including the physical and emotional impact on victims of crime, the value of the stolen property, property damaged or destroyed and the costs of property recovery, in addition to the costs of victim services and lost output; and
 - **£19.9 million** in *criminal justice system costs*, including police activity, prosecution and court costs, the probation and prison service and other costs such as criminal injuries compensation.

Workplace and lost productivity

Excessive alcohol consumption affects the workplace through impaired performance at work ('presenteeism'), and by increasing the likelihood of employees being absent from work ('absenteeism'). In addition, heavy and dependent drinkers may be more likely to be unemployed. Alcohol also contributes to lost productivity in the workplace through premature deaths related to alcohol use.



Impaired performance at work

Reduced performance in the workplace due to hangovers resulted in costs to the Leeds economy of **£26.7 million** in lost output. Over 210,000 days were lost to hangovers in Leeds in 2008/09.

Sickness absence

Between 6% and 15% of working days lost to sickness may be attributed to alcohol misuse. The annual cost to the Leeds economy arising from sickness absence due to alcohol misuse was estimated to be between £21.4 million and £52.5 million, with a mid-point value of **£36.7 million**.

Unemployment

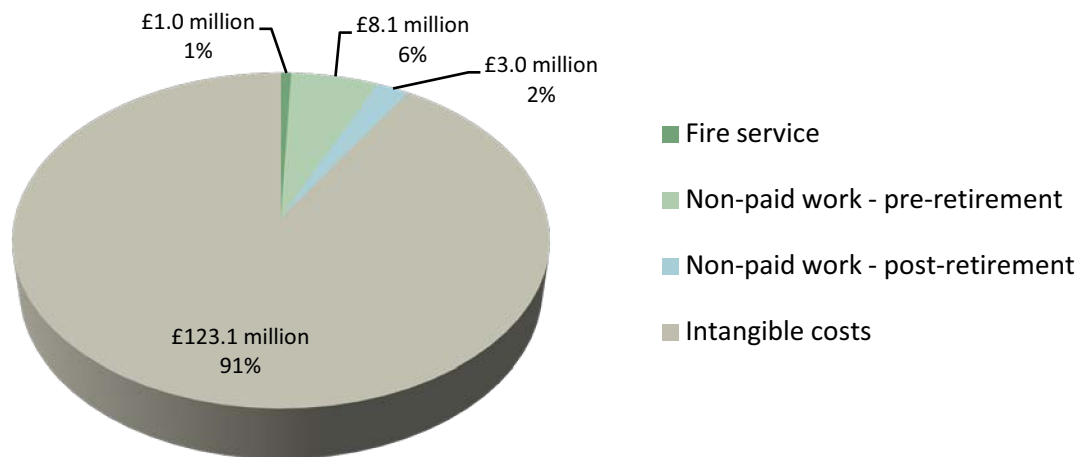
Being a problem drinker may lead to a reduction in the probability of working and over 230,000 days of employment were lost in 2008/09 in Leeds due to alcohol dependence. This represented losses to the Leeds economy of approximately **£25.6 million**.

Premature mortality

There were 140 alcohol-related deaths among the working age population of Leeds in 2007. Based on the reduction in expected years of working life and average earnings for employees in Leeds, the estimated cost of this lost output to the Leeds economy in 2008/09 was **£29.2 million**.

Wider economic and social costs

Premature deaths from alcohol misuse also reduce the contribution that non-participants in the workforce make through unpaid work and activities before and after retirement, and also cause intangible social costs through the pain, grief and suffering that premature death imposes on friends and family members.



Fire and rescue service

An estimated **£1.0 million** was spent on West Yorkshire fire and rescue service attending alcohol-related incidents in the Leeds area, including approximately £0.9 million attending alcohol-related house fires and in the region of £42,000 attending alcohol-related road traffic accidents in Leeds.

Lost value of non-paid work and activities before retirement

Based on estimates of the Leeds working age population not in work, an estimate of **£8.1 million** was calculated for losses of unpaid work and activities attributable to alcohol misuse.

Lost value of non-paid work and activities after retirement

There were 37 alcohol-related deaths between the ages of 65-74 years in Leeds in 2007, yielding an estimate of **£3.0 million** for losses of unpaid work and activities after retirement, such as child care, attributable to alcohol misuse.

Human costs

The potential value of a year of human life was assumed to range between £30,000 and £50,000. The human costs of alcohol misuse arising through premature mortality in Leeds were an estimated **£123.1 million**.

Conclusions

Alcohol misuse imposes a considerable burden on the Leeds economy, costing an estimated **£438.0 million** in 2008/09.

Of the total costs of alcohol-related harm, 13% were due to expenditure on health and social care services, 29% of costs were due to expenditure on crime and within the criminal justice system, 27% were due to lost productivity and 31% were due to the wider social costs of alcohol misuse.

It was not possible to calculate all of the costs associated with alcohol misuse, for example costs associated with cleaning up alcohol-related litter and the costs associated with school failure and reduced educational attainment were not included. It is therefore likely the costs presented underestimate the true burden of alcohol on the Leeds economy.

1 INTRODUCTION

Alcohol plays an important role in society, being consumed by the majority of adults and making an important contribution to the economy, for example through the key role it plays within the leisure and tourist industry.² Individuals derive pleasure from consuming alcohol and it can act as a catalyst in social interactions and leisure experiences. In addition, there has been much debate about the beneficial health effects of alcohol.³ However, the consumption of alcohol also has both health and social consequences and alcohol-related harm presents one of the biggest challenges facing public health and health care systems.

The Leeds Alcohol Strategy for 2007-10⁴ estimated that the cost of alcohol in Leeds was £23.13 million per year to the NHS alone. Estimating the proportion of mortality and morbidity attributable to alcohol, crime and offences and productivity losses related to alcohol use enables us to begin to quantify in economic terms the true impact of alcohol-related harm on society (including health and social care, crime, fire and rescue services, and economic productivity). Alcohol-related social costs or 'externalities' are imposed on society when alcohol consumption has negative impacts on unrelated third parties, for example, through violence or threatening and anti-social behaviour. The costs of alcohol use may also include wider, intangible costs such as fear or concerns about alcohol-related violence in the community.

The purpose of this report is to present estimates of the economic and social costs of alcohol-related harm in Leeds. Identifying these costs is essential in informing decision-making across government and multi-agency partners regarding alcohol policy, investment in and commissioning of alcohol interventions at a regional and local level, and at an individual level, influencing lifestyle behaviour. Cost-of-illness (COI) studies, also known as social cost or burden-of-illness studies, investigate both the direct and indirect costs incurred due to an illness or condition from a societal perspective and they are a useful starting point for demonstrating the 'size of the problem' to policy makers.

2 ALCOHOL AND LEEDS

2.1 Alcohol consumption

In Yorkshire and the Humber, 75% of men and 59% of women drank in the last week, with 19% and 13%, respectively reporting to have drunk alcohol on more than 5 days in the last week.⁵ The government's daily guideline for drinking are 2-3 units for women and 3-4 for men, and 39% of residents in Yorkshire and the Humber reporting drinking above these daily maximums on at least one day. In addition, 25% reported binge drinkingⁱ on at least one day (29% of men and 21% of women), a rate higher than the national average of 18%. In 2007/8, the estimated number of adults who engaged in hazardous,ⁱⁱ harmfulⁱⁱⁱ and binge drinking was significantly higher in the Leeds Local Authority area than the England average, and higher than the regional Yorkshire and Humber average.⁶ Approximately 25% of adults in Leeds reported hazardous drinking and 7% reported harmful drinking.

2.1.1 Alcohol-related harm

For male residents in Leeds, alcohol causes an average 10.7 months of life lost and for female residents, an average 4.7 months of life are lost. This compares with 5.1 and 3.5 months lost among male and female residents in West Oxfordshire in the South East of England, respectively. In 2008/09 Leeds had approximately 12,800 alcohol-related hospital admissions (a directly standardised rate of 1,561 per 100,000). This rate is lower than the average rate for England (1,583) but higher than the regional rate for Yorkshire and the Humber (1,525). As shown in Figure 1, the alcohol-related hospital admission rate for Leeds has risen steadily since 2002/03, with 2008/09 showing an increase of 15% from the previous year. Leeds is ranked in the worst quartile nationally for 10 out of the 23 alcohol indicators included in the Local Alcohol Profiles for England.

Box 1: Calculation of the number of high risk drinkers in Leeds

Based on national estimates from the General Lifestyle Survey 2008, 7% and 4% of men and women, respectively, are classified as high-risk drinkers*.

Applying this to the mid-year population estimates of adults in Leeds (n=646,500), an estimated 22,110 men and 13,226 women may be classified as high risk drinkers.

*Drinking more than 50 units per week for men and more than 35 units per week for women

ⁱ Defined here as drinking 6-8 units of alcohol or more in a single session.

ⁱⁱ Drinking that puts people at risk of physical and psychological harm.

ⁱⁱⁱ Drinking that is likely to lead to physical or mental harm.

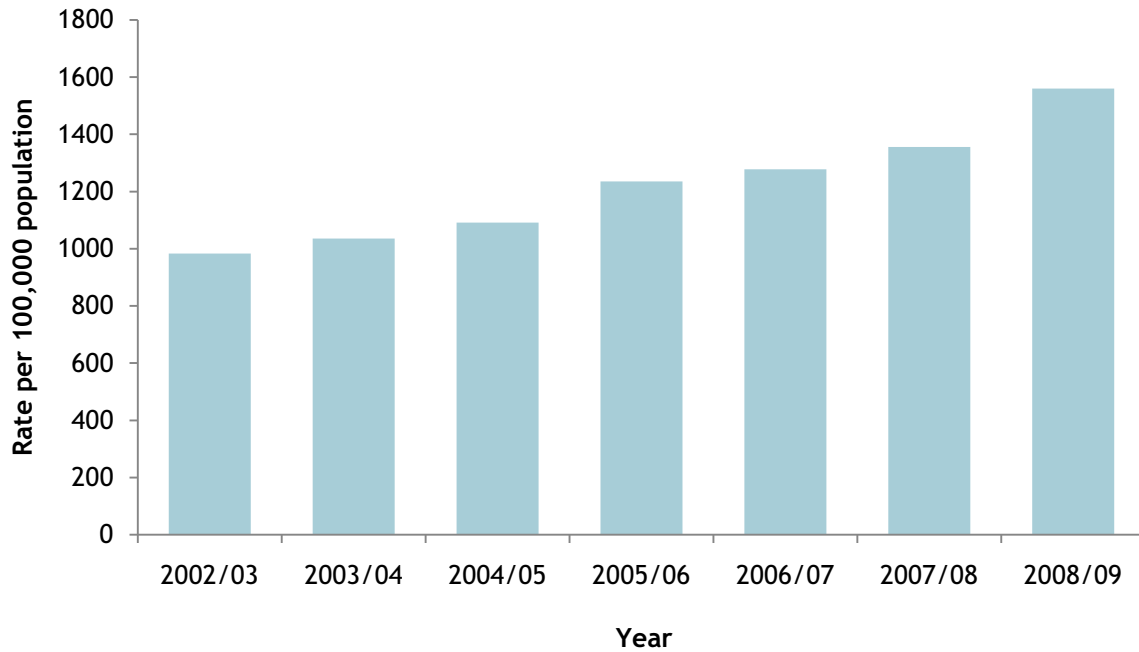


Figure 1. Trends in alcohol-attributable hospital admissions in Leeds (rate per 100,000 population)

2.1.2 Alcohol dependency and treatment

In 2007, the prevalence of alcohol dependence in the past six months among residents of Yorkshire and the Humber was 11.2% among men and 3.1% among women. In 2008/09, 1,889 clients received treatment for alcohol misuse in Tier 3 and Tier 4 agencies in Leeds.

2.2 Household expenditure on alcohol

Over the last two decades, there has been an increasing trend in the affordability of alcohol.⁷ For example, in comparison to 1980, alcohol was 70% more affordable in 2009. In addition, purchases of alcohol for consumption in the home have increased overall since 1992, while purchases of alcohol for consumption outside the home have decreased.

In 2006-2008, the average household expenditure on alcoholic drinks in Yorkshire and the Humber was £14.80 per week (60% bought and consumed on licensed premises) amounting to 3.6% of total weekly household expenditure.⁸ Although total household expenditure in Yorkshire and the Humber was less than the UK average, as shown in Figure 2, households in the region spent more than the England average (£14.30) on alcoholic drinks. Based on the number of households in Leeds from the 2001 Census (n=301,614), the estimated weekly spend on alcoholic drinks in Leeds is approximately £4.5 million, indicating a total spend of £232 million per annum on alcohol in the city, of which approximately £139 million is spent in on-licensed premises.

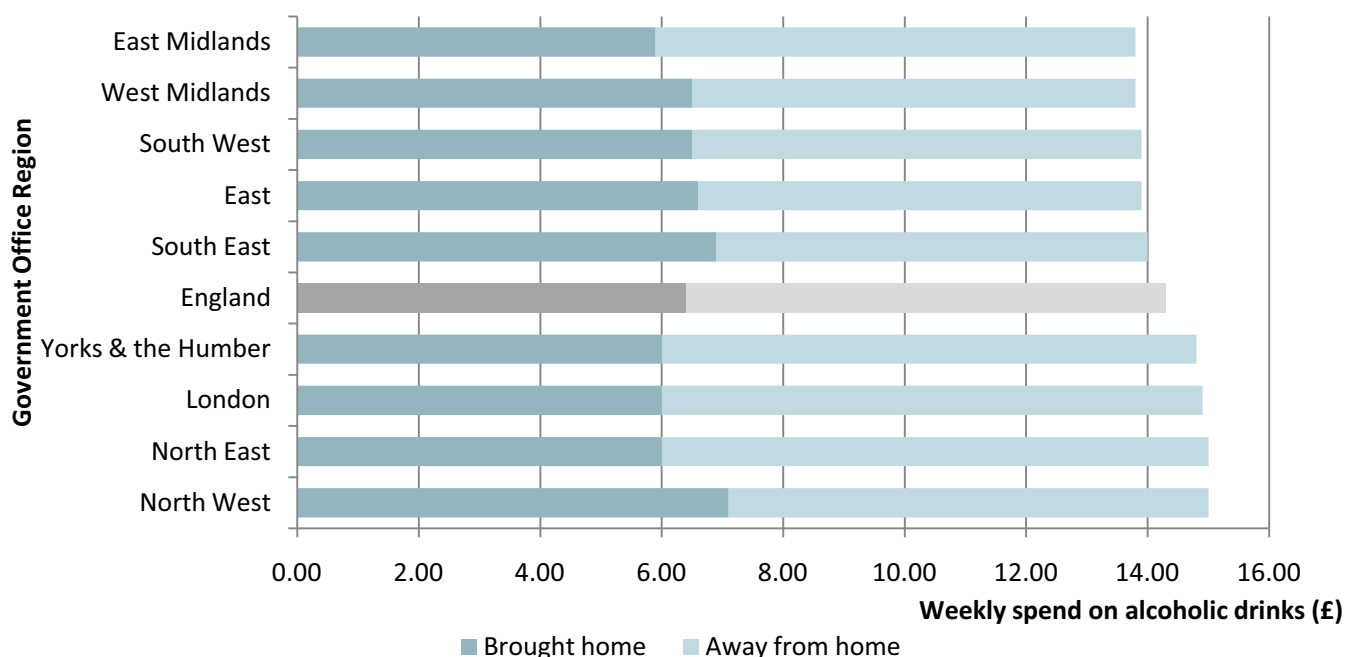


Figure 2. Weekly spend on alcoholic drinking by English Government Region, 2006-2008

2.3 The contribution of alcohol to the Leeds economy

Figures on alcohol-related employment can provide a measure of the contribution that alcohol makes to the Leeds economy, however, they do not provide a measure of the social benefits of alcohol, which lies in its consumption.⁹ It should also be noted that the direct relationship between alcohol consumption and employment is unclear, and that the effect of drinking levels on employment levels in industries linked to alcohol may be relatively weak.¹⁰

In 2008, total employment in the Leeds Local Authority Area (LA) was 417,000 with 133,000 employees based in Leeds City Centre.¹¹ The majority of alcohol-related employment in Leeds is centred on jobs in pubs, bars and restaurants, and of August 2009, there were 281 licensed premises within Leeds City Centre as shown in Table 1. Employment in other industries linked to alcohol, including the production, distribution and retail of alcoholic drinks, accounted for a smaller share of alcohol-related employment in Leeds.

Table 1. Number of licensed premises in Leeds city centre, August 2009

Type	Number of licensed premises
Bars/ Public Houses	90
Restaurants	97
Takeaway	29
Nightclubs	24
Shops	29
Theatres	4
Social Clubs	4
Casinos/Bingo Halls	4

2.3.1 Alcohol production and distribution

Carlsberg UK Limited is listed as one of the top ten companies Leeds in terms of turnover, but the Carlsberg run brewery sited in Leeds is due to close in 2011 and therefore employment in the production of alcohol accounts for only a very small share of alcohol-related employment in Leeds. Employment related to the distribution of alcoholic drinks may account for a larger share of alcohol-related employment in Leeds, as Leeds is the third largest employment centre for wholesale distribution in England. In addition, ASDA Group Limited, the large supermarket chain, has its headquarters in Leeds and is one of the city's top 10 employers with over 100,000 employees locally. However, it is likely that the proportion of employees' effort related to distribution and retail of alcohol compared to other goods is fairly small.⁹

2.3.2 Alcohol retail

Over the last decade, there has been an expansion in the city's entertainment and cultural scene and a corresponding increase in the number of music venues, bars, clubs and restaurants within Leeds city centre. Since 1994, the number of city centre on-licensed premises and night clubs has more than doubled⁴ and Leeds has one of the highest pub and club densities in the UK, having more than 40 pubs and clubs within a single output area (a level of geography that has an average of 400 residents).¹²

According to the Local Alcohol Profiles for England tool, Leeds ranks 97th out of 325 local authorities in England for the number of employees who work in pubs and bars.⁶ Approximately 1.7% of Leeds employees work in pubs and bars, equal to an estimated 7,089 employees in pubs and bars across Leeds in 2008, and approximately 2,261 within the city centre. Employees in hotels and restaurants also have a role in the service of alcohol, and in

2008 there were around 25,300 people employed across Leeds in this sector.¹¹ Therefore, over 32,000 people were involved in the sale of alcohol in Leeds through pubs, clubs, restaurants and hotels as shown in Table 2. However, not all of these jobs are directly related to the consumption of alcohol. Assuming that 90-95% of jobs in bars and clubs, and 15-20% of jobs in restaurants and hotels are related to the consumption of alcohol,⁹ then in 2008 between 10,175 and 11,795 jobs in Leeds were related to the sale of alcohol, representing 2-3% of all jobs in Leeds.

Labour productivity estimates¹³ indicate an 'approximate Gross Value Added (GVA) per job' in current prices of £14,300 for jobs in bars, pubs and clubs and of £14,000 for jobs in restaurants.^{iv} Applying these figures to the number of alcohol-related jobs in Leeds indicates that the GVA from jobs in alcohol retail was between £144.4 and £167.1 million in 2008, approximately 0.8-1% of the total Leeds' GVA in that year.

Table 2. Employment in alcohol retail sales in Leeds, 2008

	Total employees	Proportion related to alcohol	Alcohol-related employment	Approximate GVA per job
Bars and pubs	7,089	90-95%	6,380 – 6,735	£14,300
Hotels and restaurants	25,300	15-20%	3,795 – 5,060	£14,000
Total	32,389	-	10,175 – 11,795	-

Sources: NWPFO, Leeds City Council, Annual Business Inquiry

^{iv} Jobs related to the service of alcohol in hotel were assumed to have similar labour productivity to jobs related to service of alcohol in restaurants.

3 METHODOLOGY

3.1 Introduction

The overall aim of the study was to identify and measure the economic and social costs of alcohol-related harm in Leeds using cost-of-illness (COI) methodology.¹⁴ The following objectives were addressed in order to meet this aim:

- A review of the existing literature and approaches used in other COI studies, particularly those related to alcohol misuse;
- Identification of new research studies and data that enabled more robust estimates of the economic and social costs of alcohol-related harm to be derived; and
- Calculation of the economic and social costs of alcohol-related harm in Leeds.

3.2 Literature review

Literature searches were undertaken in Medline and the Health Management Information Consortium (HMIC) database to identify studies conducted in the UK and other countries that have examined the economic and social costs of alcohol misuse. The findings of the literature search are summarised in the following section of the report and reported in full in Appendix 1.

3.3 Identification of new research studies

Targeted literature searches were undertaken to identify research studies and data to enable more robust assumptions to be made about the proportion of resources that are alcohol-related. In addition to conducting searches of the academic literature, estimates used in previous COI studies were examined.

3.4 Calculation of the economic and social costs

Estimating the economic and social costs of alcohol-related harm involved: (1) identifying cost-generating components; and (2) attributing a monetary value to them. Costs included in the study were direct costs to health and social care services and the criminal justice system, and indirect costs in the form of production losses. The wider economic and social costs of alcohol-related harm were also considered including intangible or 'human' costs. Intangible costs are more difficult to measure than other types of costs, and consequently this study focused on the costs arising from alcohol-related premature mortality.

4 REVIEW OF THE ECONOMIC AND SOCIAL COSTS OF ALCOHOL-RELATED HARM

4.1 Estimation of the social and economic costs of alcohol use

A recent systematic review identified 22 studies that had examined the social costs of alcohol use.¹⁵ The review found that the methodologies used for cost estimation varied considerably, and that a number of studies incorporated costs (e.g. transfer costs) that should not be included in cost estimation studies according to the *International guidelines*.¹ The full findings of a review of the literature on the economic and social costs of alcohol misuse undertaken for this project are presented in Appendix 1.

4.1.1 Development of international guidelines

Guidelines have been developed as part of an international initiative to develop sound methodologies and approaches for estimating the social and economic costs of substance use, including alcohol, tobacco and illicit drug use. The first set of guidelines was published in 2001,¹⁶ with a second edition published in 2003.¹ In addition to developing a matrix of the major costs to be considered in cost estimation studies, these guidelines have included detailed discussion of the theoretical issues involved in cost estimation studies of substance use. The most recent set of guidelines¹⁷ have been developed as a framework for the estimation of the avoidable costs of substance use. However, methods require further development as currently there are a number of difficulties in estimating avoidable proportions of the total social costs of substance use.

4.1.2 Economic and social costs

Definitions of the social costs of alcohol use are shown in Table 3. The *International guidelines*^{1,16} have identified the main categories, and suggested cost components, of the direct, indirect and intangible social costs to be included in cost estimates relating to alcohol use as shown in Box 2.

Box 2: Social costs associated with alcohol use

Direct

1. Consequences to health and welfare system
2. Crime, law enforcement and criminal justice
3. Road accidents
4. Fires
5. Environment
6. Research and prevention

Indirect

7. Productivity consequences in the workplace and the home

Intangible

8. Loss of life
9. Pain and suffering

Source: Single *et al.*¹

Table 3. Definition of social costs

Cost	Definition
Transfer costs	<p>Transfer costs include tax payments, social payments, social allowances and insurance premiums. A recent review found that several transfer costs, including disability pensions, accident compensation, and social security payments were incorporated in some studies of the costs of alcohol use.¹⁵ However, transfer payments are not considered social costs as they do not affect the amount of resources available in society and according to the <i>International guidelines</i>^{1,16} should not be included in cost estimation studies. In addition, it is double counting to include both productivity losses and the costs of welfare payments in cost estimation studies. However, administrative costs associated with insurance and social welfare payments are counted as social costs. Property theft is also considered a transfer payment as it represents, according to the economic literature, the redistribution of assets from victims to the thieves and their customers. However, studies of the social costs of alcohol use have incorporated the costs of property theft by using the reduction in value of the stolen property in their cost estimations, which is considered a social cost.¹⁵</p>
Private and external costs	<p>Consumption of alcohol gives rise to both <i>internal (private)</i> and <i>external costs</i>. External costs are associated with the consumption of certain goods and services that fall on third parties (e.g. government funding for alcohol treatment) and private costs are those that affect the consumer (e.g. paying for private medical treatment). Although the total costs of alcohol use include both private and external costs, private costs are often not included in analyses of the social costs of alcohol use because they are considered to be offset by the benefits that a consumer gains from the consumption of alcohol.^{1,16} However, costs to individuals and families were included in a recent, rapid review of the societal costs of potentially preventable illnesses, including alcohol misuse.¹⁸ In the case of addictive substances, as Thavorncharoensap <i>et al.</i>¹⁵ explain “addictive behaviour seems to violate the assumption of rational consumer behaviour since the addict may derive limited or no utility at all from drinking, yet will continue to do so anyway” (pg 9). The <i>International guidelines</i> recommend two approaches: (1) treat addictive substances as conventional goods and services assuming that dependent users are consuming rationally; or (2) estimate the proportion of excessive alcohol consumption and include this in the overall cost calculations.</p>
Gross vs. net social costs	<p>There has been much debate about the beneficial health effects of alcohol; for a full discussion of the evidence see Jones <i>et al.</i>³ Estimation of the net costs of alcohol use takes into account the possible beneficial effects of alcohol consumption, where as estimation of gross costs, includes only costs associated with the negative effects of alcohol consumption. A review of studies of the social costs of alcohol use found that three studies, all from Australia, were based on net cost estimation, 17 studies were based on gross cost estimation, and two studies presented both approaches.¹⁵</p>

Direct costs

Direct costs are those arising from expenditure as a consequence of alcohol consumption. A wide range of direct costs are associated with the treatment and prevention of alcohol use, including those within healthcare, social services and the criminal justice system.

Indirect costs

Indirect costs relate to the value of lost output due to reduced productivity caused by illness, disability or injury. Many COI studies use the human capital approach (HCA) to estimate indirect costs related to a disease or condition. The HCA is based on an individual's worth to society calculated on the basis of his or her present and future earnings, and it is the traditional method for calculating indirect costs.

Intangible costs

The measurement of productivity losses caused by illness, injury and death represents only a part of the total burden of an illness or disorder.¹⁹ These additional costs may be termed 'human costs' and relate to the impact of illness, injury and death on the individual through pain and suffering, as well as on their friends and family. Although human costs are difficult to measure and express in monetary terms ('intangible'), the willingness to pay (WTP) approach can theoretically be used to determine such costs. However, in practice, the WTP method has been difficult to implement and has been used in very few COI studies.¹⁹ Welfare losses have also been expressed as quality adjusted life years (QALYs), which are commonly used in economic evaluations of healthcare interventions. The QALY incorporates both the quality and quantity of the years of life that a person is expected to have.

4.2 Recent studies of the economic and social costs of alcohol

A total of 27 COI studies were identified that have examined the social and economic costs of alcohol use over the last 10 years. Ten studies examined the social and economic costs of alcohol in the UK, including in the whole of the UK,²⁰ England,²¹⁻²³ Scotland,²⁴⁻²⁸ and sub-nationally in London⁹ and North Somerset.²⁹ Eight studies examined the social and economic costs of alcohol use in European countries including Portugal,³⁰ France,^{31,32} the Netherlands,³³ Sweden,^{34,35} Germany³⁶ and Estonia,³⁷ and one study estimated costs at the European level.¹⁰ Nine studies examined costs in the rest of the world, including the USA,³⁸⁻⁴² Australia^{43,44} and Canada.⁴⁵ One study examined the economic costs attributable to alcohol at a global level.⁴⁶ The majority of studies considered costs from a societal viewpoint, that is, they considered a broad range of external costs related to alcohol misuse including those borne by health and social care services, the criminal justice system and in the workplace as shown in Table 4. Three studies^{20,23,31} only considered healthcare expenditure related to alcohol use, but nine studies^{9,10,27,28,32,34,35,38,39,43} considered a range of wider costs

related to alcohol use including the benefits of alcohol consumption, human costs (i.e. pain and suffering, quality of life), traffic accidents, research and prevention, and social welfare.

Table 4. Cost categories included

Reference	Cost categories					
	Healthcare	Social care	CJS	Workplace	Intangible	Other
United Kingdom						
UK 2005/06 ²⁰	+	-	-	-	-	-
England 2000/01 ^{21,22}	+	-	+	+	-	-
England 2006/07 ²³	+	-	-	-	-	-
Scotland 2001/02 ^{24,25}	+	+	+	+	-	-
Scotland 2002/03 ²⁶	+	+	+	+	-	-
Scotland 2006/07 ²⁷	+	+	+	+	+	-
Scotland 2007 ²⁸	+	+	+	+	+	-
London 2000 ⁹	+	-	+	+	-	+ ^a
North Somerset 2000/01 ²⁹	+	-	+	+	-	-
Europe						
Portugal 1995 ³⁰	+	-	+	+	-	-
France 1996 ³¹	+	-	-	-	-	-
France 1997 ³²	+	-	+	+	-	+ ^c
The Netherlands 2000 ³³	+	+	+	+	-	-
Sweden 2002 ^{34,35}	+	+	+	+	+	+ ^c
Germany 2002 ³⁶	+	-	-	+	-	-
Europe 2003 ¹⁰	+	-	+	+	+	+ ^{b,c}
Estonia 2006 ³⁷	+	-	+	+	-	-

Reference	Cost categories					
	Healthcare	Social care	CJS	Workplace	Intangible	Other
Other						
USA 1998 ³⁸	+	-	+	+	-	+ ^f
Australia 1998/99 ⁴³	+	-	+	+	+	-
Australia 2004/05 ⁴⁴	+	-	+	+	+	-
Canada 2002 ⁴⁵	+	-	+	+	-	-
California 2005 ³⁹	+	-	+	+	+	+ ^{b,c}
Global 2007 ⁴⁶	+	+	+	+	-	-

CJS – criminal justice system; ^a Benefits of alcohol consumption; ^b Traffic accidents; ^c Research and prevention; ^d Includes only the costs of ‘excessive’ alcohol consumption

A detailed analysis of the cost components included across the eight studies^{9,21,24-29} that examined the social and economic costs of alcohol in Scotland and England is presented in Appendix 1. Table 5 summaries the estimated costs of alcohol-related harm across these studies.

Table 5. Estimated costs of alcohol-related harms in the UK (£ millions)

Component	Reference						
	England 2000/01 ^{21,22}	London 2000 ⁹	North Somerset 2000/01 ²⁹	Scotland 2001/02 ^{24,25}	Scotland 2002/03 ²⁶	Scotland 2006/07 ²⁷	Scotland 2007 ²⁸
Healthcare	1,383 – 1,683	52	5	96	110.5	405	267.8
Social care	-	-	-	85.9	96.7	170	230.5
CJS	11,940	1,674 ^a	27.3	267.9	276.7 ^b	385 ^b	727.1
Workplace	5,194 – 6,421	294	15.5	404.5	417.8	820	865.7
Human costs	- ^c	-	- ^c	216.7	223.8	- ^c	1,464.6
Total	18,571-20,044	2,020	24	1,071	1,126	2,250	3,556

CJS – criminal justice system; ^a Violent and ‘other’ crimes including robbery, burglary, theft and criminal damage; ^b Includes fire service expenditure; ^c Discussed but no cost estimates presented

5 THE COSTS OF HEALTHCARE

5.1 Introduction

This section presents estimates of the costs associated with healthcare resource use for conditions attributable to alcohol use.

5.2 GP and practice nurse consultations

The cost of GP and practice nurse consultations was calculated based on the methodology used to update the Cabinet Office estimates for 2008.²³ As there is no direct measure of the number of alcohol-related GP and practice nurse consultation nationally or locally then the following steps were taken.

Based on the findings of the Birmingham Untreated Heavy Drinkers (BUHD) project,⁴⁷ it was estimated that between 22% and 35% of GP consultations were alcohol-related among this cohort of heavy drinkers. Following the methods of the Department of Health report,²³ the arithmetic average of these figures, 28.5% was used in the calculation of alcohol-related consultations.

The General Lifestyle Survey (GLS) 2008 found that nationally, the number of GP consultations per year averaged four for males and five for females. The number of alcohol-related GP consultations per year was estimated by multiplying the average number of GP consultations per year by the number of high-risk drinkers in Leeds, and by the proportion of consultations that are alcohol-related (28.5%). For men, an estimated 25,205 GP consultations per year were alcohol-related and the corresponding figure for women was 18,847.

The estimate of alcohol-related consultations was also assumed to apply to practice nurse consultations and the number of alcohol-related practice nurse consultations was therefore calculated in the same way as the GP consultations. The GLS 2003 found that both men and women reported an average of two practice nurse consultations per year. Using similar calculations as previously described, for men an estimated 12,603 practice nurse consultations per year were alcohol-related, the corresponding figure for women was 7,539.

According the Personal Social Services Research Unit (PSSRU), the average 11 minute GP consultation costs £35 including qualification costs, direct care staff costs, salary oncosts and overheads in 2008/09.⁴⁸ The cost per consultation with a practice nurse was reported to be £11 including qualifications, salary oncosts and overheads. Applying these costs to the

number of alcohol-related GP and practice nurse consultations yields an annual cost of £1.5 million and £0.2 million, respectively.

- There were an estimated 44,052 alcohol-related GP consultations in Leeds in 2008/09, resulting in an estimated cost of £1.5 million.
- There were an estimated 20,141 alcohol-related practice nurse consultations in Leeds in 2008/09, resulting in an estimated cost of £0.2 million.

5.3 Other primary care usage

The Cabinet Office report²¹ and subsequent update in 2008,²³ included costs for alcohol-related use of other primary care services including counselling, community psychiatric nurse visits, health visitors and usage of ‘other services’. Data on the usage of these four categories of primary care services over three years were drawn from the BUHD project.⁴⁷ Table 6 presents the estimated annual usage of these services by high risk drinkers in Leeds.

Table 6. Estimated annual usage of other primary care services

Service	Estimated number of sessions per high risk drinker per year ^a		Estimated annual usage by high risk drinkers in Leeds	
	Males	Females	Males	Females
Counselling	0.20	0.93	4,422	12,300
Community Psychiatric Nurse	0.07	0.17	1,548	2,248
Health visitor	0.00	0.07	0	926
Other professionals	0.17	0.50	3,759	6,613

^a Taken from Birmingham Untreated Heavy Drinkers project

The unit costs for each service element were taken from PSSRU 2009.⁴⁸ Community psychiatric nurse and health visitor visits were based on the costs of a 20 minute session, £18 and £32, respectively including qualification, staff oncosts and overheads. The unit cost of counselling, £42, were based on the costs of an hour of client contact and the cost of visits to ‘other professionals’, £1.58, were based on the costs presented in the 2008 report, uplifted to 2008/09 prices using the Hospital and Community Health Services (HCHS) pay and prices index. Applying these costs to the usage figures yielded a total annual cost of £0.8 million, as shown in Table 7.

Table 7. Estimated costs of annual usage of other primary care services

Service	Cost for usage of other primary care services		
	Males	Females	Total
Counselling	£185,722	£516,601	£702,323
Community Psychiatric Nurse	£27,342	£39,722	£67,064
Health visitor	£0	£29,626	£702,323
Other professionals	£5,932	£10,436	£16,368
Total	£218,996	£596,385	£815,381

5.4 Hospital inpatient visits and day hospital attendances

In order to estimate the number of hospital inpatient visits and day hospital attendances directly and indirectly attributable to alcohol, data were extracted for Leeds local authority from the Department of Health's NI39 data. This national indicator provides local measures of the rate of hospital admissions for alcohol-related harm derived from Hospital Episode Statistics (HES) data. The number of alcohol-related inpatient episodes and day patient episodes were extracted for 2008/09 for a range of alcohol-related conditions^v as shown in Table 25 in Appendix 2.

There were a total of 4,997 alcohol-related inpatient episodes of care and 3,519 alcohol-related day patient episodes of care. According to the PSSRU 2009,⁴⁸ the national average cost per episode for an inpatient stay is £2,626 and the average cost per day case is £638. Applying these costs to the number of alcohol-related hospital inpatient visits and day hospital attendances yielded costs of £13.1 million and £2.2 million respectively.

- There were an estimated 4,997 alcohol-related hospital inpatient visits in Leeds in 2008/09, resulting in an estimated cost of £13.1 million.
- There were an estimated 3,519 alcohol-related day hospital attendances in Leeds in 2008/09, resulting in an estimated cost of £2.2 million.

5.5 Outpatient visits

The cost of outpatient visits was calculated based on the methodology used to update the Cabinet Office estimates for 2008.²³ As there is no direct measure of the number of alcohol-related outpatient visits nationally or locally then the following steps were taken.

^v For further details on the risks of alcohol consumption and diseases and injury see Jones *et al*³

Findings from the BUHD project,⁴⁹ indicated that, compared to the general population, high risk drinkers were twice as likely to have used outpatient services in the past three months. Average outpatient attendances per year were reported to be an average of 1.08 for men and 1.16 for women in the GLS 2008. Based on the assumption that higher-risk drinkers use outpatient services twice as much as the general population, i.e. 2.16 and 2.32 attendances per year respectively, then the excess usage of 1.08 and 1.16 attendances per annum can be assumed to be alcohol-related attendances. Multiplying the excess usage figures by the number of high risk drinkers in Leeds yields an estimated 39,221 alcohol-related outpatient attendances per year (23,879 for men and 15,342 for women).

According to PSSRU 2009,⁴⁸ the average costs for attending adult outpatient services were £126 for 2008/09. Applying this figure to the number of alcohol-related outpatient attendances per year yields an annual cost of £4.9 million.

- There were an estimated 39,221 alcohol-related outpatient attendances in Leeds in 2008/09, resulting in an estimated cost of £4.9 million.

5.6 Accident and emergency attendances

An overall estimate of the number of alcohol-related attendances at accident and emergency (A&E) departments in Leeds is not available. However, data collected by the Safer Leeds Partnership shows that in 2009 over half of all patients who attended Leeds A&E departments complaining of assault had either consumed alcohol or believed that their assailant was drunk. In 2008/09, assaults accounted for approximately 12% of all A&E attendances in Leeds, indicating that alcohol was a factor related to attendance in approximately 7% of all A&E attendances.

Literature-based estimates of the number of A&E attendances which are alcohol-related vary, but the estimate based on the Leeds data appears to lie at the lower end of these. Studies conducted in Liverpool⁵⁰ and Birmingham⁵¹ have estimated that between 12% and 3% of all A&E attendances, respectively, are alcohol-related. However a study conducted in Inverness,⁵² which measured alcohol concentrations in saliva among attendees found that 22-25% of attendances were alcohol-related. The Cabinet Office report and recent update^{21,23} used an estimate of 35% based on a MORI survey of A&E staff, and the recent Scotland report²⁸ used a range of estimates between 2% and 40%.

Estimates of the number of alcohol-related attendances in A&E are therefore presented as low, mid and high estimates based on 2.9%, 7% and 35% of A&E attendances being alcohol-related. These proportions are applied to the number of A&E attendance within Leeds

Primary Care Trust (PCT) in 2008/09 (n=35,030). According to the PSSRU 2009,⁴⁸ costs for A&E services for 2008/09 ranged from £126 to £93, depending on whether treatment led to admittance. Taking the average of these costs gave an estimated cost of £110 per A&E attendance. Applying this cost to the estimated number of alcohol-related attendances resulted in costs between £0.1 million and £1.3 million, as shown in Table 8.

Table 8. Estimated costs of alcohol-related A&E attendance

Proportion of A&E attendances that are alcohol-related	Number of alcohol-related attendances	Cost of A&E attendances
2.9%	1,016	£111,238
7%	2,452	£268,505
35%	12,261	£1,342,525

- There were an estimated 1,016 to 12,261 alcohol-related A&E attendances in Leeds in 2008/09, resulting in estimated costs between £0.1 and £1.3 million.

5.7 Ambulance service

Ambulance services in Leeds are provided by the Yorkshire Ambulance Service (YAS). In 2008/09 there were 451,060 emergency and urgent patient journeys across the entire region serviced by the YAS. Assuming that 16% of the estimated population of Yorkshire and the Humber reside in Leeds (based on mid-year population estimates for 2008) then an estimated 71,740 patient journeys occurred within the Leeds area.

As with the calculations presented for A&E attendances, estimates of the number of alcohol-related ambulance journeys are presented as low, mid and high estimates based on 2.9%, 7% and 35% of journeys attendances being alcohol-related. No national average cost for emergency ambulance journeys was reported by the PSSRU for 2008/09. Therefore the average cost was calculated from the average of the 2007 prices for the average cost per patient journey of paramedic unit or emergency ambulance journey (£344 and £263, respectively), uplifted to 2008/09 prices to give an average cost of £318. Applying this cost yielded estimates between £0.7 million and £8.0 million, as shown in Table 9.

Table 9. Estimated costs of alcohol-related emergency ambulance journeys

Proportion of A&E attendances that are alcohol-related	Number of alcohol-related attendances	Cost of A&E attendances
2.9%	2,080	£661,006
7%	5,022	£1,595,531
35%	25,109	£7,977,653

- There were an estimated 2,080 to 5,022 alcohol-related emergency and urgent ambulance journeys in Leeds in 2008/09, resulting in estimated costs between £0.7 and £8 million.

5.8 Alcohol dependency prescribed drugs

Drugs used in the treatment of alcohol dependence include disulfiram, long acting benzodiazepines, clomethiazole and acamprosate.^{vi} Following the methodology presented in the Cabinet Office report²¹ and subsequent update,²³ the cost of prescriptions for these drugs were identified from the Prescription Cost Analysis for 2008/09.

In 2008/09, the net ingredient cost (NIC) to Leeds PCT for prescribing drugs used in substance dependence was £2.3 million. This cost was not broken down according to the individual substances prescribed but based on national data the assumption was made that acamprosate and disulfiram accounted for 1.5% and 0.9% of the items dispensed within this category, resulting in a total annual cost of £56,234 in 2008/09 prices.

Although long-acting benzodiazepines, such as chlordiazepoxide, and clomethiazole are also used for alcohol withdrawal as they are indicated for use in the treatment of other conditions it was not possible to determine the costs attributable to alcohol dependence. The NIC to Leeds PCT in 2008/09 for prescribing hypnotics and anxiolytics was £855,786.

- The costs of prescribing drugs for alcohol dependency in Leeds in 2008/09 were estimated at £56,234.

^{vi} British National Formulary. 56 ed. London: British Medical Association and Royal Pharmaceutical Society of Great Britain; 2008

5.9 Alcohol treatment services

A wide range of treatment services are provided for alcohol users in Leeds by public sector, private sector and voluntary organisations. Services range from brief interventions (within tier 1 and 2 treatment settings) to specialist structured care and inpatient detoxification (tier 3 and 4, as defined in Models of Care⁵³). Funding is also directed through a range of agencies as detailed below and in Table 10.

Community alcohol services in Leeds are delivered through a number of different treatment providers receiving funding through NHS Leeds, the local authority Adult Social Care department, Leeds Supporting People and the Safer Leeds Partnership. In addition, the Leeds Addiction Unit is funded by NHS Leeds to deliver structured intervention and detoxification for patients with complex needs.

There are three main charities in Leeds who receive funding through various streams to deliver a variety of interventions. Addiction Dependency Solutions is funded through Local the local authority Adult Social Care department and NHS Leeds to deliver community alcohol interventions and through NHS Leeds to provide brief interventions in a primary care setting. The service is also funded through the Safer Leeds Partnership to deliver treatment intervention to individuals accessing the Alcohol Treatment Requirement scheme. A scheme that provides probation supervision and alcohol treatment to offenders who have committed an alcohol related offence. St Anne's Community Services provides specialist support for alcohol users, through the provision detoxification and rehabilitation beds, and a floating support service for alcohol detoxification, rehabilitation and aftercare. The service receives funding from NHS Leeds to deliver the inpatient detoxification, the local authority Adult Social Care department to provide a rehabilitation service and from Leeds Supporting People to deliver aftercare through the floating support service. St Georges Crypt, a Christian Charity, provides care and support for homeless, vulnerable and disadvantaged people and offers two treatment services in Leeds which are both funded by Leeds Supporting People. Regent House, a Wet House is a hostel for men and permits residents to drink within the confines of the hostel and is the only project of its kind in Leeds. A second wet hostel in the city, Carr Beck, provides accommodation and support services for female dependent drinkers through Leeds Housing Concern. The Faith Lodge service, a dry hostel, provides a structured programme of skills training and confidence building. The hostel provides 14 beds for residents who have made a conscious decision to stay off alcohol and/or drugs permanently.

Expenditure on alcohol treatment services in Leeds also includes spending on out of area detoxification and rehabilitation services through NHS Leeds and the Adult Social Care budget, and alcohol arrest referral. The Alcohol Arrest Referral Service in Leeds is provided

by Crime Reduction Initiatives with funding support from the Safer Leeds Partnership. The service works in custody and the community supporting clients to access a range of services including; prescribing, housing, education training and employment and primary health care.

Table 10. Expenditure on alcohol treatment services in Leeds, 2008/09

Service	Agency or agencies providing service	Commissioned by	Annual cost
Community alcohol services	Addiction Dependency Solutions	NHS Leeds	£96,200
Community alcohol services	Addiction Dependency Solutions	Adult Social Care	£71,728
Community detoxification	Leeds Addiction Unit	NHS Leeds	£994,046
Primary Care Brief Intervention	Addiction Dependency Solutions	NHS Leeds	£140,000
Residential detoxification	St Anne's Community Services	NHS Leeds	£237,211
Residential rehabilitation	St Anne's Community Services	Adult Social Care	£357,619
Floating Housing Support	St Anne's Community Services	Leeds Supporting People	£31,180
Wet House (men)	St George's Crypt	Leeds Supporting People	£85,347
Wet House (women)	Carr Beck/Leeds Housing Concern	Leeds Supporting People	£109,003
Dry house	Faith Lodge	Leeds Supporting People	£76,875
Out of area detoxification	Various	NHS Leeds	£150,000*
Out of area rehabilitation	Various	Adult Social Care	Unknown
Alcohol treatment requirement	Addiction Dependency Solutions	European Union/Safer Leeds Partnership	Unknown
Alcohol arrest referral	Crime Reduction Initiatives	European Union/Safer Leeds Partnership	Unknown

*majority of expenditure on drug treatment services

Source: NHS Leeds

As shown in Table 10, expenditure on alcohol treatment services in Leeds in 2008/09 was £1.8 million not including expenditure through the Adult Social Care service budget, which is considered in Section 6.2. Including these Adult Social Care expenditure, and assuming that spending on out of area detoxification was half the amount reported, expenditure on alcohol treatment services in Leeds in 2008/09 was £2.2 million.

- The costs of providing alcohol treatment services in Leeds in 2008/09 were estimated at £1.8 million.

6 THE COSTS OF SOCIAL CARE

6.1 Children’s and families services

Forrester and Donald^{54,55} found that substance misuse was a common issue within child care social work. Based on a study of case files across four London boroughs over a 1-year period,⁵⁴ they found that parental substance misuse emerged as a major factor in 34% of cases; 14% of families were affected solely by alcohol misuse and 9% of families were affected by both drug and alcohol problems. Currently, no national study has been undertaken on the extent and nature of parental substance misuse in social work cases.

According to the Personal Social Services Expenditure and Units Costs published for England, gross total expenditure by Leeds City Council on Children’s and Families services was £109,056,000 in 2007/08. Estimates for gross total expenditure on child care social work associated with parental alcohol misuse are presented in Table 11, according to different assumptions about the proportion of child care social work cases that are alcohol-related. Based on these assumptions, alcohol-related expenditure on children’s and families services in Leeds in 2007/08 was between £15.3 million and £37.1 million. Using the GDP deflator series, the costs were uplifted to 2008/09, yielding estimated costs between £15.7 million and £38.0 million, with a mid-point estimate of £26.8 million.

Table 11. Estimated alcohol-related expenditure on children’s and families services in Leeds

Proportion of child social care that is alcohol-related	Costs	
	2007/08	uplifted to 2008/09
Any substance misuse = 34%	£37,079,040	£38,011,461
Alcohol misuse or drug and alcohol misuse = 23%	£25,082,880	£25,713,635
Alcohol misuse only =14%	£15,267,840	£15,651,778

- The costs of child social work associated with parental alcohol misuse in Leeds in 2008/09 were estimated to be between £15.7 million and £38.0 million, with a mid-point estimate of £26.8 million.

6.2 Adult social care

According to the Personal Social Services Expenditure and Units Costs for England, gross total expenditure by Leeds City Council on adult services for substance abuse was £488,000 in 2007/08. It is not clear what proportion of this expenditure was spent in relation to alcohol misuse. Assuming that between 25% and 50% of expenditure was related to alcohol misuse, alcohol-related expenditure on adult social care services in Leeds in 2007/08 was between £122,000 and £244,000, respectively. Using the GDP deflator series, the costs were uplifted to 2008/09, yielding estimates between £125,068 and £250,136, with a mid-point estimate of £187,602.

- The costs of adult social care services related to alcohol misuse in Leeds in 2008/09 were estimated to be between £125,068 and £250,136, with a mid-point estimate of £187,602.

7 CRIMINAL JUSTICE SYSTEM COSTS

7.1 Alcohol-specific crimes

There are several low-level offences that are alcohol-specific. A recent update of the costs of alcohol-related crime found that the total cost attributable to alcohol-specific offences in England, including driving offences that do not result in death, was £208 million.⁵⁶

The cost of an arrest was estimated at £165.15, based on an estimate of 5 hours for a drunk and disorderly arrest and for police time of £33.03 per hour. Court costs associated with alcohol-related crime were estimated based on the Office of Criminal Justice Reform's marginal unit costs and the costs (to the police, the Crown Prosecution Service, Legal Aid and Her Majesty's Courts Service) of a summary non-motoring offence in which the defendant pleaded guilty was assumed to be £407. The authors report that it was not possible to put a cost on the issuing of a caution, over and above the cost of first arresting the offender.

Proceedings, cautions and sentence disposal data were not available at a sufficient level for estimates of the volumes of alcohol-specific crime within Leeds to be calculated. The national figure was therefore adjusted to the Leeds population, assuming that 1.5% of the population of England reside within the Leeds area. Based on these calculations, the estimated cost attributable to alcohol-specific offences in the Leeds area is in the region of £3.0 million.

For a range of offences, including alcohol-related sale, purchase and consumption offences, the police may issue penalty notices for disorder (PNDs). The recent update of the costs alcohol-related crime estimated that based on 1.5 hours of police time at a cost of £33.03 per hour and a payment rate of 52%, the net cost of issuing PNDs for alcohol-specific offences was approximately £800,000.⁵⁶ Applying these estimates to the 1,787 PNDs issued by West Yorkshire Police in 2008, resulted in costs attributable to alcohol-specific PNDs of £42,498.

- The cost attributable to alcohol-specific offences in Leeds in 2008/09 was in the region of £3.0 million.

7.2 Alcohol-related crimes

It is difficult to accurately measure the proportion of crimes and offences that are alcohol-related, but studies have shown an association between alcohol misuse and disorderly and offending behaviour. Among young people, a Home Office study⁵⁷ demonstrated that there was an association between binge drinking and involvement in disorderly and criminal behaviour and based on analysis of the 2003 Offending, Crime and Justice Survey (OCJS), Matthews and Richardson⁵⁸ found that those who frequently drink to excess were more likely to report offending in the previous year than those who reported drinking less frequently.

Levels of recorded crime aggregated by offence group in Leeds LA in 2008/09 were extracted from Home Office statistics. In order to estimate the number of offences within these categories, national recorded crime statistics were used to apportion the aggregated number of offences. For example, there were 1,407 recorded robberies in Leeds LA in 2008/09 of which, according to national data, 88% were robbery from an individual and 12% were robbery from a business, resulting in 1,243 and 164 offences, respectively. These calculations were repeated for 20 alcohol-related offences. To take into account underreporting of crimes, a multiplier was applied to each recorded offence to better estimate actual volumes of crime. The multipliers were taken from two studies by Dubourg *et al*,⁵⁹ and Brand and Price,⁶⁰ respectively. The proportion of crimes and offences that were alcohol-related were taken from the 2005 OCJS.⁶¹ These figures were based on the proportion of incidents committed by offenders aged 10-25 years old according to whether they had taken alcohol, or drugs and alcohol at the time of the incident. The proportion of alcohol-related crimes and offences were applied to the estimated number of offences in Leeds LA in 2008/09 across 20 offences, yielding the estimates shown in Table 12. Overall, there were an estimated 85,973 alcohol-related crimes and offences in Leeds LA in 2008/09, with criminal damage and theft from shops comprising the majority of the offences committed.

Table 12. Estimated number of alcohol-related crimes and offences

Type of offence	Recorded crime 2008/09	Multiplier	Estimated total offences	Proportion of alcohol-related crimes	Estimated alcohol-related offences
Burglary in business	6,368	3.7	23,562	7%	1,649
Burglary in a dwelling	9,248	2.2	20,346	7%	1,424
Criminal damage	16,586	4.3	71,320	37%	26,388
Theft of a vehicle	2,732	1.2	3,278	34%	1,115
Theft from a vehicle	7,775	2.8	21,770	34%	7,402
Aggravated vehicle taking	188	1.2	226	34%	77
Theft from a person	1,490	4.6	6,856	7%	480
Theft of a pedal cycle	1,732	3.6	6,234	7%	436
Theft from shops	5,331	100.0	533,147	7%	37,320
Other theft	7,851	2.7	21,199	7%	1,484
Robbery from individual	1,243	3.7	4,599	7%	322
Robbery from business	164	3.7	607	7%	43
Sexual offences	715	5.2	3,718	21%	781
Homicide	9	1.0	9	21%	2
Causing death by dangerous driving	0	1.0	0	100%	0
Assault on a constable	240	7.7	1,849	19%	351
Assault without injury	2,722	7.7	20,956	19%	3,982
More serious wounding	323	1.8	582	26%	151
Less serious wounding	5,468	1.8	9,842	26%	2,559
Violent disorder	20	1.8	36	21%	8
<i>Leeds LA, 2008/09</i>					

Two Home Office studies estimated the economic and social costs of crime in 2000 and 2005, respectively.^{59,60} Updated estimates of the unit costs of crime for each of the 20 offences were taken from Dubourg *et al*,⁵⁹ with the exception of crimes in the commercial and public sector which were taken from Brand and Price⁶⁰ as these figures were not updated in the more recent study. Costs were divided into three categories, estimating: (1) costs in anticipation of crime; (2) costs as a consequence of crime; and (3) criminal justice system costs. Unit costs were uplifted to 2008/09 using GDP deflators published by the HM Treasury. Applying these cost estimates to the estimated number of alcohol-related crimes and offences yielded total costs of £124.5 million, as shown in Table 13.

- There were an estimated 85,973 alcohol-related crimes and offences in Leeds LA in 2008/09, yielding total costs of £124.5 million.

Table 13. Estimated cost of alcohol-related crimes and offences in Leeds LA, 2008/09

Type of offence	Estimated total costs of alcohol-related crime			
	In anticipation	As a consequence	Criminal Justice System	Total
Burglary in business	£1,958,338	£2,556,146	£1,010,090	£5,524,574
Burglary in a dwelling	£644,453	£2,804,503	£1,841,062	£5,290,018
Criminal damage	£1,470,102	£20,761,437	£3,780,262	£26,011,800
Theft of a vehicle	£1,160,849	£3,829,788	£252,193	£5,242,831
Theft from a vehicle	£1,396,963	£5,402,712	£420,772	£7,220,447
Aggravated vehicle taking	£80,055	£264,112	£17,392	£361,559
Theft from a person	£60,563	£282,082	£118,398	£461,043
Theft of a pedal cycle	£16,372	£149,330	£149,330	£315,033
Theft from shops	£1,399,353	£2,332,255	£932,902	£4,664,511
Other theft	£55,675	£504,372	£507,827	£1,067,875
Robbery from individual	£7,686	£1,705,009	£951,954	£2,664,649
Robbery from business	£69,058	£120,054	£74,370	£263,482
Sexual offences	£7,102	£24,972,887	£2,927,648	£27,907,636

Type of offence	Estimated total costs of alcohol-related crime			
	In anticipation	As a consequence	Criminal Justice System	Total
Homicide	£816	£2,869,303	£314,879	£3,184,999
Causing death by dangerous driving	£0	£0	£0	£0
Assault on a constable	£0	£473,738	£101,858	£575,595
Assault without injury	£0	£5,369,008	£1,154,382	£6,523,390
More serious wounding	£344	£1,216,305	£2,466,133	£3,682,782
Less serious wounding	£5,818	£20,582,862	£2,845,235	£23,433,916
Violent disorder	£17	£73,227	£16,657	£89,901
Total	£8,333,564	£96,269,131	£19,883,343	£124,486,039

8 THE COSTS OF LOST PRODUCTIVITY

8.1 Presenteeism

Costs for alcohol-related reduced productivity in the workplace (or presenteeism) were not calculated in the Cabinet Office report,²¹ but were included in the most recent estimate of the economic and social costs of alcohol in Scotland.²⁸ Calculation of these costs was based on a survey of employees undertaken by reed.co.uk, which found that an average of 0.68 days^{vii} annually were lost due to alcohol-related reduced productivity in the workplace.

Assuming that full-time workers lose 0.68 days per year and part-time workers lose 0.34 days, a total of 218,857 days were lost in Leeds in 2008/09 due to alcohol-related reduced productivity in the workplace. Following the methodology presented in the study of the economic and social costs of alcohol in Scotland in 2007,²⁸ the median gross weekly earnings of full-time employees in Leeds in 2009 were uplifted by 10% and 20% to reflect the estimated additional costs incurred by employers, such as National Insurance and other oncosts. The median gross costs per day for employers in Leeds were £116.85 (with 10% uplift) and £127.48 (with 20% uplift). As shown in Table 14, the cost of the lost output due to alcohol-related presenteeism was between £25.6 million and £27.9 million, with a mid-point value of £26.7 million.

Table 14. Costs of alcohol-related presenteeism in 2008/09

	Days lost due to presenteeism	With 10% uplift	With 20% uplift
Assuming all employees lose 0.68 days per year	257,176	£30,051,684	£32,783,656
Assuming full-time workers lose 0.68 days per year and part-time workers lose 0.34 days per year	218,857	£25,573,983	£27,898,891

- An estimated 218,857 days were lost due to alcohol-related reduced productivity in Leeds in 2008/09, with associated costs between £25.6 and £27.9 million, with a mid-point value of £26.7 million.

^{vii} Respondents reported turning up to work with a hangover on average two and a half days a year and reported themselves to be 27% less efficient on these days.

8.2 Absenteeism

The costs of alcohol-related absenteeism were also calculated based on the methodology presented in the study of the economic and social costs of alcohol in Scotland in 2007.²⁸ Using estimates from the Cabinet Office report,²¹ between 6% and 15% of working days lost to sickness were attributed to alcohol-related sickness.

In 2008, the CBI/AXA Absence Survey found that the average days of sick leave in Yorkshire and the Humber was approximately 8.9 days. Based on the total number of person in employment in Leeds (n=378,200), and assuming that part-time workers have an average of 4.45 days of sick leave, there were nearly 3 million (2,864,449) days of sick leave in Leeds in 2008/09. Table 15 summarises the costs associated with days of sick leave according to whether 6% or 15% of the proportion of days of sick leave are assumed to be alcohol-related. The annual cost to Leeds economy in 2008/09 was estimated to be between £21.4 million and £52.5 million, with a mid-point value of £36.7 million.

Table 15. Costs of alcohol-related absenteeism in Leeds, 2008/09

	Total days of absence	Number of days of alcohol-related sick leave		Costs due to alcohol-related sick leave*	
		6%	15%	6%	15%
Full-time employees	2,362,918	141,775	354,438	£17,319,822	£43,299,556
Part-time employees	501,531	30,092	75,230	£3,676,145	£9,190,362
All employees	2,864,449	171,867	429,667	£20,995,967	£52,489,917

*Costs presented are the mid-point values based on the median gross cost per day uplifted by 10% or 20%

- Between 171,867 and 429,667 days were lost due to alcohol-related absenteeism in Leeds in 2008/09 with associated costs between £21.0 million and £52.5 million, with a mid-point value of £36.7 million.

8.3 Unemployment

Estimation of the costs due to alcohol-related employment followed the methods presented in the Cabinet Office report.²¹ The methodology presented in this report was based on a study conducted by MacDonald and Shields,⁶² who found that being a problem drinker led to a reduction in the probability of working by between 7% and 31%. Using these findings the Cabinet Office report²¹ estimated that male heavy drinkers spent an average 11.4 days

per year unemployed with a corresponding figure of 8.1 days per year unemployed for female heavy drinkers. The number of economically active, alcohol dependent males and females in Leeds was calculated by applying national estimates of the proportion of heavy drinkers in the population (see Box 1) to the number of working age adults in Leeds in 2008 (aged 16-64M/59F; n=516,600) and multiplying by the economic activity rate. Based on these calculations there were an estimated 15,031 economically active, alcohol dependent males and 7,462 economically active, alcohol dependent females in Leeds in 2008.

Applying the estimates of 11.4 days per year unemployed for males and 8.1 days per year unemployed for females resulted in a total of 231,796 days per year of unemployment due to alcohol dependence in Leeds in 2008/09 (171,350 days of unemployment for male heavy drinkers and 60,445 days of unemployment for female heavy drinkers). The estimated cost to the Leeds economy in 2008/09 of unemployment due to alcohol dependence was £25.6 million.

- A total of 231,796 days were lost due to alcohol-related unemployment in Leeds in 2008/09 with associated costs of £25.6 million.

8.4 Premature mortality

The number of potential years of working life lost directly and indirectly due to alcohol misuse were calculated. The number of alcohol-related deaths in 2007 (latest data available) were calculated and are presented in 5-year age bands in Table 16.

Table 16. Number of alcohol-related deaths in Leeds, 2007

	Age (years)										Total
	15-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	
Males	1	8	2	8	11	15	11	12	22	16	106
Females	0	1	1	0	0	5	7	6	7	7	34
Total	1	9	3	8	11	20	18	18	29	23	140

Source: NWPHO

The years of potential working life lost were calculated by assuming that all of the deaths occurred at the mid-point within each age band and that men and women both retire at the age of 65 years. Overall, there were a total of 2,440 years of potential working years of life lost in Leeds in 2007; 1,963 among males and 477 among females. These figures were

adjusted to reflect the employment rate in 2008 of 73.1% among males and 69.5% among females. The value of this loss of potential working life was estimated by multiplying the years of employed life lost by the average earnings for male and female employees in Leeds in 2009, adjusted for the proportion of the workforce in full-time and part-time employment. Future earnings were discounted at 3.5% and a productivity growth rate of 2% per annum was assumed.²² The estimated cost to the Leeds economy in 2008/09 was £29.2 million, comprising costs of £24.2 million and £5.1 million arising from alcohol-related deaths among males and females, respectively.

- A total of 2,440 years of potential working years of life were lost in Leeds in 2007 with associated costs of £29.2 million.

9 WIDER SOCIAL & ECONOMIC COSTS

9.1 Fire service attendance at alcohol-related house fires and RTAs

Expenditure on fire fighting and rescue operations in West Yorkshire was £69.1 million in 2008/09.⁶³ Assuming that 34% of the population of West Yorkshire reside in Leeds, then an estimated £23.5 million was spent on delivering fire fighting and rescue operations in the Leeds area. The following calculations considered the costs that the fire services incur due to alcohol-related house fires and road traffic accidents.

A report by the Department for Communities and Local Government found that substance use, including legal and illegal substance use, was common at the time of fires. In around 33% of the fire cases investigated, the victim was impaired by alcohol. Alcohol was reported to have been a direct cause of fire in 25% of fires and as a factor affecting the response to the fire in 26% of fires. In 2008/09 there were 84 primary (building) fires in West Yorkshire in which the occupier was impaired or possibly impaired by alcohol or drugs; 34 of these were in Leeds District.^{viii} Assuming that the average cost of fire service attendance at a domestic fire was £27,544 per house fire resulted in estimated costs of £936,496.

There were 983 road traffic accidents (RTAs) attended by West Yorkshire Fire and Rescue Services in 2009/10; 3% of incidents attended by the service within that year.⁶⁴ In Great Britain in 2008, an estimated 6% of all road casualties occurred when someone was driving whilst over the legal alcohol limit.⁶⁵ Assuming that 6% of all RTAs attended were alcohol-related and that 3% of fire service expenditure on fire fighting and rescue operations was spent on attending RTAs, then the estimated cost in 2008/09 was £124,454. Assuming that 34% of the population of West Yorkshire resides in Leeds then the approximate costs for attending alcohol-related RTAs in Leeds in 2008/09 was in the region of £42,000.

- Costs associated with fire service attendance at alcohol-related house fires and RTAs were estimated at £1.0 million.

9.2 Lost value of non-paid work and activities before retirement

The value of the lost output among non-participants in the workforce was calculated based on the methods presented in the study of the economic and social costs of alcohol in Scotland in 2007.²⁸ These calculations assumed that non-participants in the workforce would have undertaken a variety of unpaid work and activities and the methods were

^{viii} Personal communication from West Yorkshire Fire and Rescue Service.

similar to those used to calculate the value of lost productivity in the workforce in Section 8.4. These data indicated that 27% of men and 31% of women in the Leeds area were not in employment. To place a value on the time spent on non-work activities, the Scottish report²⁸ used the wage of the occupational group with the lowest median weekly earnings. As this data was not available for Leeds, the weekly earnings of the bottom 10% of earners in 2009, of £279.40 for males and £267.40 for females, was used in the calculations presented here. Converting these to annual earnings resulted in proxy annualised earnings of £14,569 for males and £13,943 for females.

Applying these annual values to the premature years of life lost among the non-participants in the workforce, discounting future earnings at 3.5% and assuming a productivity growth rate of 2% per annum,²² resulted in costs to the Leeds economy of £8.1 million. These costs comprised £6.4 million and £1.7 million arising from alcohol-related deaths among males and females, respectively.

- Costs associated with the lost output of non-participants in the workforce were estimated at £8.1 million.

9.3 Lost value of non-paid work and activities after retirement

The value of non-paid work undertaken between retirement and the age of 75 was also calculated. Between the ages of 65 to 74 years there were 37 alcohol-related deaths in Leeds in 2007. Based on the expected life span, a total of 559 years of life were lost prematurely after retirement. Using the same methodology as the study of the economic and social costs of alcohol in Scotland in 2007,²⁸ the value of the non-paid activities undertaken was calculated as the annualised half of the weekly earnings of the bottom 10% of earners in Leeds in 2009 of £270.30, giving a value of £7,047 per year for males and females. Applying this value to the premature years of life lost and discounting by 3.5%, yielded total costs associated with non-paid work and activities after retirement up to the age of 75 years of £3.0 million (£1.8 million for males and £1.2 million for females).

9.4 Intangible costs

The intangible or human costs associated with alcohol-related morbidity and mortality were calculated based on the methods presented in the study of the economic and social costs of alcohol in Scotland in 2007.²⁸ These study identified two values of a year of life: (1) £30,000 based on the upper threshold QALY used by the National Institute for Health and Clinical Excellence; and (2) £50,000 based on the views of the Department of Health. As in the

Scotland study, these values were used to estimate the human costs associated with premature mortality directly and indirectly due to alcohol misuse.

Years of life lost up to the age of 75 years were calculated based on the number of alcohol-related deaths in Leeds in 2007, within 5-year age bands. A total of 5,235 years of life were lost due to premature mortality in Leeds in 2007. As shown in Table 17, applying a value of £30,000 to every year of life lost due to alcohol-related premature mortality in Leeds in 2007 yielded total costs of £92.3 million (discounted at 3.5%). For a value of £50,000 per life year the associated costs were £153.9 million (discounted at 3.5%). The midpoint of these values was £123.1 million.

Table 17. Intangible costs of premature mortality

	Years of life lost	Costs of premature mortality	
		£30,000 per life year	£50,000 per life year
Males	3,894	£67,898,626	£113,164,377
Females	1,341	£24,434,469	£40,724,114
Total	5,235	£92,333,095	£153,888,492

- A total of 5,235 years of life were lost due to premature mortality in Leeds yielding intangible or human costs between £92.3 million and £153.9 million, with a midpoint of £123.1 million.

9.5 School failure and reduced educational attainment

Alcohol use among young people is associated with school failure and reduced educational attainment. In the 2007 ESPAD report, 13% of young people aged 15-16 years old reported performing poorly at school or work because of their alcohol use. A recent study based on data from the UK National Child Development Study⁶⁶ found that male heavy drinking in adolescence had a negative effect on the receipt of postsecondary qualifications by age 42. Males from working-class families were most affected by heavy alcohol use in these analyses, but heavy alcohol use had little effect on female educational attainment. Analyses of data from the US National Longitudinal Survey of Youth 1979, has shown that late graduation as a consequence of binge drinking during the senior year of high school is associated with lower labour earnings.^{67,68}

Although there is evidence for an association between alcohol use among young people and educational attainment, and the subsequent effects of this on earning potential, there are

currently no methods on the basis of which it would be possible to estimate the related costs to society.

9.6 Alcohol-related litter

Alcohol-related litter represents a serious environmental health and community safety issue in many communities.⁶⁹ For example, a study of drug and alcohol-related litter in a social housing community in Scotland found little evidence of drug related litter, but identified more than 1,400 items of alcohol-related litter, much of which was glass (including intact and broken glass).⁷⁰ Of the quarter of respondents to the 2008/09 British Crime Survey⁷¹ who thought that people being drunk or rowdy in public places was a very or fairly big problem in their area, two-thirds reported experiencing cans and bottles left on the streets or thrown into gardens, and as part of a local campaign to tackle litter in Stockport, alcohol-related litter was identified on 62% of paths.⁷²

Although there is evidence to suggest that alcohol-related litter can be a significant issue in many communities, there is currently insufficient data on the basis of which it would be possible to estimate the costs associated with alcohol-related litter clean-up.

10 DISCUSSION

Alcohol misuse imposes a considerable burden on the Leeds economy, costing an estimated £438.0 million in 2008/09. Of the total costs, 13% were due to expenditure on health and social care services, 29% of costs were due to expenditure on crime and within the criminal justice system, 27% were due to lost productivity and 31% were due to the wider social costs of alcohol misuse.

Alcohol plays an important role in society and makes a contribution to the Leeds economy, both directly and indirectly, through employment in industries related to alcohol. The contribution that alcohol makes to the Leeds economy is mainly through employment in pubs, bars and restaurants, and the expansion in the city's nightlife scene has been central to the development of the city centre over the last decade. The Leeds economy also derives a small benefit from employment in industries related to the production, distribution and retail of alcoholic drinks. The social benefits of alcohol lie in its consumption and in the Yorkshire and Humber region, three quarters of men and almost three fifths of women report drinking on a weekly basis. Households in the region also spend more per week than the national average on alcoholic drinks, with households in Leeds alone spending an estimated £4.5 million on alcoholic drinks per year. However, as well as bringing benefits, alcohol is associated with a range of harms. For example, the impact of alcohol on health shortens the life expectancy of male and female residents in Leeds by an average of 11 and 5 months, respectively, and resulted in approximately 12,800 alcohol-related hospital admissions in 2008/09. There is also an association between alcohol use and offending, and excessive alcohol consumption also affects productivity in the workplace, for example, by increasing the likelihood of employees being absent from work.

Cost-of-illness methods were used to estimate the economic and social costs of alcohol-related harm in Leeds, an approach which has been widely used in other costing studies to estimate the burden of alcohol misuse to society. These methods are not a form of economic evaluation but they do provide a clear means of presenting and understanding the economic costs attributable to alcohol use. The impact of alcohol-related harm in Leeds was examined by estimating: alcohol-related expenditure on health and social care and within the criminal justice system; the wider costs including productivity losses in the workplace; and the human costs representing the impact of illness, injury and death on the individual through pain and suffering, as well as on their friends and family.

The total annual burden of alcohol to the Leeds economy was estimated to be £438.0 million in 2008/09. As shown in the Table 18 below, the wider social costs of alcohol misuse

(including human costs) and lost productivity together comprised nearly three fifths of the total costs to the Leeds economy. Health and social care costs comprised the smallest amount of the costs attributable to alcohol use.

Table 18. Annual costs of alcohol misuse to the Leeds economy, 2008/09

Resource	Annual cost (£ million)
Health and social care	57.6
Criminal justice system	127.5
Workplace and productivity	117.7
Wider social costs	135.2
Total	438.0

It should be noted that there are limitations to the estimates derived. Some costs associated with alcohol misuse have not been calculated; including the costs associated with cleaning up alcohol-related litter and the costs associated with school failure and reduced educational attainment. The costs calculated were often based on assumptions drawn from the national and international literature and in these cases it is not known whether the estimates derived were over or under the true costs. However, where possible we have presented conservative estimates for these costs.

11 REFERENCES

1. Single E., Collins D., Easton B., Harwood H., Lapsley H., Kopp P. *et al.* *International guidelines for estimating the costs of substance abuse: second edition*. Geneva: World Health Organisation; 2003.
2. Prime Minister's Strategy Unit. *Alcohol Harm Reduction Strategy for England*. London: Strategy Unit; 2004.
3. Jones L., Bellis M. A., Dedman D., Sumnall H., Tocque K. *Alcohol-attributable fractions for England. Alcohol-attributable mortality and hospital admissions*. Liverpool: North West Public Health Observatory; 2008.
4. Goodall T., Lawrance K. *Leeds Alcohol Strategy 2007-2010*. Leeds: Safer Leeds and Healthy Leeds Partnerships; 2006.
5. Robinson S., Bugler C. *General Lifestyle Survey 2008. Smoking and drinking among adults, 2008* Newport: Office for National Statistics; 2010.
6. North West Public Health Observatory. *Local alcohol profiles for England*. Liverpool: North West Public Health Observatory; 2009; Available at: www.nwph.net/alcohol/lape (cited 27 April 2010).
7. The Information Centre. *Statistics on alcohol: England, 2010* London: The NHS Information Centre 2010.
8. Office for National Statistics. *Family Spending. A report on the 2008 Living Costs and Food Survey. 2009 Edition*. Basingstoke: Palgrave Macmillan; 2009.
9. Dodgson J., Bramley-Harker E., Spackman M., Aslam S., Barham L. *Alcohol in London: a cost-benefit analysis. A final report for the Greater London Authority*. New York NY: NERA Economic Consulting; 2003.
10. Anderson P., Baumberg B. *Alcohol in Europe: A public health perspective*. London: Institute of Alcohol Studies; 2006.
11. Leeds City Council. *Leeds economy handbook*. Leeds: Leeds City Council; 2010.
12. Langley J., Bellamy V. *Pub and club density. Briefing paper*. Mansfield: East Midlands Public Health Observatory; 2009.
13. Long K. Labour productivity measures from the ABI: 1998 to 2007. *Economic & Labour Market Review* 2010; **4**: 30-43.
14. Byford S., Torgerson D. J., Raftery J. Economic note: cost of illness studies. *BMJ* 2000; **320**: 1335.
15. Thavorncharoensap M., Teerawattananon Y., Yothasamut J., Lertpitakpong C., Chaikledkaew U. The economic impact of alcohol consumption: a systematic review. *Substance Abuse Treatment, Prevention and Policy* 2009; **4**.
16. Single E., Collins D., Easton B., Harwood H., Lapsley H., Kopp P. *et al.* *International guidelines for estimating the costs of substance abuse: 2001 edition*. Ottawa: Canadian Centre on Substance Abuse 2001.
17. Collins D. J., Lapsley H. M., Brochu S., Easton B., Pérez-Gómez A., Rehm J. *et al.* *International guidelines for the estimation of the avoidable costs of substance abuse*. Ottawa: Health Canada; 2006.
18. Lister G., Fordham R., Mugford M., Olukoga A., Wilson E., McVey D. *The societal costs of potentially preventable illnesses: a rapid review*. London: National Social Marketing Centre; 2006.

19. Ament A., Evers S. Cost of illness studies in health care: a comparison of two cases. *Health Policy* 1993; **26**: 29-42.
20. Balakrishnan R., Allender S., Scarborough P., Webster P., Rayner M. The burden of alcohol-related ill health in the United Kingdom. *Journal of Public Health* 2009; **31**: 366-73.
21. Cabinet Office. *Alcohol misuse: How much does it cost?* London: Cabinet Office; 2003.
22. Cabinet Office. *Alcohol misuse: How much does it cost? Annexes*. London: Cabinet Office; 2003.
23. Health Improvement Analytical Team. *The cost of alcohol harm to the NHS in England: An update to the Cabinet Office (2003) study*. London: Department of Health; 2008.
24. Catalyst Health Economics Consultants. *Alcohol misuse in Scotland. Trends and costs*. Edinburgh: Scottish Executive; 2001.
25. Varney S. J., Guest J. F. The annual societal cost of alcohol misuse in Scotland. *Pharmacoeconomics* 2002; **20**: 891-907.
26. Scottish Government. *Cost to society of alcohol misuse in Scotland: an update to 'Alcohol Misuse in Scotland Trends and Costs'*. Edinburgh: Scottish Government; 2004.
27. Scottish Government. *Costs of alcohol use and misuse in Scotland*. Edinburgh: The Scottish Government; 2008.
28. York Health Economics Consortium. *The societal costs of alcohol misuse in Scotland for 2007*. Edinburgh: The Scottish Government; 2010.
29. Bolam B., Coast J. Comparison of methods for estimating the subnational cost of alcohol misuse. *Public Health* 2008; **122**: 307-12.
30. Lima E., Esquerdo T. *The economic costs of alcohol misuse in Portugal. Working paper series No. 24*. Braga: Universidade do Minho; 2003.
31. Reynaud M., Gaudin-Colombel A. F., Le Pen C. Two methods of estimating health costs linked to alcoholism in France (with a note on social costs). *Alcohol & Alcoholism* 2001; **36**: 89-95.
32. Fenoglio P., Parel V., Kopp P. The social cost of alcohol, tobacco and illicit drugs in France, 1997. *European Addiction Research* 2003; **9**: 18-28.
33. KPMG. *Excessive alcohol consumption in the Netherlands: trends and social costs*. Amsterdam: NIGZ Netherlands Institute for Health Promotion 2001.
34. Johanson P., Jarl J., Eriksson A., Eriksson M., Gerdtham U.-G., Hemstrom O. *et al. The social costs of alcohol in Sweden 2002*. Stockholm: Centre for Social Research on Alcohol and Drugs 2006.
35. Jarl J., Johanson P., Eriksson A., Eriksson M., Gerdtham U.-G., Hemstrom O. *et al. The societal cost of alcohol consumption: an estimation of the economic and human cost including health effects in Sweden, 2002. European Journal of Health Economics* 2008; **9**: 351-60.
36. Konnopka A., Konig H.-H. Direct and indirect costs attributable to alcohol consumption in Germany. *Pharmacoeconomics* 2007; **25**: 605-18.
37. Saar I. The social costs of alcohol misuse in Estonia. *European Addiction Research* 2009; **15**: 56-62.
38. Harwood H. J. *Updating estimates of the economic costs of alcohol abuse in the United States: estimates, update methods, and data*. Bethesda MD: National Institute on Alcohol Abuse and Alcoholism 2000.
39. Rosen S. M., Miller T. R., Simon M. The cost of alcohol in California. *Alcoholism: Clinical & Experimental Research* 2008; **32**: 1925-36.

40. Rice D. P. Economic costs of substance abuse, 1995. *Proceedings of the Association of American Physicians* 1999; **111**: 119-25.
41. Harwood H. J., Fountain D., Fountain G. Economic cost of alcohol and drug abuse in the United States, 1992: a report. *Addiction* 1999; **94**: 631-5.
42. Holland P., Mushinski M. Costs of alcohol and drug abuse in the United States, 1992. Alcohol/Drugs COI Study Team. *Statistical Bulletin - Metropolitan Insurance Companies* 1999; **80**: 2-9.
43. Collins D. J., Lapsley H. M. *Counting the cost: estimates of the social costs of drug abuse in Australia in 1998-9*. Canberra: Commonwealth Department of Health and Ageing; 2002.
44. Collins D., Lapsley H. *The costs of tobacco, alcohol and illicit drug abuse to Australian society in 2004/05*. Canberra: Australian Government; 2008.
45. Rehm J., Baliunas D., Brochu S., Fischer B., Gnam W., Patra J. *et al. The costs of substance abuse in Canada 2002*. Ottawa: Canadian Centre on Substance Abuse; 2006.
46. Rehm J., Mathers C., Popova S., Thavorncharoensap M., Teerawattananon Y., Patra J. Global burden of disease and injury and economic cost attributable to alcohol use and alcohol-use disorders. *Lancet* 2009; **373**: 2223-33.
47. Dalton S., Orford J. *Birmingham untreated heavy drinkers project: report on wave three*. London: Department of Health; 2002.
48. Curtis L. *Unit Costs of Health and Social Care 2009*. Canterbury: University of Kent; 2009.
49. Dalton S., Orford J., Webb H., Rolfe A. *Birmingham Untreated Heavy Drinkers project. Report on wave four*. London: Department of Health; 2004.
50. Pirmohamed M., Brown C., Owens L., Luke C., Gilmore I. T., Breckenridge A. M. The burden of alcohol misuse on an inner-city general hospital. *Quarterly Journal of Medicine* 2000; **93**: 291-5.
51. Durnford A. J., Perkins T. J., Perry J. M. An evaluation of alcohol attendances to an inner city emergency department before and after the introduction of the UK Licensing Act 2003. *BMC Public Health* 2008; **8**: 379.
52. Simpson T., Murphy N., Peck D. F. Saliva alcohol concentrations in accident and emergency attendances. *Emergency Medicine Journal* 2001; **18**: 250-4.
53. National Treatment Agency for Substance Misuse. *Models of care for alcohol misusers*. London: National Treatment Agency for Substance Misuse; 2006.
54. Forrester D., Harwin J. Parental substance misuse and child care social work: findings from the first stage of a study of 100 families. *Child and Family Social Work* 2006; **11**: 325-35.
55. Forrester D., Harwin J. Parental substance misuse and child welfare: outcomes for children two years after referral. *British Journal of Social Work* 2008; **38**: 1518-35.
56. Department of Health. *Safe, Sensible, Social – Consultation on further action*. London: Department of Health; 2008.
57. Richardson A., Budd T. *Alcohol, crime and disorder: a study of young adults. Home Office Research Study 263*. London: Home Office; 2003.
58. Matthews S., Richardson A. *Findings from the 2003 Offending, Crime and Justice Survey: alcohol-related crime and disorder*. London: Home Office; 2005.
59. Dubourg R., Hamed J. *The economic and social costs of crime against individuals and households 2003/04*. London: Home Office; 2005.

60. Brand S., Price R. *The economic and social costs of crime. Home Office Research Study 217*. London: Home Office; 2000.
61. Wilson D., Sharp C., Patterson A. *Young people and crime: findings from the 2005 Offending, Crime and Justice Survey. Home Office Statistical Bulletin*. London: Home Office; 2006.
62. MacDonald Z., Shields M. Does problem drinking affect employment? Evidence from England. *Health Economics* 2004; **13**: 139-55.
63. West Yorkshire Fire and Rescue Service. *Statement of accounts 2008/2009*. Birkenshaw: West Yorkshire Fire and Rescue Service; 2009.
64. West Yorkshire Fire and Rescue Service. *Performance Report 2009/10* 2010; Available at: http://www.westyorkshirefire.gov.uk/aboutUs/au_corporate_performance.htm.
65. Department for Transport. *Reported Road Casualties Great Britain: 2008 - Annual Report*. 2010; Available at: <http://www.dft.gov.uk/pgr/statistics/datatablespublications/accidents/casualtiesgbar/rrcgb2008>.
66. Staff J., Patrick M. E., Loken E., Maggs J. L. Teenage alcohol use and educational attainment. *Journal of Studies on Alcohol and Drugs* 2008; **69**: 848-58.
67. Renna F. Teens' alcohol consumption and schooling. *Economics of Education Review* 2008; **27**: 69-78.
68. Renna F. The economic cost of teen drinking: late graduation and lowered earnings. *Health Economics* 2007; **16**: 407-19.
69. Forsyth A. *An investigation into the environmental impact of off-license premises on residential neighbourhoods*. London: Alcohol Education and Research Council; 2007.
70. Forsyth A., Davidson N. The nature and extent of illegal drug and alcohol-related litter in Scottish social housing community: A photographic investigation. *Addiction Theory and Research* 2010; **18**: 71-83.
71. Moon D., Walker A., Murphy R., Flatley J., Parfremment-Hopkins J., Hall P. *Perceptions of crime and anti-social behaviour: Findings from the 2008/09 British Crime Survey. Supplementary Volume 1 to Crime in England and Wales 2008/09*. London: Home Office; 2009.
72. Stockport Council. *Alcohol litter campaign goes down well. North West liveability foundation case studies*. Wigan: Keep Britain Tidy; 2007.
73. Office for National Statistics. *Living in Britain: results from the 2000/01 General Household Survey*. London: The Stationary Office; 2001.
74. Grant I., Springbett A., Graham L. *Alcohol attributable mortality and morbidity: alcohol population attributable fractions for Scotland*. Edinburgh: ISD Scotland Publications; 2009.
75. Charalambous M. P. Alcohol and the accident and emergency department: a current review. *Alcohol and Alcoholism* 2002; **37**: 307-12.
76. Scottish Emergency Department Alcohol Audit. *Understanding alcohol misuse in Scotland. Harmful drinking. One: the size of the problem*. Edinburgh: NHS Quality Improvement Scotland; 2006.
77. Brown A., Young D., Duncan G. The economic costs of alcohol misuse in the Lanarkshire Health Board area 1999. 2001.
78. London Ambulance Service. *Alcohol-related calls*. London: London Ambulance Service; 2010; Available at: www.londonambulance.nhs.uk/news/alcohol-related_calls.aspx (cited 12 April 2010).

79. Vardy J., Mansbridge C., Ireland A. Are emergency departments' staffs' perceptions about the inappropriate use of ambulances, alcohol intoxication, verbal abuse and violence accurate? *Emergency Medicine Journal* 2009; **26**: 164-8.
80. Alcohol Concern. *Report on the mapping of alcohol services in England*. London: Alcohol Concern; 2002.
81. Audit Scotland. *Drug and alcohol services in Scotland*. Edinburgh: Audit Scotland; 2009.
82. Coid D. R., Crombie I. K., Murray M. D. Grant funding of health voluntary organizations by Scottish health boards. *Public Health* 2000; **114**: 320-3.
83. Aberdeen City Council. *Alcohol as a reason for social work involvement*. Aberdeen: Aberdeen City Council; 1997.
84. Home Office. *Crime in England and Wales 2001/2002*. London: Home Office; 2002.
85. Brookman F., Maguire M. *Reducing homicide: summary of a review of the possibilities*. RDS Occasional Paper No 84. London: Home Office; 2003.
86. Bennett T. *Drugs and crime: the results of research on drug testing and interviewing arrestees*. London: Home Office; 1998.
87. University of Sheffield. *Model-based appraisal of alcohol minimum pricing and off-licensed trade discount bans in Scotland: a Scottish adaptation of the Sheffield alcohol policy model*. Sheffield: University of Sheffield; 2009.
88. Kershaw C., Budd T., Kinshott G., Mattinson J., Mayhew P., Myhill A. *The 2000 British Crime Survey: England and Wales*. Home Office Statistical Bulletin 18/00. London: Home Office; 2000.
89. Bennett T. *Drugs and crime: the results of the second developmental stage of the NEW-ADAM programme*. Home Office Research Study 205. London: Home Office; 2000.
90. Man L.-H., Best D., Marshall J., Godfrey C., Budd T. *Dealing with alcohol-related detainees in the custody suite*. London: Home Office; 2002.
91. Ayres M., Perry D., Hayward P. *Arrests for notifiable offences and the operation of certain police powers under PACE*. 12/02. London: Home Office; 2002.
92. Office for National Statistics. *Criminal statistics England and Wales 2001*. London: The Stationary Office; 2001.
93. Harries R. *The cost of criminal justice*. Home Office Research, Development and Statistics Directorate, Research Findings 103. London: Home Office; 1999.
94. Department for Transport. *Highways Economics Note No. 1*. London: The Stationary Office; 2002.
95. Department for Transport Local Government and the Regions. *Road accidents Great Britain 2000: casualty report*. London: The Stationary Office; 2001.
96. Department for Transport Local Government and the Regions. *Transport statistics Great Britain 2000*. London: The Stationary Office; 2001.
97. Office for National Statistics. *Mortality statistics. Series DH2 no.27*. London: Office for National Statistics; 2001.
98. Office for National Statistics. *New Earnings Survey*. London: The Stationary Office; 2001.
99. Office for National Statistics. *2008 Annual Survey of Hours and Earnings*. Newport: Office for National Statistics; 2008.
100. Head J., Martikainen P., Kumari M., Kuper H., Marmot M. *Work environment, alcohol consumption and ill-health: the Whitehall II Study*. London: Health and Safety Executive; 2002.

101. Singleton N., Bumpstead R., O'Brien M., Lee A., Meltzer H. *Psychiatric morbidity among adults living in private households, 2000*. London: The Stationary Office; 2001.
102. Meltzer H., Gill B., Petticrew M., Hinds K. *OPCS Surveys of Psychiatric Morbidity in Great Britain, Report 1: the prevalence of psychiatric morbidity among adults living in private households*. London: HMSO; 1995.



APPENDICES

Appendix 1: Studies of the economic and social costs of alcohol misuse

METHODS

A review of the existing literature was undertaken to locate studies conducted in the UK and other countries that have examined the economic and social costs of alcohol misuse. Literature searches were conducted in Medline and the Health Management Information Consortium (HMIC) database to identify relevant English language studies published since 1999 (see Box 2).

Box 2. Search strategies

Medline (n=101)

- 1 ((burden or cost) adj (disease or illness or ill health)).ti,ab.
- 2 ((social or societal) adj cost*).ti,ab.
- 3 (economic adj (cost* or impact*)).ti,ab.
- 4 1 or 2 or 3
- 5 alcohol.ti,ab.
- 6 4 and 5

HMIC (n=43)

- 1 alcohol.ti,ab
- 2 cost*.ti,ab
- 3 (social OR societal OR economic).ti,ab
- 4 1 AND 2 AND 3

After removal of duplicates, a total of 140 references were identified. Thirteen references were deemed to be relevant based on abstract and title screening and full copies of these publications were sought, 11 of which were identified as cost-of-illness studies. In addition, the references of retrieved articles and other sources^{ix} were scanned for additional references. An additional 16 references were identified in this manner, and therefore a total of 27 cost-of-illness studies were identified that examined the social and economic costs of alcohol use. This section focuses on a detailed analysis of the cost components included across the eight studies^{9,21,24-29} that have examined the social and economic costs of alcohol in Scotland and England. The two studies^{20,23} that only considered the costs of alcohol use to the NHS were not examined further.

^{ix} Other references known to the authors, for example Thavorncharoensap et al.¹⁵

HEALTHCARE COSTS

A summary of the cost components related to alcohol-related healthcare resource use which have been included in UK studies of the social and economic costs of alcohol misuse is shown in Table 19.

Table 19. Healthcare cost components

Component	Reference						
	England 2000/01 ^{21,22}	London 2000 ⁹	North Somerset 2000/01 ²⁹	Scotland 2001/02 ^{24,25}	Scotland 2002/03 ²⁶	Scotland 2006/07 ²⁷	Scotland 2007 ²⁸
GP and practice nurse consultations	+	+	+	+	+	+	+
Community psychiatric team	-	-	-	+	+	+	+
Hospital inpatient visits	+	+	+	+	+	+	+ ^b
Hospital outpatient visits	+	+	+	+	+	+	+
Day hospital attendances	+	-	-	+	+	+	+
A&E attendances	+	+	+	+	+	+	+
Ambulance services	+	+	+	+	+	+	+
Drug prescriptions	+ ^c	-	+ ^c	+	+	+ ^d	+ ^e
Laboratory tests	+	+	-	+	+	+	+
Alcohol treatment services	+	-	+	- ^f	-	- ^f	+
Other	+ ^g	-	+ ^g	+ ^{h,i}	+ ^h	-	-
Total costs (£ million)	1,383 – 1,683	51.7	4.7	95.6	110.5	405	267.8

^a Community psychiatric nurses; ^b Psychiatric, non-psychiatric and maternity; ^c Dependency-prescribed; ^d GP-prescribed; ^e Community-prescribed; ^f Included within social care costs; ^g Counselling, community psychiatric nurse, health visitor and 'other services'; ^h Health board payments; ⁱ Health visitors.

Health care cost components have included both primary and secondary care costs, and the costs of specialist alcohol treatment services. All studies calculated resource use relating to conditions wholly (e.g. alcoholic liver cirrhosis) and partly (e.g. breast cancer) attributable to alcohol consumption based on alcohol-attributable fractions.

GP and practice nurse consultations

For the studies of alcohol costs in England (including the whole of England,²¹ London⁹ and North Somerset,²⁹ respectively) estimates of GP and nurse practice consultations due to alcohol misuse were based on data from the 2000/01 General Household Survey (GHS)⁷³ combined with, for two studies,^{21,29} data from the Birmingham Untreated Heavy Drinkers Study (BUHDS).⁴⁷ The 2000 London study⁹ used estimates from the 2001/02 Scotland study.^{24,25} For the four studies of social and economic costs of alcohol misuse in Scotland,²⁴⁻²⁷ estimates for consultations wholly and partly attributable to alcohol were based on data from Scottish general practices (either Continuous Morbidity Recording or the Practice Team Information database in later studies). The proportion of consultations

wholly and partly due to alcohol use were calculated based on alcohol-attributable fractions.^{21,24,74}

Community psychiatric team

Only costs relating to community psychiatric nurses were included in the 2000/01 England study, based on service use from the BUHDS.⁴⁷ For all four Scottish studies,²⁴⁻²⁷ the amount of community psychiatric team contact attributable to alcohol use in Scotland was assumed to be the mid-point between the proportion of GP and inpatient visits attributable to alcohol.

Hospital inpatient visits

Hospital inpatient visits directly and indirectly attributable to alcohol were based on data from hospital admissions databases (Hospital Episode Statistics for England and Scottish Morbidity Record for Scotland). Wholly and partly alcohol-attributable visits were calculated based on alcohol-attributable fractions.^{21,24,74}

Hospital outpatient visits

For England and North Somerset, outpatient attendances due to alcohol misuse were based on data from the 2000/01 GHS⁷³ and BUHDS.⁴⁷ For the four studies of alcohol misuse in Scotland,²⁴⁻²⁷ outpatient attendances due to alcohol misuse were assumed to be the mid-point between the proportion of GP and the inpatient visits attributable to alcohol. For the 2000 London study,⁹ estimates for the proportion of outpatient visits related to alcohol use were based on assumptions from the 2001/02 Scotland study.^{24,25}

Day hospital attendances

For the 2000/01 England study,²¹ day hospital attendances attributable to alcohol were estimated in the same way as inpatient visits. For the four Scottish studies,²⁴⁻²⁷ day hospital attendances due to alcohol were assumed to be the mid-point between the proportion of GP and the inpatient visits attributable to alcohol.

Accident and emergency attendance

In the 2000/01 England study²¹ and North Somerset study,²⁹ accident and emergency (A&E) attendance attributable to alcohol misuse was estimated based on Hospital Activity Statistics and research by MORI.²¹ For the 2001/02 and 2002/03 Scotland studies,²⁴⁻²⁶ the number of A&E attendances attributable to alcohol misuse were estimated based on data from ISD Scotland and the assumption that 12% of A&E attendances are alcohol-related.⁵⁰ For two more recent studies of alcohol-related costs in Scotland,^{27,28} the proportion of A&E attendances estimated to be alcohol-related were based on assumptions drawn from the 2000/01 England study²¹ and a range of sources,^{23,27,51,75,76} respectively.

Ambulance services

Estimates of alcohol-related ambulance service resource use were calculated using an approach similar to the one used to estimate A&E attendance, although the 2007 Scotland study was based on assumptions drawn from different sources.^{23,27,77-79}

Drug prescriptions

Data on the number of drug prescriptions attributable to alcohol misuse were drawn from the Prescription Cost Analysis. For the majority of studies,^{21,24-27} only the costs of drugs specifically prescribed for alcohol dependency, acamprosate and disulfiram, were included. The 2007 Scotland study²⁸ also included the proportion of costs attributable to use of naltrexone hydrochloride and benzodiazepines in the treatment of alcohol dependency and alcohol withdrawal syndrome, respectively.

Laboratory tests

The number of laboratory tests attributable to alcohol use was estimated from the number of GP consultations directly attributable to alcohol consumption for all studies except the 2007 Scotland study,²⁸ which was based on an arbitrary assumption that 25% of patients consulting with a GP or practice nurse because of alcohol misuse would undergo blood and biochemistry tests.

Alcohol treatment services

For studies of the costs of alcohol in England²¹ and in North Somerset,²⁹ spending on specialist alcohol treatment services was based on a mapping of alcohol services by Alcohol Concern.⁸⁰ Data from an Audit Scotland report were used to inform the costs estimates presented in the 2007 Scotland study.⁸¹

Other

In the studies of alcohol-related costs in England and North Somerset, additional costs relating to primary care use, including counselling, health visitors, community psychiatric nurses and other undefined services, were based on data from the 2000/01 GHS⁷³ and BUHDS.⁴⁷ The 2001/02 and 2002/03 Scotland studies,²⁴⁻²⁶ included health board payments to alcohol-related voluntary organisations.⁸²

SOCIAL CARE COSTS

As shown in Table 20, only the four studies that examined the social and economic costs of alcohol use in Scotland incorporated social care expenditure in the overall costs of alcohol misuse.

Table 20. Social care cost components

Component	Reference						
	England 2000/01 ^{21,22}	London 2000 ⁹	North Somerset 2000/01 ²⁹	Scotland 2001/02 ^{24,25}	Scotland 2002/03 ²⁶	Scotland 2006/07 ²⁷	Scotland 2007 ²⁸
Children and families services	-	-	-	+	+	+	+
Community care	-	-	-	+	+	+	-
Children's hearing services	-	-	-	+	+	+	+
Criminal justice social work	-	-	-	+	+	+	+
Care homes	-	-	-	-	-	-	+
Total costs (£ million)	-	-	-	85.9	96.7	170	230.5

Children and families services

Alcohol-related expenditure on children's social work in Scotland was drawn from Local Government Finance Statistics, and based on the assumption that 24% of cases were related to alcohol misuse.⁸³ The 2007 Scotland study²⁸ also presented calculations based on assumptions that between 15% and 45% of social cases were alcohol-related.

Community care

Expenditure on community care for alcohol-related problems, including day centres, residential and nursing homes and other services were only included in the 2001/02 and 2006/07 Scotland studies.^{24,25,27} Estimates were based on the assumption that 20%^{24,25} and 25%²⁷ of expenditure on community care services, respectively, was attributable to alcohol misuse. The 2007 Scotland study included expenditure on care homes for adults, assuming that between 25% and 50% of costs were related to alcohol misuse.

Children's hearing services

The numbers of referrals to the Children's Hearing System were drawn from the Scottish Children's Reporter Administration. Assumptions used to calculate the costs of children and families services were applied to estimate the proportion of costs related to alcohol misuse.

Criminal justice social work

The assumption that 27% of alcohol-related community service and probation orders were alcohol-related was used as a proxy for the proportion of criminal justice social work expenditure associated with alcohol misuse in all four Scottish studies.²⁴⁻²⁸

CRIMINAL JUSTICE SYSTEM COSTS

As shown in Table 21, resource use within the criminal justice system was included as a cost component for the majority of studies of the economic and social costs of alcohol use in the UK. Costs incurred in anticipation of, in response to and as a consequence of alcohol-related crime were included in the studies of alcohol-related costs for England,²¹ North Somerset²⁹ and Scotland (2007).²⁸ Only costs in response to alcohol-related crime were included in the earlier studies of alcohol-related costs in Scotland.²⁴⁻²⁷

Table 21. Criminal justice cost components

Component	Reference						
	England 2000/01 ^{21,22}	London 2000 ⁹	North Somerset 2000/01 ²⁹	Scotland 2001/02 ^{24,25}	Scotland 2002/03 ²⁶	Scotland 2006/07 ²⁷	Scotland 2007 ²⁸
Anticipation of crime ^a	+	+	+	-	-	-	+
Response to crime ^b	+	+	+	+	+	+	+
Consequences of crime ^c	+	+	+	-	-	-	+
Drink driving	+	+	+	+	+	+	+
Emergency services	-	-	-	-	+	+	-
Total costs (£ million)	11,940	1,674^d	27.3	267.9	276.7^e	385^e	727.1

^a Defensive expenditure (e.g. security measures) and administrative costs for insurance; ^b criminal justice costs including police, court and prison expenditure; ^c Emotional impact on victim, victim services and lost output; ^d violent and 'other' crimes including robbery, burglary, theft and criminal damage; ^e includes fire service expenditure

It is difficult to accurately measure the proportion of crimes and offences that are alcohol-related, and the studies of alcohol-related costs in England and Scotland consequently drew on a range of estimates. For example, the 2000/01 England study²¹ and North Somerset study²⁹ were based on estimates of alcohol-related crime from the NEW-ADAM arrestee survey,²² and on the assumption that 47% of violent offences⁸⁴ and 36% of homicides⁸⁵ are alcohol-related. The 2001/02 Scotland study, and the subsequent updates for 2002/03 and 2006/07, were based on the assumption that 25% of crimes and offences are alcohol-related,⁸⁶ and the most recent assessment of alcohol-related costs in Scotland²⁸ used alcohol attributable fractions derived by the University of Sheffield.⁸⁷ The source for estimates of the proportion of crimes and offences attributable to alcohol are summarised in Table 22.

Table 22. Source of estimates for the proportion of alcohol-related crimes and offences

Reference	Crimes and offences included	% alcohol-related	Source
England 2000/01 ^{21,22} North Somerset 2000/01 ²⁹	Homicide	36%	<i>Brookman & Maguire</i> ⁸⁵
	Common assault	47%	<i>British Crime Survey</i> ⁸⁴
	Wounding	47%	<i>British Crime Survey</i> ⁸⁴
	Sexual offences	13%	<i>NEW-ADAM</i> ²²
	Burglary (in business or in a dwelling)	17%	<i>NEW-ADAM</i> ²²
	Criminal damage	47%	<i>NEW-ADAM</i> ²²
	Robbery (from individual or business)	12%	<i>NEW-ADAM</i> ²²
	Theft (from a person; of a pedal cycle; of a vehicle; from a vehicle; attempted vehicle theft; other theft and handling)	13%	<i>NEW-ADAM</i> ²²
London 2000 ⁹	Violent crime	40%	<i>British Crime Survey</i> ⁸⁸
	Robbery	75%	<i>Bennett 2000</i> ⁸⁹
	Burglary in a dwelling	8%	<i>Bennett 2000</i> ⁸⁹
	Burglary in business	17%	<i>Bennett 2000</i> ⁸⁹
	Theft from a vehicle	0%	<i>Bennett 2000</i> ⁸⁹
	Theft of a vehicle	30%	<i>Bennett 2000</i> ⁸⁹
	Shoplifting	7%	<i>Bennett 2000</i> ⁸⁹
	Other theft	13%	<i>Bennett 2000</i> ⁸⁹
	Criminal damage	29%	<i>Bennett 2000</i> ⁸⁹
Scotland 2001/02 ^{24,25} Scotland 2002/03 ²⁶	Serious assault (including homicide); handling offensive weapons; robbery; other non-sexual violent crimes; sexual assault; lewd and indecent behaviour; other crimes of indecency; housebreaking; theft by opening lockfast places; theft of a motor vehicle; shoplifting; other theft; fraud; other crimes of dishonesty; criminal damage; crimes against public justice; drugs; other crimes; simple assault; breach of the peace; other misc offences; motor vehicle offences	25%	<i>Bennett 1998</i> ⁸⁶
Scotland 2006/07 ²⁷	Serious assault	40%	<i>Unclear</i>
	Rape and attempted rape	40%	<i>Unclear</i>
	Minor assault	40%	<i>Unclear</i>
	All other recorded crime	25%	<i>Bennett</i> ⁸⁶
Scotland 2007 ²⁸	Serious assault, other non-sexual crimes of violence	3-48%	<i>University of Sheffield</i> ⁸⁷
	Robbery	1-11%	<i>University of Sheffield</i> ⁸⁷
	Total sexual offences	2-43%	<i>University of Sheffield</i> ⁸⁷
	Housebreaking (domestic dwelling/non-dwelling and other)	1-11%	<i>University of Sheffield</i> ⁸⁷
	Theft from or of a motor vehicle	0-46%	<i>University of Sheffield</i> ⁸⁷
	Shoplifting	1-11%	<i>University of Sheffield</i> ⁸⁷
	Other theft	1-11%	<i>University of Sheffield</i> ⁸⁷
	Criminal damage	4-58%	<i>University of Sheffield</i> ⁸⁷
	Minor assault	1-36%	<i>University of Sheffield</i> ⁸⁷

Costs associated with alcohol-specific crimes in the 2000/01 England study²¹ included drunkenness in custody suites, costs incurred in Magistrate Courts when processing drunkenness, disorder and other related offences, and drink driving. For custody costs, estimates of the costs for alcohol-specific and alcohol-related arrests⁹⁰ were combined with estimates of the proportion of alcohol-related crimes and offences²² and numbers of arrests.⁹¹ Estimates for costs incurred in Magistrate Courts were taken from the Criminal Justice Statistics for England and Wales.⁹² Drink driving costs included those related to arrest,⁹⁰ proceedings at Magistrate and Crown courts,⁹³ lost output, the health service and

human costs.⁹⁴⁻⁹⁶ For the four Scottish studies,²⁴⁻²⁸ drunkenness and drunk driving were included as alcohol-specific costs and included those related to custody, court proceedings and prosecution, and imposing penalties.

Anticipation of crime

Costs in anticipation of crime, including security expenditure and insurance administration, were included in the studies of alcohol-related costs for England,²¹ London,⁹ North Somerset²⁹ and Scotland (2007).²⁸ Cost estimates were based on unit costs drawn from Home Office studies of the economic and social costs of crime.^{59,60}

Consequences of crime

Costs as a consequence of crime, covering the cost of damaged or stolen property, victim support, the physical and emotional impact of crime and lost output, were included in the studies of alcohol-related costs for England,²¹ London,⁹ North Somerset²⁹ and Scotland (2007).²⁸ Cost estimates were based on unit costs drawn from Home Office studies of the economic and social costs of crime.^{59,60}

Response to crime

Costs incurred as a result of crime through the criminal justice system were included in all studies, and included costs related to the police, courts and prison and probation services. For studies of alcohol-related costs in England,²¹ London,⁹ North Somerset²⁹ and Scotland (2007),²⁸ the average costs of alcohol-related crime and offences were based on Home Office estimates of the economic and social costs of crime.^{59,60} For the earlier studies of alcohol-related crime in Scotland,²⁴⁻²⁷ costs were drawn from expenditure on the police, courts and prisons in Scotland.

WORKPLACE AND PRODUCTIVITY COSTS

The majority of studies that have examined the social and economic costs of alcohol use in the UK have considered the impact of alcohol on the workplace and wider economy. Excessive alcohol consumption affects the workplace through impaired performance at work ('reduced productivity'), and by increasing the likelihood of employees being absent from work ('absenteeism'). In addition, heavy and dependent drinkers may be more likely to be unemployed. Alcohol also contributes to lost productivity in the workplace through premature deaths related to alcohol use. As shown in Table 23, all eight studies examined alcohol-related costs associated with the workplace and wider economy.

Table 23. Workplace and productivity costs

Component	Reference						
	England 2000/01 ^{21,22}	London 2000 ⁹	North Somerset 2000/01 ²⁹	Scotland 2001/02 ^{24,25}	Scotland 2002/03 ²⁶	Scotland 2006/07 ²⁷	Scotland 2007 ²⁸
Premature mortality	+	-	+	+ ^a	+	+	+
Absenteeism	+	+	+	+	+	+	+
Reduced productivity	- ^b	-	-	-	-	+	+
Unemployment	+	-	+	+	+	+	+
Total costs (£ million)	5,194 – 6,421	294	15.5	404.5	417.8	820	865.7

^a Working and non-working population; ^b Not able to calculate

Premature mortality in the working population

Deaths directly and indirectly related to alcohol misuse were estimated based on data from Mortality Statistics for England and Wales⁹⁷ for the studies of costs in England, and from the General Register Office for studies of costs in Scotland. The numbers of alcohol-related deaths were used to estimate the number of years of working life lost, based on the assumption that men and women retire at the age of 65. Data on economic activity in the UK were drawn from the Labour Force Survey. For the 2000/01 England, 2006/07 Scotland and 2007 Scotland studies,^{21,27,28} costs were estimated based on the HCA, that is, lost output due to premature mortality was estimated as the product of the number of alcohol-related deaths and the present value of future earnings based on average wages (for example, from the New Earnings Survey⁹⁸ or more recently the Annual Survey of Hours and Earnings⁹⁹). The 2001/02 Scotland study^{24,25} used the WTP approach, which involves assessing the monetary value which people put on reducing the risks associated with mortality. The costs associated with premature mortality among the working population were based on the value for a year of life derived by the then Department of the Environment, Transport and the Regions (DETR) of £27,022 (2001/02 prices).

Absenteeism

For the 2000/01 England study, employee absences due to alcohol dependence were estimated to be 1.27 times more likely than among those without alcohol dependence and absences due to alcohol-related injury were assumed to contribute to two additional days of absence over and above the population average.¹⁰⁰ After accounting for part-time and full-time employment rates in 2001, and based on estimates of alcohol dependency among employees,¹⁰¹ almost 11 million days were estimated to have been lost among alcohol dependent employees. Incorporating absences due to alcohol-related injuries, based on national prevalence rates for alcohol consumption,⁷³ an upper estimate of around 17 million days lost due to alcohol misuse was calculated. The 2001/02 Scotland report only included days lost due to alcohol dependency. Assuming that alcohol dependent employees in Scotland,¹⁰² were three times more likely to be absent than non-dependent employees resulted in an additional 1,164,344 working days lost due to alcohol dependency. The 2006/07 and 2007 Scotland studies,^{27,28} were based on estimates from the 2000/01 England study that between 6 and 15% of working days were lost to alcohol misuse.^x These estimates were applied to national level data on absenteeism (2006 and 2008 CBI survey) adjusted to Scotland.

Reduced productivity

No alcohol-related costs for reduced productivity in the workplace were calculated for the 2000/01 England study,^{21,22} or the earlier estimates of the economic and social costs of alcohol in Scotland.²⁴⁻²⁶ Based on a survey of employees by reed.co.uk, calculations of reduced productivity in the workplace in the 2006/07 and 2007 Scotland studies^{27,28} were based on the assumption that an average of 0.68 days^{xi} annually were lost due to alcohol-related reduced productivity in the workplace.

Unemployment

The 2000/01 England study was based on data showing that heavy male drinkers (>50 units a week) spend an average of 11.4 days per annum out of employment.⁶² A high estimate of the number of days out of employment for heavy drinkers also included female drinkers. The 2001/02 Scotland study^{24,25} used data on the prevalence rate for alcohol dependency stratified by employment status¹⁰² to calculate the unemployment rate among those with alcohol dependency. This in turn was used to calculate the excess employment rates among males and female dependent drinkers. The 2006/07 Scotland study²⁷ replicated the methodology presented in this earlier Scottish study, and the 2007 Scotland study²⁸ presented estimates based on both approaches.

^xEstimates presented in the 2000/01 England study actually corresponds to 6-10% of days lost.

^{xi}Respondents reported turning up to work with a hangover on average two and a half days a year and reported themselves to be 27% less efficient on these days.

INTANGIBLE COSTS

As shown in Table 24, attempts were made to calculate the human costs (e.g. pain and suffering) associated with alcohol-related morbidity and mortality in the studies of alcohol-related costs in England²¹ and Scotland.²⁴⁻²⁸ These costs are known as ‘intangible’ costs, because of the difficulties in quantifying and measuring them.

Table 24. Human costs associated with alcohol misuse

Component	Reference						
	England 2000/01 ^{21,22}	London 2000 ⁹	North Somerset 2000/01 ²⁹	Scotland 2001/02 ^{24,25}	Scotland 2002/03 ²⁶	Scotland 2006/07 ²⁷	Scotland 2007 ²⁸
Human costs associated with premature death	-	-	-	-	-	-	+
Premature mortality, non-working population	-	-	-	+	-	+	+
Premature mortality, post-retirement population	-	-	-	-	-	-	+
Total costs (£ million)	- ^c	-	- ^c	216.7	223.8	- ^c	1,464.6

^a Included in workplace and productivity costs; ^b Not included in total cost estimates; ^c No cost estimate presented.

The 2000/01 England study^{21,22} discussed the human costs associated with alcohol-related morbidity and mortality but these costs were not quantified as no current UK studies were identified that examined the value of human costs associated with alcohol misuse. The 2001/02 study of alcohol-related costs in Scotland^{24,25} and subsequent updates in 2002/03 and 2006/07^{26,27} estimated the costs of premature mortality among the non-working population using a value for a year of life derived by DETR of £27,022 (2001/02 prices). This estimate was produced using a WTP approach, as described in Section 0. The most recent analysis of alcohol-related costs in Scotland (2007)²⁸ used two potential values for a year of life: (1) £30,000 based on the upper threshold QALY used by the National Institute for Health and Clinical Excellence; and (2) £50,000 based on the views of the Department of Health.

OTHER SOCIAL AND ECONOMIC COSTS

Other costs associated with alcohol use were considered across the included studies. These included costs related to the fire service,^{27,28} research and prevention,^{21,24,25} and the benefits of alcohol consumption.⁹

Fire service

The two most recent studies of the social and economic costs of alcohol misuse in Scotland^{27,28} considered the costs to fire service. For the 2006/07 Scotland study,²⁷ costs relating to the attendance of fire fighting and rescue services at fires started deliberately were included, of which 25% were assumed to alcohol-related. The 2007 Scotland study²⁸ included the cost of fire service attendance at alcohol-related road traffic accidents and at house fires, in which alcohol was a direct or indirect factor. These two cost estimates were not able to be quantified in the 2001/02 Scotland study.²⁴

Research and prevention

Costs relating to expenditure for alcohol-related research and prevention efforts were incorporated in the 2000/01 England and 2001/02 Scotland studies.^{21,24} It was not clear how much expenditure on research costs was included in the 2000/01 England study. Costs relating to health promotion and prevention by the Health Education Board for Scotland (HEBS), Scottish Executive and Health Boards were included in the 2001/02 Scotland study at a total annual cost of £1.2 million.^{24,25}

Benefits of alcohol consumption

Only one study, of the economic costs of alcohol in London,⁹ attempted to calculate the benefits of alcohol consumption. The following 'benefits' of alcohol consumption were considered: distribution of alcohol expenditure between employees, businesses and government; individual pleasure gained from drinking; and the wider effects of alcohol consumption such as increases in employment in the alcohol service and tourism industries. The output, income and employment generated by the alcohol industry were not considered as measures of social benefits in the study of the costs of alcohol misuse in England,²¹ as the authors argued that it was unlikely that "in the absence of alcohol consumption in the economy the money spent on alcohol would not have been used elsewhere" (pg 13). In addition, external benefits were not included as no research has been conducted that has assigned monetary values to alcohol's contribution to the development of social networks and social capital. The 2000 London study⁹ included an estimate of the consumer surplus^{xii} related to alcohol consumption. The authors calculated that the real

^{xii} A measure of the difference between what a person is willing to pay for a commodity and the amount he or she is actually required to pay.²¹

pleasure of drinking alcohol to consumers in London was around 50% more than what they actually spent on purchasing it.

Costs not considered

Litter costs associated with alcohol use include discarded bottles, cans and broken glass.⁴³ However, none of the studies of the social and economic costs of alcohol misuse in the UK, or internationally, examined costs associated with the impact of alcohol on the environment. This appears to be because adequate data on the basis of which it would be possible to estimate alcohol-related litter costs are currently unavailable.

ESTIMATING THE SUBNATIONAL COSTS OF ALCOHOL MISUSE

Bolam and Coast²⁹ compared the results of simple population-based calculations with more complex methods for estimating the economic cost of alcohol misuse in North Somerset. Both methods were based on those of the 2000/01 England study.^{21,22} Using the simple method, the authors calculated the population-attributable fraction for both the lower and upper estimates of national costs for all costing areas of the 2000/01 England study.^{21,22} The more complex method involved replicating the 2000/01 England study^{21,22} by applying local data to each of the individual costing areas. The authors found that the simple method provided only a crude estimate of the economic burden in North Somerset and concluded that more accurate assessment of sub-national costs warranted detailed study of each cost area.

Appendix 2: Additional tables

Table 25. Alcohol-related inpatient episodes: NI39

Diagnosis	Number of alcohol-related inpatient episodes	Number of alcohol-related day patient episodes	Number of bed days
Mental and behavioural disorders due to use of alcohol	1,616	1,153	5,835
Degeneration of nervous system due to alcohol	4	2	22
Alcoholic polyneuropathy	2	2	10
Alcoholic myopathy	1		3
Alcoholic cardiomyopathy	4	2	25
Alcoholic gastritis	13	3	22
Alcoholic liver disease	418	156	2,353
Chronic pancreatitis (alcohol induced)	130	54	624
Ethanol poisoning	304	359	495
Toxic effect of alcohol, unspecified	36	32	54
Accidental poisoning by and exposure to alcohol	6	3	15
Malignant neoplasm of lip, oral cavity and pharynx	74	33	1,313
Malignant neoplasm of oesophagus	54	25	1,441
Malignant neoplasm of colon	9	10	2,677
Malignant neoplasm of rectum	11	11	1,695
Malignant neoplasm of liver and intrahepatic bile ducts	8	2	398
Malignant neoplasm of larynx	13	9	490
Malignant neoplasm of breast	45	22	2,453
Epilepsy and Status epilepticus	679	335	4,962
Hypertensive diseases	1,856	1,498	41,702
Cardiac arrhythmias	1,279	542	24,711
Haemorrhagic stroke	22	5	928
Ischaemic stroke	11	3	658
Oesophageal varices	15	45	276
Gastro-oesophageal laceration-haemorrhage syndrome	8	7	30

Diagnosis	Number of alcohol-related inpatient episodes	Number of alcohol-related day patient episodes	Number of bed days
Unspecified liver disease	64	42	564
Acute and chronic pancreatitis	56	12	1,544
Psoriasis	41	54	1,082
Spontaneous abortion	33	161	267
Pedestrian traffic accidents	18	8	381
Road traffic accidents – non-pedestrian	45	30	1,206
Water transport accidents	0	0	1
Air/space transport accidents	0		16
Fall injuries	241	184	14,042
Work/machine injuries	13	23	384
Firearm injuries	3	2	44
Drowning	2		35
Inhalation of gastric contents/Inhalation and ingestion of food causing obstruction of the respiratory tract	5	2	32
Fire injuries	6	3	57
Accidental excessive cold	3		73
Intentional self-harm/Event of undetermined intent	287	295	1,535
Assault	97	158	863
Total	4,997	3,519	105,860

Source: NWPHO



Centre for Public Health

Research Directorate

Faculty of Health and Applied Social Sciences

Liverpool John Moores University

Henry Cotton Campus (3rd Floor)

15-21 Webster Street

Liverpool L3 2ET

tel: (0151) 231 4510

fax: (0151) 231 4552

www.cph.org.uk

ISBN 978-1-907441-95-0 (printed version)

ISBN 978-1-907441-96-7 (web version)



Originator: Des Broster

Tel: 0113 2143376

Not for Publication – Appendix 1 only - Exempt information by virtue of 10.4(3) Access to Information Procedure Rules - Information relating to the financial or business affairs of others people

Report of the Chief Executive (Corporate Governance)

Licensing Committee

Date: 15 March 2011

Subject: NVQ & VRQ Qualifications – Officer response to Licensing Committee request to consider alternative training delivery.

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report sets out the responses to the issues raised by Members at Licensing Committee on 16 November 2011, when considering the decreasing funding available for Taxi and Private Hire drivers undertaking NVQ and VRQ professional qualifications.(minute 39 of the meetings minutes covers this discussion).

Members were given 4 options within the report of 16 November 2010 but resolved to defer the matter pending further consideration and requested additional information.

As much of the requested information as can be provided is detailed within this report and Members are requested to consider this information and indicate whether they feel able to make a decision on the future of the conditions or, alternatively, to defer the matter again whilst some new and additional proposals are explored.

1.0 Purpose Of This Report

- 1.1 To set out for Members the responses to issues they raised on 16 November 2010 and potential options in respect of the existing requirement to undertake NVQ and VRQ qualifications for new and existing drivers.

2.0 Background Information

- 2.1 On 2nd September 2008 The Licensing & Regulatory Panel introduced a training requirement on all new Private Hire and Hackney Carriage drivers to undertake NVQ & BTEC training in the first 12 months of their licence.
- 2.2 The Panel also resolved that all other licence holders had until 31 December 2011 to complete that training.
- 2.3 There was Central Government funding available and a significant amount was set aside for the training of Leeds drivers. This 'reserve' was largely taken back into Central Government in August 2010, although pockets of funded training are still available.
- 2.4 Up until 4 February 2011, 4322 drivers had signed up to the training and 3583 had achieved passes (figures supplied by the Skills Funding Agency). The figures represent both trades and are not broken down.
- 2.5 There are currently 1033 Hackney Carriage driver's and 5134 Private Hire drivers.
- 2.6 On 16 November 2010 the Licensing Committee received a 'further information' report and all the main issues at 3.1. to 3.5 set out some alternative options to consider in the light of the funding withdrawal.
- 2.7 The options available to Members on 16 November 2011 were
- To continue with the current requirements for all new drivers to obtain the qualification within 12 months and all existing drivers to obtain the qualification by 31st December 2011
 - To continue the requirements but change the time scales by which both new and existing drivers need to obtain the qualification
 - To consider whether, if the requirement were removed, there be some kind of incentive scheme to reward drivers who have obtained or do obtain the qualification prior to December 2011
 - To instruct officers to explore the possibility of procuring one training provider.
- 2.8 The Committee minutes of that meeting resolved as follows:
- That, due to additional issues raised by the Committee, determination of this matter be deferred until the next meeting. The Committee requested a further report be presented in due course to include responses to Members comments, including:
- cost of in-house procurement of the training modules and the cost of exemptions of experienced drivers from the scheme
 - the impact of the above on the licence fees given the ring fencing of the

TPHL budget

- statistical information on complaints received since the implementation of the scheme
- appropriate measures which could be implemented to ensure 100% takeup of the scheme
- whether LCC could procure training providers to deliver locally and reduce the cost

3.0 Main Issues

3.1 In relation to their information requests, Members are advised as follows

- 1) Cost of in-house procurement of the training modules and the cost of exemptions of experienced drivers from the scheme.

Response - Summary of position:

The Council's preference has been to move away from internal training in recent years and it now buys in most of its training and qualification requirements from external providers. Existing training contracts apply only to Council employees. In order to undertake such a project in respect of Taxi & Private Hire drivers the Council would have to establish a training centre approved by the awarding body for this type of vocational qualification and examination. It would also have to employ, or contract, occupationally qualified assessors and an internal verifier to meet the requirements of the examining body. There are cost concerns here and also management issues in that the Council can require and expect its employees to attend formal training, but the expectations of that level of compliance might be somewhat different from an industry not employed by the Council. The cost of administering and managing attendance failing would then fall on the Council.

The Council do not directly employ licensed drivers in Leeds. The responsibility for ongoing professional development and training lies with the employers of the licensed drivers or with individual taxi drivers, where self employed. This responsibility includes the procurement/sourcing of qualifications, such as NVQs.

The availability and the funding for NVQs has changed considerably over the last 3 years. The council signed the Skills Pledge in November 2008 meaning that **Train to Gain** funding was used for delivery of many NVQs. As a result, NVQs have increasingly been delivered by external providers, rather than by the Council itself.

- 2) The impact of the above on the licence fees, given the ring fencing of the Taxi & Private Hire Licensing budget.

Response – Members may feel at this stage, with out predetermining any final decision, that when considering the cost implications of future training that Officers should seek options that prevent any further costs falling upon those who have already achieved their qualifications.

Members can themselves determine that a training requirement is a prerequisite to the granting or renewal of a licence and that it is the responsibility of the applicant to under take any training at their own expense. Again this is a matter to be resolved in some way at a later stage.

Members could also revisit options which were available to them at the time of the original decision in September 2008. (Please refer to 3.1 of this report).

- 3) Statistical information on complaints received since the implementation of the scheme.

Response - Information to follow. This entails a manual search of the complaints system over a number of years and there has not been sufficient staff time available up to this point.

Further discussion with the Chair of the Licensing Committee has taken place and clarification sought.

It is proposed that it would be more informative for Members if a separate report was brought to the Licensing Committee setting out the categories of complaints, the numbers involved and the outcomes of investigations. This proposal is now included in the recommendations at 7.7.

- 4) Appropriate measures which could be implemented to ensure 100% take up of the scheme.

Response – Every encouragement and all available information has been given to drivers, Operators and Trade Association members about available funding. Together with this details of the Council's timescales to undertake the training have been emphasised and the possibility that available funding may dry up.

- 5) Whether LCC could procure training providers to deliver locally and reduce the cost.

Response - It should be noted that funding remains in place until 31 July 2011 with all training providers currently known to the Taxi and Private Hire Licensing Section and delivering to Leeds licence holders. Train to Gain funding will cease in its entirety from August 2011 onwards.

Working in liaison with the Corporate Procurement Unit, a Market Testing exercise was undertaken for three weeks commencing 7 January 2011.

Within this, parties interested in delivering both the NVQ and the VRQ were asked to submit information surrounding the following key areas;

1. Allocated funding to cover the cost
2. Commercial cost(s) where funding is not available
3. Referrals to funded provision for Skills for Life courses, as applicable
4. Provision for those who may need assistance during the course of their study
5. A sustainable delivery plan and timetable
6. When and where training could be delivered to accommodate a predominantly Leeds and Bradford client base.
7. Assurance of compliance with the Data Protection Act
8. Security vetting to monitor applicant identities
9. Assessor resource
10. Awarding body
11. In-house quality assurance procedures within the test environment

After an initial show of interest of in excess of 30 training providers, only five submissions were received. These papers are presented as Appendix 1 as “Exempt Information” on the grounds of their commercial sensitivity.

The commercial costs submitted for the delivery of the training and attainment of both qualifications are wide ranging estimates only, contained within the exempted information.

- 6) The Committee also requested the cost of in house procurement of the training modules.

Response – This requires significantly more time to explore but Members should be aware that such training would not be accredited by an examining body, although a testing element could be introduced into it.

- 7) The Committee also requested the costs of exemptions of experienced drivers from the scheme.

Response – In effect, as of today, that would probably encompass the majority of those who have not taken the opportunity to undertake the free training. There would be no cost benefit or disadvantage to the Council, only the individual, if such a group were to be excluded. It would, however, significantly reduce any interest by external trainers in the procurement exercise.

3.2 Arising from these responses Members may consider a wide range of options:

- Consequences of retaining the NVQ/VRQ on applicants, licensed drivers, the trade and the Section budget following the ending of funding.
- Consequences of removing the requirement totally.
- Reconsidering the options presented to the Committee in September 2008, reproduced below.

3.2. *If it is considered to be necessary then Members will need to consider the implications of that decision in terms of how it is adopted and some proposals might be:*

3.2.1. *That new applications for licences will require the applicant to attain the qualifications prior to the licence being granted.*

3.2.2 *That new applications for licences will require the applicant to attain the qualifications within 12 months of the licence being granted.*

(NB: there would be some protection for the Council with such a policy if there was a knowledge screening test in place and enable licence holders to learn ‘on the job’.)

3.2.3 *That existing licence holders be given a time scale to attain the qualification which is reasonable to their learning needs and helpful to the training providers.*

(For example December 2010 or December 2011, but there is a need to be alert as some licence holders may seek to defer for as long as possible and potentially undermine the value of the training plan. The Hackney Carriage Associations would wish to

balance any timescale for those who may be leaving the trade around that period)

3.2.4 That existing licence holders need only attain the qualification in the event of some form of complaint being proven against them or a conviction or caution administered.

3.3 Alternatively, consider in house training and testing scheme run by the Section applied to all new and existing none qualified drivers.

Such an in-house scheme would require development and testing and include most of the modules in the NVQ, with the option of requiring a VRQ at their own expense in the event of a transgression.

3.4 In the event of Members requiring more detail on the latter option a good deal of work would be required to identify time schedules, staff issues, testing and integrity matters.

4.0 Implications For Council Policy And Governance

4.1 The Council can set conditions and withdraw them but the changes to conditions should be weighed carefully and options considered evenly so that the conditions remain substantive, proportionate, defensible and causing the minimum of adverse impact to achieve its aims.

5.0 Legal And Resource Implications

5.1 For further consideration when Members indicate their preferred recommendation.

6.0 Conclusions

6.1 Members may feel that the benefits of such training should not be lost in total and the requirement for professional standards in the trade have not decreased, it is how the training to achieve that may still be the issue to be determined. There would also be a potential negative impact on the good will of the trade.

6.1 Before Members take a final decision in reviewing the necessity for an NVQ and VRQ or alternative training and testing options, Members will need to consider how it might be carried forward and some recommendations are produced below to enable Members to direct Officers accordingly.

7.0 Recommendations

7.1 That Members discount the procurement of external training providers, at this time, on the basis of costs obtained during the market testing exercise (refer to Appendix 1).

7.2 That Members note that there is no route for none employees of the Council to obtain accredited vocational training qualifications via the Council's Corporate training programme.

7.3 That Members refer to the options presented on 16 November 2011 reproduced at 3.2 above and make a fresh determination after considering the most recent information.

(Members need to be aware that the financial concerns leading to the presentation of this and the previous report of 16 November would still apply to any category of driver affected by this Committee's decision).

OR

- 7.4 Members require Officer's to carry out further feasibility work and design a training and testing system that would mirror as far as possible the elements and benefits of the exiting NVQ & VRQ qualifications.

AND

- 7.5 That Members note that there will be no enforcement of the original requirements whilst the option at 7.4 is investigated
- 7.5 That Officers prepare an information report setting out the categories of complaints, the numbers involved and the outcomes of investigations.

8 Background Papers

Report to the Licensing and Regulatory Panel dated 2 September 2008

Report to the Licensing Committee dated 16 November 2010

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Report of the Assistant Chief Executive (Corporate Governance)

Licensing Committee

Date: 15th March 2011

Subject: Sexual Entertainment Venues Public Consultation
Local Government (Miscellaneous Provisions) Act 1982

<p>Electoral Wards Affected:</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>
---	--

Executive Summary

The Policing and Crime Act 2009 amends the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. Potentially, this brings to lap dancing, pole dancing and other “relevant entertainment” within a new licensing regime.

The Licensing Committee previously resolved to recommend adoption of the new powers to Council and set up a cross party working group to develop a policy and standard conditions. The council adopted the provisions at the January Council meeting with effect from 1st October 2011

This report updates members of the Licensing Committee about the progress the working group have made in developing a policy and standard conditions and presents the draft report and consultation methodology for approval.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to provide an update to members of the Licensing Committee about the progress the working group have made in developing a policy and standard conditions. This report presents the draft policy (appendix 1) and consultation methodology (appendix 2) for approval and members are asked to consider authorising the start of the public consultation.

2.0 Background Information

- 2.1 On 22nd June 2010 Licensing and Regulatory Panel (now Licensing Committee) resolved to recommend to Council to adopt the provisions of Sch 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.
- 2.2 The Panel also resolved to develop a policy and set of standard conditions relating to sexual establishments, in particular sexual entertainment venues, sex shops and sex cinemas.
- 2.3 The Panel formed a cross party working group to work with officers of Entertainment Licensing to develop the policy and conditions.
- 2.4 In January 2011 the Council made a resolution to adopt the provisions of Sch 3 of the Act, effective from 1st October. This timescale was agreed to provide enough time for the council to consult with existing operators, the public and interested parties on the new policy. However this timescale also means that the council must have a policy in place by the beginning of October.

3.0 Main Issues

- 3.1 Since June 2010, the working group has undertaken the following:
- Met monthly to develop the policy and conditions
 - Met with interested groups such as West Yorkshire Police
 - Met with existing sexual entertainment venue operators
 - Undertaken site visits to four sites to gain an understanding of the style of operation in Leeds
 - Pre-consulted with partner agencies on the draft policy
 - Pre-consulted with the sex shop operators
 - Reviewed the fees relating to sex establishments.
- 3.2 It is planned to undertake a public consultation process on the draft policy from 4th April to 24th June 2011. This consultation will include:
- A postal consultation to the trade, support groups, religious groups, ward members and local MPs.
 - A press release
 - Poster advertisement placed in libraries, one stop shops and leisure centres.
 - A webpage on the Leeds City Council website which provided the consultation documents and online questionnaire.
 - Attendance at Area Committee meetings to bring the matter to the attention of the public and ward members.

3.3	<u>Timetable</u>	
	4 April to 24 June 2011	Public consultation
	19 July 2011 (provisional)	Final Policy to Licensing Committee for approval and referral to Council
	14 Sept 2011 (provisional)	Council
	1 October 2011	Licensing regime comes into effect

3.4 Once the policy is in place and the licensing regime comes into effect on the 1st October, existing operators of lap dancing venues will be given the opportunity to apply for a sex establishment licence. These applications will be determined together in April 2012 and will come into effect on 1st October 2012.

4.0 Implications for Council Policy and Governance

4.1 The development of a policy under the Local Government (Miscellaneous Provisions) Act 1982 is a responsibility delegated to the Licensing Committee under the Council's constitution.

5.0 Legal and Resource Implications

5.1 Legal advice will be required to advise the council on the proposed policy.

5.2 It is expected that the public consultation is likely to attract a large number of responses, both from the trade, members of the public and interested action groups. This will have resource implications for Entertainment Licensing who will need to handle enquiries from the public and written responses to the consultation.

5.3 The transitional arrangements will also apply pressure on the council with a high number of representations expected for each of the applications. The Licensing Committee will need to determine at least eight licence applications at the same time in April 2012 which will apply pressure during the busy pre-election period.

6.0 Conclusions

6.1 The working group formed by the Licensing Committee has developed a policy and standard conditions, and has sought advice from partners in relation to the contents of the policy.

6.2 The next stage is to undertake a public consultation process on the draft policy which is due to be undertaken over 12 weeks from 4th April to 24th June.

7.0 Recommendations

7.1 That Members note the contents of the report.

7.2 That Members are asked to approve the draft policy and the consultation methodology and authorise the commencement of the public consultation on the 4th April.

This page is intentionally left blank

Licensing of Sex Establishments

Statement of Licensing Policy

Local Government (Miscellaneous Provisions) Act 1982
as amended by the Policing and Crime Act 2009

Further copies of this document can be obtained from:

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Tel: 0113 247 4095
Fax: 0113 224 3885

Email: entertainment.licensing@leeds.gov.uk
Web: www.leeds.gov.uk/licensing

Version History

First Draft	SH	11/11/2011
Public consultation draft	WG	04/03/2011
Final draft		

Please note:

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

CONTENTS

Executive Summary

Section 1 Interpretation

Section 2 The purpose of the policy

Section 3 The scope of the policy

Section 4 Leeds district

Section 5 Integrating other guidance, policies, objectives and strategies

Section 6 Cultural activities in Leeds

Section 7 General principles

Section 8 The licensing process

Section 9 Enforcement

Appendices Appendix 1 – Pool of conditions

Appendix 2 – Application forms and notices

Executive Summary

The Policing and Crime Act 2009 amends the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brings to lap dancing, pole dancing and other "relevant entertainment" a new licensing regime.

The legislation provides for local authorities to adopt a policy and standard conditions relating to sexual entertainment venues, sex shops and sex cinemas.

Leeds City Council adopted the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions Act 1982 as amended by the Policing and Crime Act 2009 on 19th January 2011.

Leeds City Council has adopted this document as the policy and standard conditions to be applied when determining sex establishment licences in the Leeds district.

This policy will:

- Set out the council's approach for the benefit of operators
- Guide and reassure the public and other public authorities
- Ensure transparency
- Ensure consistency
- Guide and focus the Licensing Committee when making determinations under this legislation.

The policy will deal with:

- The mandatory and discretionary grounds for refusal
- Standard conditions
- The application process
- Waiver

Section 1 Interpretation

Advertisement means any word, letter, image, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or partly for the purposes of, advertisement or announcement.

Authorised officer means an officer employed by Leeds City Council and authorised by the council to act in accordance with provisions of the Local Government (Miscellaneous Provisions) Act 1982.

The council will mean Leeds City Council.

Display of nudity means:

- (a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and
- (b) in the case of a man, exposure of his pubic area, genitals or anus.

Entertainer means dancer, performer or other such person employed, or otherwise, to provide relevant entertainment.

Licence means any sex establishment licence that the council can grant under this Act. This includes any associated consent of permission.

Licensee means the holder of a sex establishment licence.

Premises includes any vehicle, vessel or stall but does not include any private dwelling to which the public is not admitted.

Relevant entertainment means any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

Responsible person means the person nominated by the licensee who has personal responsibility for and be present on the premises whilst the premises is open to the public. This may be the manager or the relief manager.

Sex shop means any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating sex articles or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity.

Sexual entertainment venue means any premises at which relevant entertainment is provided before a live audience, directly or indirectly for the financial gain of the organiser (i.e. a person who is responsible for organisation of management of the entertainment or the premises).

Standard conditions will mean any terms, conditions or restrictions contained or referred to in the schedule to a licence granted under Schedule 3, but does not include any private dwelling to which the public is not admitted.

Vehicle will mean a vehicle intended or adapted for use on roads.

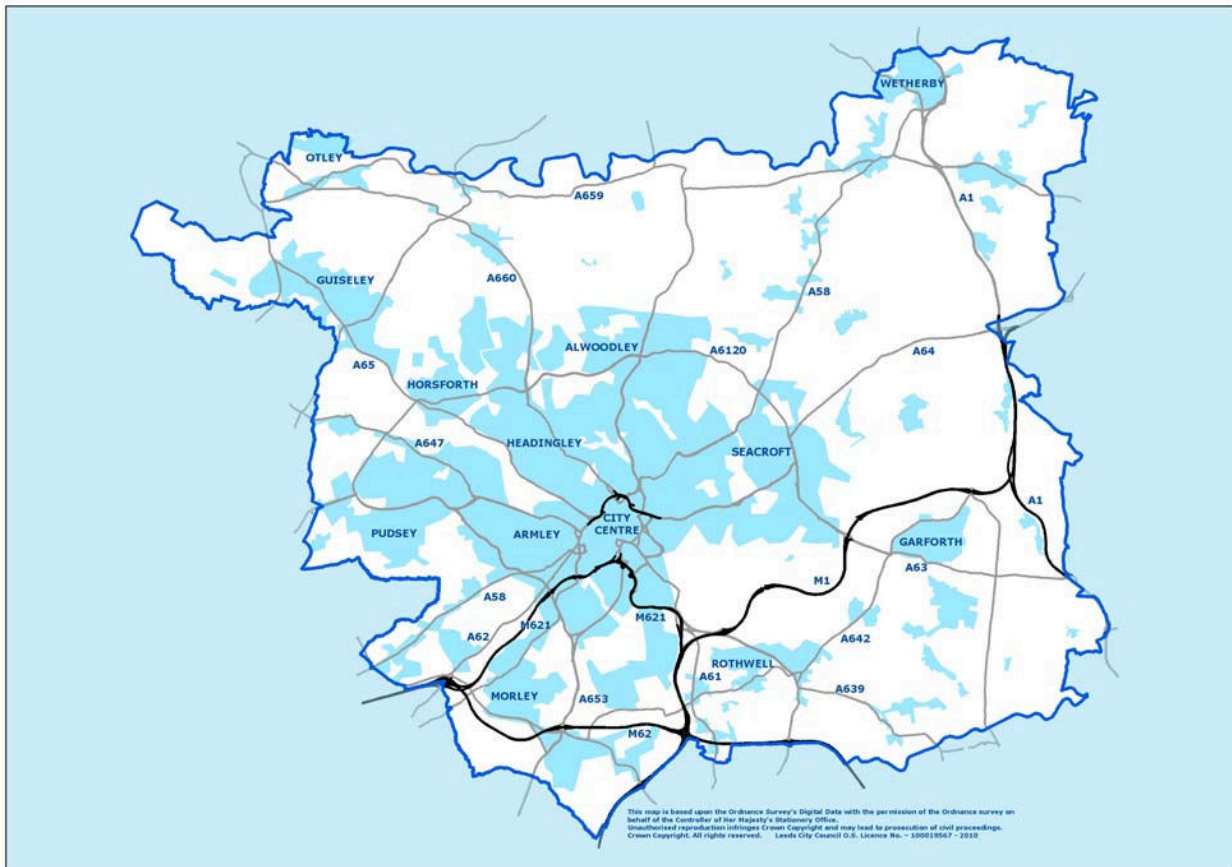
Section 2 The purpose of the licensing policy

- 2.1 This policy is prepared under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009. It was approved by Leeds City Council as the licensing authority for the Leeds metropolitan district in xxx. It will be reviewed regularly.
- 2.2 This policy is concerned with the regulation of sex establishments, namely sexual entertainment venues, sex shop and sex cinemas.
- 2.3 The council's licensing regime aims to ensure that sex establishments in the Leeds district operate in a safe, fair and discreet manner and are sensitive to the local area in which they are situated. Specific attention has been taken to advertising, staff welfare, external appearance, locality and the number of licensed premises.
- 2.4 In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
- Representatives of local business
 - Local residents and their representatives
 - Parish and town councils
 - Local members of parliament
 - Representatives of existing licence holders
 - West Yorkshire Police
 - Leeds City Council - Domestic Violence Unit
 - Leeds City Council - Children and Young People Social Care
 - Leeds City Council - City Development
 - Leeds Primary Care Trusts
 - Charitable organisations that have interest in sex establishments
- 2.5 This Policy also has regard to the guidance issued by the Home Office.
- 2.6 The council adopts the overall approach of encouraging the responsible promotion of licensed activities. However, in the interests of all its residents, it will not tolerate irresponsible licensed activity. The council will impose conditions where necessary to promote responsibility and will use effective enforcement to address premises where there are problems, in partnership with key agencies such as:
- West Yorkshire Police,
 - West Yorkshire Fire and Rescue Service,
 - Health and Safety Executive,
 - Crime and Disorder Reduction Partnerships,
 - Primary Care Trusts in the district
 - West Yorkshire Trading Standards
- 2.7 The council will monitor the effectiveness of this policy by way of regular meetings with key agencies and by regular open dialogue with the trade.

Section 3 The scope of the licensing policy

- 3.1 This policy covers licensable premises and activities as defined by the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 (the Act) within the Leeds metropolitan district. Schedule 3 of the Act is concerned with the control of sex establishments. A sex establishment means a sexual entertainment venue, sex cinema or sex shop.
- 3.2 A sexual entertainment venue is a premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer. Relevant entertainment means any live performance or any live display of nudity which is provided solely or principally for the purpose of sexually stimulating any member of the audience. The full legal definition of a sexual entertainment venue can be found at section 2 and 2A of the Act.
- 3.3 A sex cinema means a premises used to a significant degree for the exhibition of moving pictures which primarily portray sexual activity or act of force of restraint which are associated with sexual activity. A full legal definition of a sex cinema can be found in section 3 of the Act.
- 3.4 A sex shop relates to a premises used to a significant degree for the selling, etc. of sex articles or other items intended for the use of stimulating sexual activity or acts of force or restraint. A full legal definition of a sex shop can be found ay section 4 of the Act.
- 3.5 Advice on whether a licence is required can be obtained from Entertainment Licensing, Leeds City Council. Contact details are set out in Appendix 3.
- 3.6 Throughout this policy the wording will refer to 'applicants' for licences. However it should be noted that the principles set out within this policy apply equally to new applications, renewals and transfers.
- 3.7 This policy seeks to provide advice to applicants about the approach they should take to making applications and the view the council is likely to take on certain key issues.

Section 4 The Leeds district



- 4.1 Leeds City Council has sought to establish Leeds as a major European city and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within 30 minutes drive of the City Centre.
- 4.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 715,000 (taken from the 2001 census). It includes the city centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 4.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the city coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes have many benefits including the creation of a vibrant 24-hour city.
- 4.4 Leeds has strong artistic and sporting traditions and has the best attended outdoor events in the country. The success of arts and heritage organisations including the Grand Theatre, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackeray Medical Museum. The city also boasts a wealth of community based sports heritage and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.

- 4.5 Leeds is a city with many cultures, languages, races and faiths. A wide range of minority groups including Black Caribbean, Indian, Pakistani, Irish and Chinese as well as many other smaller communities make up almost 11% of the city population.
- 4.6 The Vision for Leeds 2004-2020 published by the Leeds Initiative, as the city's strategic partnership group, indicates that Leeds is now one of Britain's most successful cities. It boasts:
- A thriving economy
 - A vibrant city centre
 - A leading centre of learning, knowledge and research
 - A recognised regional capital
 - A positive image
 - A reputation for environmental excellence
 - A wide range of cultural facilities
 - A rich mix of cultures and communities
- 4.7 The Vision for Leeds 2004-2020 has three main aims:
- Going up a league as a city - making Leeds an internationally competitive city - The best place in the country to live, work and learn, with a high quality of life for everyone.
 - Narrowing the gap between the most disadvantaged people and communities and the rest of the city.
 - Developing Leeds' role as the regional capital contributing to the national economy as a competitive European city, supporting and supported by a region that is becoming increasingly prosperous.
- 4.8 This licensing policy seeks to promote licensing within the overall context of the three aims set out in Vision for Leeds 2004-2020.

Section 5 Integrating other guidance, policies, objectives and strategies

- 5.1 In preparing this licensing policy the council has had regard to, and sought to integrate the licensing policy with, the following strategies:
- Vision for Leeds 2004 to 2020
 - Leeds Unitary Development Plan
 - The Local Development Framework including the Leeds City Centre Area Action Plan
 - The Home Office Tackling Violent Crime Programme
 - Leeds City Council – Anti-Social Behaviour Statement
 - Leeds City Council – Environmental enforcement policies
 - Leeds City Council - Violence Against Women Strategy
- 5.2 The council (through its Licensing Committee) may, from time to time receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in Section 7 it may have regard to them when making licensing decisions.
- 5.3 The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy. This may include recommendations to amend the licensing policy itself.

Section 6 Cultural activities in Leeds

- 6.1 Leeds City Council (in common with other local authorities) is a major provider of facilities for public recreation. The Council has a tradition of promoting a wide range of cultural activity for the benefit of the city and district.
- 6.2 Leeds has a long established reputation for the encouragement of community and diverse cultural events and public entertainment as an essential aid to community involvement and an increasing sense of common identity.
- 6.3 Leeds Town Hall is the dedicated public concert hall/performance area in Leeds and the Carriageworks Theatre is dedicated to amateur performance and public use for Leeds.
- 6.4 Millennium Square in the city centre is used for public events and entertainment such as the Christmas market and 'Icecube' (a temporary ice rink).
- 6.5 Leeds Art Gallery has been described as 'probably the best collection of twentieth century British art outside London' (John Russell Taylor, *The Times*). Leeds Art Gallery is a newly re-furbished creative and lively gallery in the heart of Leeds on The Headrow in Leeds' Cultural Quarter. Offering displays of Leeds' stunning collections as well as a dynamic programme of changing exhibition, Leeds Art Gallery is an innovative and exciting place to visit for people of all ages and tastes.
- 6.6 Leeds City Museum is located in one of Leeds' much loved civic buildings - the Leeds Institute building on Millennium Square. The Leeds Institute is one of the City's most important historic buildings and was completed in 1862 by Cuthbert Brodrick, who also built Leeds Town Hall and the Corn Exchange. The Institute was built to provide education for the City's industrial workers and as a venue for lectures and large scale events. Work began in autumn 2005 on an ambitious project to turn it into an exciting new museum in the heart of Leeds. The project was funded by the Heritage Lottery Fund, Leeds City Council and Yorkshire Forward and has transformed the Grade II-listed Civic Institute building into a state-of-the-art museum.
- 6.7 The Carriageworks theatre is a thriving theatre at the heart of Leeds' Millennium Square. It showcases the best national and regional performance with a dynamic programme of theatre, dance, comedy and film. At the same time it provides support to young and emerging theatre makers, offering them a key platform to develop work. The venue gives opportunities for members of the local community to take part in a variety of high quality arts activities, and is home to the Leeds Civic Arts Guild. This is an umbrella group of performing societies enabling local people to experience making theatre in a fully functioning professional venue.
- 6.8 Abbey House is located just three miles out of the city centre on the main A65 road to Kirkstall. Located in accessible yet tranquil surroundings, Abbey House Museum is just a short distance from Kirkstall Abbey and its surrounding park. Abbey House opened to the public as a museum in 1927. During the 1950s Victorian street scenes were added. In 1995, the centenary of the reopening of Kirkstall Abbey by the city, it was decided to raise the money needed to redisplay and improve facilities for visitors. The Heritage Lottery Fund, Leeds City Council and the Friends of Leeds Museums made this work possible and work was completed in 2001.
- 6.9 The parks at Roundhay, Woodhouse Moor, Potternewton and Middleton are in use for community organised gatherings fairs and carnivals and Temple Newsam Park is the venue for council promoted public events attracting upwards of fifty thousand people.
- 6.10 Commercially promoted events take place in a variety of locations throughout the district.

Section 7 General principles

- 7.1 In determining a licensing application the overriding principle will be that each application will be determined on its own merit, taking into account local knowledge, this licensing policy and the guidance issued by the Home Office. Where it is necessary to depart from the guidance or this Policy the council will give clear and cogent reasons for doing so.

Human Rights

- 7.2 The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a Convention right. The council will have particular regard to the following relevant provisions of the European Convention on Human Rights:
- **Article 6** that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
 - **Article 8** that everyone has the right to respect for his home and private life.
 - **Article 10** that everyone has the right to freedom of expression.
 - **Article 1 of the first protocol** that every person is entitled to the peaceful enjoyment of his or her possessions, including for example a licence.

The Provision of Services Regulations

- 7.3 The Provision of Services Regulations 2009 implements the European Services Directive. These regulations ensure that any refusal of a licence is:
- **non-discriminatory** in regard to nationality,
 - **necessary** for reasons of public policy, public security, public health or the protection of the environment and
 - **proportionate** with regard to the objective pursued by the legislation.
- 7.4 The council will consider these three issues in relation to the refusal of licence applications.

Crime and Disorder Act 1998

- 7.5 The Crime and Disorder Act 1998 places a duty on the council to exercise its functions with due regard to:
- Crime and disorder in its area (including ant-social and other behaviour adversely affecting the local environment;
 - The misuse of drugs, alcohol and other substances.
 - Re-offending in its area.
- 7.6 The council will have particular regard to the likely effect of the determination of licence applications on these issues and the need to do all that is reasonable can to prevent them.

Equality Act 2010

- 7.7 The Equality Act 2010 places a duty on the council to exercise its functions with due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010;
 - Advance equality or opportunity between persons who share relevant protected characteristic and person who do not share it;
 - Foster good relation between persons who share a relevant protected characteristic and persons who do not share it.
- 7.8 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.9 The council is aware that sex establishments tend to be predominantly marketed to men and that the licensing of these establishments must not encourage discrimination against women especially in regard to women who work at the premises, women who may wish to visit the premises or women who are using the area for other purposes but who may feel intimidated by the presence of such premises.
- 7.10 Therefore the council will have particular regard to these duties, especially in regard to the determination of licences and the attaching of conditions.

Planning

- 7.11 The use of premises is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.
- 7.12 In general, all premises which are the subject of an application, should have the benefit of planning permission, or be deemed permitted development. The onus will be on the applicant to demonstrate that planning permission has been granted or that the premises have the benefit of permitted development rights. Failure to do so may result in objections and the licence being refused or granted subject to conditions which take account of the planning permissions in existence.
- 7.13 In addition, all new developments and premises which have been subject to structural alterations since 1994 will have building control approval in the form of a Building Regulations Completion Certificate. The onus will be on the applicant to demonstrate that any structural alterations have been approved by building control. Failure to do so may result in objections and the licence being refused or granted subject to conditions.
- 7.14 Any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct.

Staff Training

- 7.15 The council recommends that all persons employed on licensed premises be encouraged to attend training programmes to raise awareness of their responsibilities and particularly of the offences contained within the Act. Where recognised training programmes are not available employers should ensure that their employees are advised of their responsibilities and the offences under the Act.
- 7.16 All persons employed on licensed premises should be provided with in-house training on basic public safety and the housekeeping arrangements relative to those premises. Depending on their job role, this may include training in first aid, age verification policies, basic health and safety, and so on.

7.17 Licensed premises will be required to record training undertaken by staff in their staff records. These records will be made available for inspection on request by an authorised officer or the police.

Advertising

7.18 As part of the standard conditions attached to licences there is a requirement that all advertising and the external appearance of the premises must be approved by council. This approval will be sought at the next available sub-committee hearing. Applicants will be entitled to attend the hearing

Exemptions

7.19 Under the Act there is an exemption for sexual entertainment venues for premises which provide relevant entertainment on an infrequent basis. These are defined as premises where –

- no relevant entertainment has been provided on no more than 11 occasions within a 12 month period;
- no such occasion has begun within a period of one month beginning with the end of the previous occasions; and
- no such occasion has lasted longer than 24 hours
- other premises or types of performances or displays exempted by an order of the Secretary of State.

7.20 This exemption does not apply to sex shops or sex cinemas.

Section 8 Application Procedure

The application process

- 8.1 Applications must be made to the council in the form prescribed in Annex 2. Guidance is available to applicants setting out the detail of the process.
- 8.2 An operator's suitability will be checked before a licence for a sex establishment is granted. Depending on the individual circumstances this may be achieved by the following means:
- Application form
 - CRB check
 - Personal interview either in person, at hearing, by phone or in writing
 - Accreditation
- 8.3 In the first instance, the application will be sent to West Yorkshire Police who may conduct a check. The operator's suitability will be checked using the application form and the personal information forms. Applicants may be asked to provide basic CRB checks, or attend an interview, to support their application.
- 8.4 The suitability of the applicant is important to ensure that the interests of the public are protected. The council will use the methods described above to ensure that the proposed operator:
- is honest
 - has a clear understanding of the conditions that may be attached to the licence
 - has a suitable business plan which will deliver compliance of the standard conditions.
 - Has no unspent conviction of a nature that deem him/her unsuitable.
- 8.5 Applications for sexual entertainment venue sex establishment licence will also show they have:
- a clear employees welfare policy
 - a clear code of practice for employees
 - a clear code of conduct for customers
 - a clear policy on pricing, and
 - protects the interests of his customers
- 8.6 The council will take all of these criteria into account when determining the licence. Non-compliance of one or more of the criteria will not necessarily exclude the operator from holding a sex establishment licence providing the applicant is able to prove to the council that the interest of the public is protected.

Third Party Beneficiaries

- 8.7 In order to protect the public interest it is important to establish the hierarchy of the operator's business. Information will be sought and enquiries made into the operator's company structure to ensure that the operator is not working on behalf of an individual or company that would not be granted a licence in their own right.
- 8.8 Enquiries may be made via the application form, checks with Companies House, West Yorkshire Police, personal interview or applicants may be asked to provide business records.

Fees

- 8.9 The council has set a reasonable fee. The fee is based on the recovery of costs incurred by the council in determining the application. If the application is successful the applicant will pay a maintenance fee for enforcement and compliance checks.

Notices

- 8.10 The applicant must advertise the application in three ways:
- Advertisement in a local newspaper within 7 days of the application
 - Advertisement at the premises by way of a site notice for 21 consecutive days
 - Notice of the application to be sent to the Chief Officer of Police for West Yorkshire within 7 days of the application.
- 8.11 Proof that the applicant has advertised the application will be required.

Objections

- 8.12 Anyone can object to an application for a sex establishment. Objection should be received by the council no later than 28 days after the date of the application. These objections can be received from individuals or businesses and can be on any matter. However the appropriate weight will be given to objections which relate to the purpose of the legislation which is the control of sex establishments.
- 8.13 Guidance on making an objection can be found on the council's website.
- 8.14 The council will notify the applicant in writing of the general terms of any objection it receives within 28 days of the application. However objectors will remain anonymous and efforts will be made to sanitise the contents of the objections so the objector's identity remains anonymous.
- 8.15 If objectors wish for their details to be released to the applicant they should make this clear in their objection.

Hearings

- 8.16 All new applications and any contested renewals or transfers will be determined by a sub-committee of three members of the Licensing Committee.
- 8.17 It is the council's practice to provide notice of the hearing to all interested parties (applicants and objectors) five days before the hearing as laid down in Local Government Act 1972.
- 8.18 This notice will provide the date of the hearing, the procedure for the hearing, state any points on which the council requires clarification at the hearing, and will require the addressee to confirm their attendance and the attendance of any witnesses they may wish to call.
- 8.19 The hearing will take place in public except where the public interest requires otherwise.
- 8.20 All parties will be given an equal amount of time to present their case.

The Licensing Committee

- 8.21 The council has appointed a licensing committee of 15 Councillors. Licensing functions will often be delegated to a licensing sub committee of 3 councillors or, in appropriate cases to officers of the council.

- 8.22 Councillors will have regard to the Leeds City Council Code of Conduct for Members and guidance issued by the Standards Board for England. Where a Councillor who is a member of the Licensing Committee or sub-committee has a prejudicial interest in the application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision making process in respect of that application. Where ever possible, members will not hear applications from within their own ward to avoid any appearance of bias.
- 8.23 A licensing sub committee may refer an application to another sub committee or to the Licensing Committee where it is unable to deal with the application because of the number of members unable to vote on the matter in question.
- 8.24 The Licensing Committee will refer an application to the council where it is unable to deal with the application because of the number of members unable to vote on the matter in question.

Reasons for decisions

- 8.25 In determining licence applications under the Local Government (Miscellaneous Provisions) Act 1982 the council will take into consideration the application before it, any objections received as well as local knowledge including local issues and cultural sensitivities.
- 8.26 Every decision to refuse a licence made by the Licensing Committee, sub committee or officers will be accompanied by clear reasons for the decision.
- 8.27 Every effort will be made to provide a decision verbally at the sub-committee hearing, with the written reasons to follow in due course. However in exceptional circumstances the sub-committee may defer the decision in order to allow mature consideration of the respective case and a time for the reasoned condition will be drawn up and all parties notified.

Conditions

- 8.28 The council will impose standard conditions on all licences. However if deemed necessary, the council may change, alter or replace the standard conditions with conditions that are relevant to the application. Please see appendix 1 for the standard conditions.
- 8.29 Any change to the standard conditions will be applied to licences at the time of renewal when all conditions are reviewed.

Refusal of applications

- 8.30 Applications for sex establishments can be refused on the following mandatory grounds:
- if the applicant is under 18,
 - if the applicant has a disqualification following the revocation of their licence,
 - if the applicant is non-resident in the UK,
 - company not incorporated in the UK,
 - or a previous refusal of the applicant at the same premises in the previous 12 months.

- 8.31 There are also a number of discretionary grounds. These are:
- if the applicant is unsuitable,
 - if the business would be managed by or for the benefit of a third party who would be refused licence in their own right,
 - that the number of sex establishments in the locality or of sex establishments of a particular kind in the locality equals or exceeds the number considered appropriate,
 - is inappropriate having regard to:
 - Character of relevant locality
 - Use of premises in vicinity
 - Layout, character, condition or location of the premises.
- 8.32 As stated at 7.1, the council will consider each application on its own merits, taking into account local knowledge, this policy and the guidance provided by the Home Office.

Right of Appeal

- 8.33 In broad terms, the Act only allows the applicant to appeal the council's decision and only on limited grounds. The applicant is only able to appeal a decision made which relates to Sch3 para 12(3) (a) and (b) which relates to the suitability of the applicant, manager and/or beneficiary of the operation.

Period of licence

- 8.34 A sex establishment licence will remain in force for up to one year, or for a shorter period should the council think fit.

Grant, Renewals, Transfer

- 8.35 The process for applying for a renewal, transfer or variation of the licence is the same as when applying for a new licence. Guidance for applicants is available on the council's website.

Variation

- 8.36 There are some matters required under the standard conditions for which the premises licence holder is required to notify the council. These matters include:
- Variation of standard conditions
 - Variation of any of the terms of the licence
 - Change in the external appearance of the premises
 - Structural changes
 - Change in personnel
 - Use of a vehicle for advertising purposes
 - Change of name of premises
- 8.37 Application to vary conditions of the licence must be advertised by the licensee in the same way as for the application for grant, renewal or transfer.
- 8.38 Other matters must be notified to the council in writing, enclosing the appropriate plans, or illustrations as may be required to evidence the application. Some matters may attract a fee. Further guidance is available on the council's website.

Revocation

- 8.39 Should information be received by the council that circumstances have changed in such a way that the applicant would be deemed unsuitable or that the manager or beneficiary would be unsuitable should they be applying for a new licence, the council may revoke the sex establishment licence.

- 8.40 Should the council consider revocation of the licence to be appropriate the licensee will be provided an opportunity to appear before the Licensing Committee and be heard by them.
- 8.41 The licensee will be given a statement in writing of the reasons for revocation within seven days of the requirement being made.
- 8.42 The revocation will take effect once the appeal period has expired, or if an appeal is lodged after the determination or abandonment of the appeal.

Waiver

- 8.43 Should the council decide that a licence would be unreasonable or inappropriate, it may waive the need for a licence, for example in the case of a medical book shop, sex clinic, in borderline cases, to correct errors or for minor or temporary events.
- 8.44 The council would only waive the need for a licence where the activity is low risk and/or temporary. However a waiver will not be considered in cases where a licence is reasonable and appropriate or where there is public interest.
- 8.45 The application for a waiver uses the same form as an application for a new licence; however it should be accompanied by a letter which describes the circumstances under which the need for a licence should be waived. There will be no requirement to advertise the application. There is a fee. Further information can be found on the council's website, or by contacting Entertainment Licensing.
- 8.46 The decision to waive the need for a licence will be taken at the next available licensing sub-committee hearing and a Notice of Waiver will be issued in due course.
- 8.47 Unsuccessful applications for waivers will be notified accordingly and provision will be made for them to make a formal application for a sex establishment licence.

Section 9 Enforcement

9. Enforcement principles

- 9.1 The council will work closely with partners in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation.
- 9.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the council will endeavour to be:
- **proportionate:** regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
 - **consistent:** rules and standards must be joined up and implemented fairly;
 - **transparent:** regulators should be open, and keep regulations simple and user friendly; and
 - **targeted:** regulation should be focused on the problem, and minimise side effects.
- 9.3 The council will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 9.4 The council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.
- 9.5 The main enforcement and compliance role for the council in terms of the Local Government (Miscellaneous Provisions) Act 1982 as amended will be to ensure compliance with the conditions placed upon the licence.
- 9.6 The council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 9.7 The council's enforcement/compliance protocols/written agreements will be available upon request.

Appendix 1 Standard Conditions

These conditions may be dispensed with, added to or modified by the council. Where, in these conditions, there is a reference to the consent of the council being required, the consent may include terms, conditions and restrictions as appropriate.

Sexual Entertainment Venues

General

1. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. The licensee will provide (subject to the satisfaction of both the police and the licensing authority), a code of practice for entertainers and code of conduct for customers, and these must be made available upon request to both the police and authorised officers.
4. All rules (code of practice for entertainers, code of conduct for customers, dispersal policies etc) to be prominently displayed on the premises.
5. Price lists will be clearly displayed at each table and at each entrance to the premises.
6. All rules and price lists as described in conditions 4 and 5 must be printed in a manner which is clear and easy to read during the normal operation of the premises.
7. Suitable and sufficient training is to be provided to all staff including the responsible person as described in condition 28. The training of all staff is to be recorded and the training record must be made available upon request to both the police and authorised officers.
8. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.

Exhibition of the licence

9. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

Hours of opening

10. The premises will only be open to the public during the following hours:

Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	

Conduct on the premises

11. Entertainers will only perform on the stage area, or in booths/areas for VIPs as identified on the plan attached to the licence.
12. Relevant entertainment will only be performed by the entertainer. There must be no audience participation.
13. There must be no physical contact between entertainers.
14. Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.
15. Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.
16. Sex toys must not be used and penetration of the genital area by any means must not take place.
17. Customers will not be permitted to throw money at the entertainers.
18. The taking of photographs and visual film footage (other than CCTV) is not permitted on the premises during operating hours.

External appearance

19. There will be a notice displayed inside each entrance or doorway to the premises, clearly visible on entering the premises, which states the following:

<p>ADULT ENTERTAINMENT</p> <p>STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE</p> <p>THIS PREMISES OPERATES A CHALLENGE 25 POLICY PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW PROOF OF AGE</p>

20. The external appearance of the premises must be approved by the council in writing.
21. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed street elevation. This must be approved by the council before work is undertaken.
22. The frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the doors of the licensed premises is open.
23. There will be no illuminated signs and no signs placed outside the premises between 6am and 10pm.

Advertising

24. Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.

25. Leafleting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the Highways within a 100 metre radius of the premises by 6am. The licensee will have a flyer distribution policy to be approved by the Council.

Layout of premises

26. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
27. No alterations (including temporary alterations) will be made to the structure and installations on the premises, without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

Management of the premises

28. The licensee, or a responsible person nominated by him in writing for the purpose of managing the venue ("the manager") will have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination will be produced on demand to an authorised officer of the council or the police.
29. The licensee will ensure that any person nominated by him under the above:
 - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
 - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
30. The name of the person responsible for the management of the premises, whether the licensee or manager, will be displayed in a conspicuous position within the premises throughout the period during which he is responsible for the conduct of the premises.
31. Where the licensee is a body corporate, or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change of personnel will be furnished within 14 days of a request in writing from the council.
32. Where the licensee, director, company secretary, or responsible person nominated for the purpose of managing the venue ("the manager"), is convicted of an offence, they must, as soon as practicable after the conviction, inform the council of the conviction giving details of the nature and date of the conviction, and any sentence imposed.
33. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately in the event that any part of the premises is affected by the termination of a lease or other event affecting the licensee's control of the premises.
34. The licensee will ensure that the public is not admitted to any part or parts of the premises that has not been approved by the council.
35. No persons under the age of 18 will be admitted to the premises.
36. The licensee will operate a Challenge 25 age verification policy. People under the age of 25 will be required to show proof of ID. A notice to this effect, in accordance with condition 19 will be displayed on the premises.

37. The licence holder will not employ any person under the age of 18 in any capacity.

Safety and security

38. A suitable CCTV system will be operational on the premises at all times when licensed activities are being carried out. The system will cover all public areas including booths and corridors but not including staff changing rooms or toilets. The system will conform to West Yorkshire Police guidelines (as attached to the licence) in respect of business related CCTV equipment. It will be adequately maintained and be capable of transporting recorded material onto removable media.
39. The siting of the CCTV system will be agreed with West Yorkshire Police prior to installation and will comply with that agreement at all times. Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police.
40. CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of West Yorkshire Police. CCTV footage will be supplied to the police and authorised officers of the Council on request.
41. At all times that the premises are open to the public there will be a member of staff on duty who is conversant with operating the CCTV system and who is able to download immediately any footage requested by the police or an officer from the licensing authority or authorised agent.
42. Suitable numbers of SIA registered door staff (numbers to be subject to police and licensing authority approval) will be present on the premises during the performance of relevant entertainment.

Staff welfare

43. Entertainers will be aged no less than 18 years.
44. All premises that provide relevant entertainment will be expected to provide new entertainers with a pack of information. This pack will include:
- a) A copy of the Sex Establishment Licence, including the conditions applied by the Licensing Committee.
 - b) Details of any other conditions applied by management of the premises
 - c) Details of how to report crime to the relevant authority
 - d) Details of insurance (public liability/personal)
 - e) Details of unions, trade organisations or other bodies that represent the interests of dancers/entertainers
 - f) A copy of the code of practice for entertainers
 - g) A copy of the code of conduct for customers
 - h) Fining policy
 - i) Pricing policy
45. The information provided in the pack will be provided in the dressing rooms.
46. All booths/areas for VIPs used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.
47. All booths/areas for VIPs used for private dances must be supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use.

48. Entertainers not performing must not be present in the licensed area in a state of nudity.
49. Any person on the premises who can be observed from outside the premises will be properly and decently dressed.
50. The licensee will ensure entertainers have secure dressing rooms, facilities to secure valuables and proper sanitation facilities available to them.
51. The management will maintain a register which details any fines imposed on entertainers which will include the date, type of fine and amount fined.

Vessels, stalls and vehicles

52. Vehicles will not be used to obtain custom by means of personal solicitation or touting in such a way that causes concern or offence to the public or the licensing authority.
53. Any vehicle used to advertise the premises must comply with the advertising conditions. All forms of advertising on vehicles must be approved by the council prior to use.
54. Vehicles used to transport customers to or from the premises may require a licence issued by Leeds City Council Taxi and Private Hire Licensing or the Department for Transport. Details of any vehicles brought into service must be notified to the council in writing and details of any relevant licence issued by Leeds City Council Taxi and Private Hire Licensing, or the Department for Transport must be produced in advance of the vehicle being used.

Variation of conditions

55. The council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case as it thinks fit.
56. The licensee may apply to the council to vary any of the terms of the licence.
57. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

SEX SHOPS

General

1. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.

Exhibition of licence

4. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

Hours of opening

5. The premises will only be open to the public during the following hours:

Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	

Conduct on the premises

6. The licensee, or any other person concerned in the conduct or management of the premises, will only obtain custom by means of personal solicitation or touting from the premises in such a way that it does not cause concern to the public or the licensing authority. All literature used will not contain images or text of a sexually explicit, obscene or offensive nature.

External appearance

7. There will be a notice displayed on each entrance or doorway to the premises which states the following:

STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE

THIS PREMISES OPERATES A CHALLENGE 25 POLICY
PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW PROOF OF AGE

8. The external appearance of the premises must be approved by the council in writing.
9. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed

street elevation. This must be approved by the council before work is undertaken.

10. The frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the doors of the licensed premises is open.
11. There will be no illuminated or protruding signs fixed to the premises and no signs placed outside the premises.

Advertising

12. Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.
13. Leafletting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the highways within a 100 metre radius of the premises. The licensee will have a flyer distribution policy to be approved by the council.

Layout of premises

14. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
15. No alterations (including temporary alterations) will be made to the structure and installations on the premises without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

Management of the premises

16. The licensee, or a responsible person nominated by him in writing for the purpose of managing the venue ("the manager"), will have personal responsibility for and be present on the premises whilst the premises are open to the public. Any such nomination will be produced on demand to an authorised officer of the council or the police.
17. The licensee holder will ensure that any person nominated by him under the above:
 - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
 - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
18. Where the licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change in personnel will be furnished within 14 days of a request in writing from the council.
19. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately in the event that any part of the premises is affected by the termination of a lease or other event affecting the licensee's control of the premises.
20. The licensee will ensure that the public is not admitted to any part or parts of the

premises that has not been approved by the council.

21. The holder of the licence will keep a record of all employees who are asked to work on the premises which will include their full name, date of birth, current and previous address and any convictions recorded against that person (subject to the Rehabilitation of Offenders Act 1984).
22. An authorised and certified copy of the full personal record or a record of an individual will be produced on demand to an authorised officer of the council or the police.
23. No persons under the age of 18 will be admitted to the premises.
24. The licensee will operate a Challenge 25 age verification policy and people under the age of 25 will be required to show proof of ID. A notice to this effect in accordance with condition 8 will be displayed on the outside of the premises.
25. The licence holder will not employ any person under the age of 18 in any capacity.

Video recordings

26. No moving picture will be provided on display at the licensed premises unless it is that of advertising videos on a loop system or allowing a prospective purchaser a short preview of films upon request, being no longer than 3 minutes in length.
27. Items sold, supplied for hire, exchange or used in any promotion/advertising must not contravene any current legislation i.e. Section 12 Video Recordings Act 1984, (as amended).

Vessels, stalls and vehicles

28. Vehicles will not be used to obtain custom by means of personal solicitation or touting in such a way that causes concern or offence to the public or the licensing authority.
29. Any vehicle used to advertise the premises must comply with the advertising conditions. All forms of advertising on vehicles must be approved by the council.
30. Vehicles used to transport customers to or from the premises may require a licence issued by Leeds City Council Taxi and Private Hire Licensing or the Department for Transport. Details of any vehicles brought into service must be notified to the council in writing and details of any relevant licence issued by Leeds City Council Taxi and Private Hire Licensing, or the Department for Transport must be produced in advance of the vehicle being used.

Variation of conditions

31. The council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case as it thinks fit.
32. The licensee may apply to the council to vary any of the terms of the licence.
33. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

SEX CINEMAS

General

1. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.

Exhibition of licence

4. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

Hours of opening

5. The premises will only be open to the public during the following hours:

Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	

Conduct on the premises

6. The licensee, or any other person concerned in the conduct or management of the premises, will only obtain custom by means of personal solicitation or touting from the premises in such a way that it does not cause concern to the public or the licensing authority. All literature used will not contain images or text of a sexually explicit, obscene or offensive nature.

External appearance

7. There will be a notice displayed on each entrance or doorway to the premises which states the following:

STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE

THIS PREMISES OPERATES A CHALLENGE 25 POLICY
PERSONS UNDER THE AGE OF 25 WILL BE REQUIRED TO SHOW PROOF OF AGE

8. The external appearance of the premises must be approved by the council in writing.
9. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed

street elevation. This must be approved by the council before work is undertaken.

10. The frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the doors of the licensed premises is open.
11. There will be no illuminated or protruding signs fixed to the premises and no signs placed outside the premises.

Advertising

12. Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.
13. Leafleting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the highways within a 100 metre radius of the premises. The licensee will have a flyer distribution policy to be approved by the council.

Layout of premises

14. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
15. No alterations (including temporary alterations) will be made to the structure and installations on the premises without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

Management of the premises

16. The licensee, or a responsible person nominated by him for the purpose of managing the venue ("the manager"), will have personal responsibility for and be present on the premises whilst the premises are open to the public. Any such nomination will be produced on demand to an authorised officer of the council or the police.
17. The licensee holder will ensure that any person nominated by him under the above:
 - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
 - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
18. Where the licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change in personnel will be furnished within 14 days of a request in writing from the council.
19. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately in the event that any part of the premises is affected by the termination of a lease or other event affecting the licensee's control of the premises.
20. The licensee will ensure that the public is not admitted to any part or parts of the

premises that has not been approved by the council.

21. The holder of the licence will keep a record of all employees who are asked to work on the premises which will include their full name, date of birth, current and previous address and any convictions recorded against that person (subject to the Rehabilitation of Offenders Act 1984).
22. An authorised and certified copy of the full personal record or a record of an individual will be produced on demand to an authorised officer of the council or the police.
23. No persons under the age of 18 will be admitted to the premises.
24. The licensee will operate a Challenge 25 age verification policy and people under the age of 25 will be required to show proof of ID. A notice to this effect in accordance with condition 8 will be displayed on the outside of the premises.
25. The licence holder will not employ any person under the age of 18 in any capacity.

Vessels, stalls and vehicles

26. Vehicles will not be used to obtain custom by means of personal solicitation or touting in such a way that causes concern or offence to the public or the licensing authority.
27. Any vehicle used to advertise the premises must comply with the advertising conditions. All forms of advertising on vehicles must be approved by the council.
28. Vehicles used to transport customers to or from the premises may require a licence issued by Leeds City Council Taxi and Private Hire Licensing or the Department for Transport. Details of any vehicles brought into service must be notified to the council in writing and details of any relevant licence issued by Leeds City Council Taxi and Private Hire Licensing, or the Department for Transport must be produced in advance of the vehicle being used.

Variation of conditions

29. The council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case as it thinks fit.
30. The licensee may apply to the council to vary any of the terms of the licence.
31. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

Appendix 2 Application Forms and Notices

SE1 Application for the grant of a sex establishment licence 33

This application form is for the grant of a new sex establishment licence. This should be completed by the proposed licensee.

SE2 Application for renewal of a sex establishment licence 43

This application form is for the annual renewal of an existing sex establishment licence.

SE3 Application for transfer of a sex establishment licence 48

This application form allows the current licence holder to transfer the licence to another party.

SE4 Application for variation of a sex establishment licence 52

This application form allows the current licence holder to vary the terms of an existing licence.

SE5 Information on Individuals 58

This form provides information about the applicant, their partners, the manager of the premises and the relief manager.

SE6 Example notice of application for a sex establishment licence 60

This is an example notice to advertise the application. The wording is suitable for the site notice and the newspaper advertisement. The notice does not have to be in this exact form but must include the wording.

SE7 Standard declaration 61

This standard declaration provides the wording the applicant should use to confirm that they have met the statutory requirement in relation to advertisement.

These forms are subject to change. The latest forms and guidance are available on the Leeds City Council website www.leeds.gov.uk or from Entertainment Licensing. Please contact Entertainment Licensing before making your application.

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

APPLICATION FOR THE GRANT OF A SEX ESTABLISHMENT LICENCE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

Please read the following instructions

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Sexual Entertainment Venue

Sex Shop

Sex Cinema

APPLICANT DETAILS

1. Is the applicant:

An individual

(please answer questions 2, 5 to 9)

A company or other corporate body

(please answer questions 3, 5 to 9)

A partnership or other unincorporated body

(please answer questions 4, 5 to 9)

2. Full name of applicant (individual):

Former or previous names:

Home address:

Post town:

Post code:

Telephone numbers:

Date of Birth:

3 Name of applicant (company name):

Address of registered or principal office:

Post town:

Post code:

Registration number:

4. Name and address of applicant:

Names and addresses of applicant's partners (please use additional sheet):

<p>5. Are there any other persons responsible for the management of the premises/business other than the partners? Please state their names and addresses:</p>
<p>6. a. Has the applicant ever been known by any other name? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Has the applicant ever been convicted of a criminal offence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>c. Has the applicant ever been refused a sex establishment licence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>d. Has the applicant ever had a sex establishment licence revoked? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>e. Has the applicant ever been served with a winding up petition? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer to any of these questions is yes, please provide details:</p>
<p>7. Applicants' trading address or head office (other than the premises)</p>
<p>8. Will the business for which this a licence is sought be carried on for the benefit of a person other than the applicant? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.</p>

9. Does the applicant operate any other sex establishments, licensed or otherwise? Please state name, address, and type of sex establishment of each.

PREMISES DETAILS

10. Please state the name the business will be known as:

11. Is the premises a Building Vehicle Vessel Stall

12. Where is it proposed to use the vehicle, vessel or stall?

13. Does the company propose to only operate on the internet? (answer Q14 to 19 only) YES NO

14. Premises address

Post town Post code

Telephone number at premises

15. Which part of the premises is to be used as a sex establishment?

16. Is the applicant owner lessee sub-lessee

17. If the applicant is rents the property state:

a. Name and address of landlord

b. Name and address of the superior landlord:

c. Total annual rental:	
d. Length of unexpired term:	
e. Notice required to terminate tenancy:	
18. Please provide details of the building management company (if appropriate):	
19. State the current use of the premises:	
20. Has planning permission been obtained for the use of the proposed premises?	YES <input type="checkbox"/> NO <input type="checkbox"/>
21. Can member of the public access the premises:	
a. Directly from the street?	YES <input type="checkbox"/> NO <input type="checkbox"/>
b. From other premises?	YES <input type="checkbox"/> NO <input type="checkbox"/>
c. Not at all? (internet sales only)	YES <input type="checkbox"/> NO <input type="checkbox"/>
22. a. Numbers of door supervisors:	
b. Hours door supervision in place:	
23. Are the premises currently being used as a sex establishment?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Please provide details of the business currently operating the business:	

OPERATING SCHEDULE	
24. Opening hours: (If internet sales only please tick here <input type="checkbox"/> and continue to Q23)	
Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	
25. Has the applicant entered into any written or oral agreement in connection with the business, for example a management agreement, partnership agreement or profit share arrangement? Please provide details	YES <input type="checkbox"/> NO <input type="checkbox"/>
a. Please provide details of any lender, mortgage or others providing finance:	

b. Please provide details of any merchandising agreements:

Premises management

26. Please state the name of the person who will be in day to day control of the premises (the manager).

.....

a. Will the manager be based at the premises YES NO

b. Will the management of the premises be the manager's sole occupation YES NO

27. Who will be in control of the premises in the manager's absence (relief manager)?

.....

a. Will the relief manager be based at the premises in the absence of the manager? YES NO

If you have ticked no to any of the above, please provide details

External appearance and advertising

28. Please describe the proposed exterior signage and advertising. Please include nature, content and size of each sign and any images to be used:

Please note that a drawing of the front elevation is required to be submitted with this application

29. Please describe how the interior of the premises is obscured to passers by:

30. Please describe any proposed window displays:

31. Please describe how the business is to be advertised, i.e. business cards, billboard advertising, personal solicitation, advertising on motor vehicles, radio or television advertising:

Policies and Operating Schedule

32. Please provide details of the age verification policy:

33. Please provide details of the CCTV arrangements:

34. State measures to be taken to prevent nuisance to residents and businesses in the vicinity:

35. State measures to be taken to promote public safety:

36. State measures to be taken to prevent crime and disorder:

<p>37. State measures to be taken to protect children from harm:</p>
<p>38. State measures to ensure employees age and right to work in the UK:</p>
<p>39. Describe training and welfare policies:</p>

<p>Applications for Sexual Entertainment Venues Only</p>	
<p>40. Is the proposal for full nudity?</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>41. Describe the nature of the entertainment, e.g. lap-dancing, pole dancing, stage strip-tease:</p>	

<p>42. Please enclose a copy of the code of practice entertainers must abide by (or equivalent document), and describe how entertainers will be monitored to ensure compliance:</p>
<p>43. Please enclose a copy of the code of conduct customers must abide by (or equivalent document), and describe how customers will be monitored to ensure compliance:</p>
<p>44. Please enclose a copy of the welfare policy for performers (or equivalent document).</p>
<p>45. Does the business intend to provide vehicles to transport customers or performers to and from the premises? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Please enclose copies of the relevant licences issued by Taxi and Private Hire Licensing.</p>

<p>Further information</p>
<p>46. Please set out any further information you wish the authority to take into account.</p>
<p>47. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.</p>

CHECKLIST & ENCLOSURES

Enclosures

- I have made or enclosed payment of the fee
- I have enclosed three sets of plans of the premises
- I have enclosed a drawing of the street elevation of the premises
- I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, and 8
- I have enclosed a completed form SE5 for the Manager and Relief Manager (Q26 & 27)
- I have enclosed a copy of the code of practice for entertainers (if appropriate)
- I have enclosed a copy of the code of conduct for customers (if appropriate)
- I have enclosed a copy of the Dancers Induction Pack (if appropriate)
- I have enclosed a copy of the licences for vehicles used in connection with the business (if appropriate).

Advertisement

- I declare that I have served notice of this application on West Yorkshire Police.
- I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.
- I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.
- A copy of the relevant press edition will be forwarded to Entertainment Licensing
- I understand that if I do not comply with the above requirements my application will be rejected

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000

SIGNATURES

Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Guidance Notes

1. Please return this completed application form to:

Entertainment Licensing Department
Civic Hall
LEEDS
LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for sex establishments is as follows:
New Application: £2,300
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.
7. Requirements for layout plan

The plan must show:

1. The layout of the premises including, e.g. stage, bars, cloakroom, WCs, performance area, dressing rooms.
2. The extent of the boundary of the premises outlined in red
3. The extent of the public areas outlined in blue
4. Uses of different areas in the premises, e.g. performance areas, reception, staff facilities.
5. Structures or objects (including furniture) which may impact on the ability of individuals to use exits or escape routed without impediment.
6. Location of points of access to and egress from the premises.
7. Any parts used in common with other premises.
8. Position of CCTV cameras
9. Where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor.
10. The location of any steps, stairs, elevators or lifts.
11. The location of any public conveniences, including disabled WCs.
12. The location and type of any fire safety and other safety equipment.
13. The location of the kitchen (if applicable).
14. The location of emergency exits.

For further assistance or information please contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

APPLICATION FOR RENEWAL OF A SEX ESTABLISHMENT LICENCE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

Please read the following instructions

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Sexual Entertainment Venue

Sex Shop

Sex Cinema

APPLICANT DETAILS

1. Is the applicant:

An individual

(please answer questions 2, 5 to 9)

A company or other corporate body

(please answer questions 3, 5 to 9)

A partnership or other unincorporated body

(please answer questions 4, 5 to 9)

2. Full name of applicant (individual):

Former or previous names:

Home address:

Post town:

Post code:

Telephone numbers:

Date of Birth:

3. Name of applicant (company name):

Address of registered or principal office:

Post town:

Post code:

Registration number:

4. Name and address of applicant:

Names and addresses of applicant's partners (please use additional sheet):

<p>5. Has there been any change to the persons responsible for the management of the premises/business other than the partners? Please state their names and addresses:</p>
<p>6. In the last 12 months (or since the licence was granted or last renewed):</p> <p>a. Has the applicant been convicted of a criminal offence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Has the applicant been refused a sex establishment licence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>c. Has the applicant had a sex establishment licence revoked? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>d. Has the applicant been served with a winding up petition? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer to any of these questions is yes, please provide details:</p>
<p>7. Will the business for which this renewal is sought be carried on for the benefit of a person other than the applicant? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.</p>
<p>8. Has the applicant opened any other sex establishments, licensed or otherwise, in the last 12 months (or since the licence was last renewed)? Please state name, address, and type of sex establishment of each.</p>

PREMISES DETAILS

9. Premises name and address

Post town

Post code

Telephone number at premises

10. State the names of those responsible for managing the premises:

OPERATING SCHEDULE

11. Has the applicant entered into any new written or oral agreement in connection with the business since the grant of the licence, for example a management agreement, partnership agreement or profit share arrangement? Please provide details YES NO

12. Please provide details of any lender, mortgage or others providing finance:

13. Please provide details of any merchandising agreements:

Further information

14. Please set out any further information you wish the authority to take into account.

15. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

CHECKLIST & ENCLOSURES

Enclosures	
I have made or enclosed payment of the fee	<input type="checkbox"/>
I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, and 8	<input type="checkbox"/>
I have enclosed a completed form SE5 for the Manager and Relief Manager (if changed)	<input type="checkbox"/>
Advertisement	
I declare that I have served notice of this application on West Yorkshire Police.	<input type="checkbox"/>
I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.	<input type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.	<input type="checkbox"/>
A copy of the relevant press edition will be forwarded to Entertainment Licensing	<input type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected	<input type="checkbox"/>
Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.	
Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000	

SIGNATURES

Signature of applicant or applicant’s solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.	
Signature
Date
Capacity
Contact Name (where not previously given) and address for correspondence associated with this application	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Guidance Notes

1. Please return this completed application form to:

Entertainment Licensing Department
Civic Hall
LEEDS
LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for sex establishments is as follows:
Renewal: £2,300
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.

For further assistance or information please do not hesitate to contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

APPLICATION FOR THE TRANSFER OF A SEX ESTABLISHMENT LICENCE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

Please read the following instructions

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Sexual Entertainment Venue

Sex Shop

Sex Cinema

APPLICANT DETAILS

1. Is the applicant:
- An individual (please answer questions 2, 5 to 9)
 - A company or other corporate body (please answer questions 3, 5 to 9)
 - A partnership or other unincorporated body (please answer questions 4, 5 to 9)

2. Full name of applicant:

Former or previous names:

Home address:

Post town :

Post code:

Telephone numbers:

Date of Birth:

3 Name of applicant (company name):

Address of registered or principal office:

Post town:

Post code:

Registration number:

4. Name of applicant:

Name of applicant's partners:

<p>5. Are there any other persons responsible for the management of the premises/business other than the partners? Please state their names:</p>
<p>6. a. Has the applicant been known by any other name? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>b. Has the applicant ever been convicted of a criminal offence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>c. Has the applicant ever been refused a sex establishment licence? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>d. Has the applicant even had a sex establishment licence revoked? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>e. Has the applicant ever been served with a winding up petition? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer to any of these questions is yes, please provide details:</p>
<p>7. Applicants' trading address or head office (other than the premises):</p>
<p>8. Will the business for which this a licence is sought be carried on for the benefit of a person other than the applicant? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.</p>

9. Does the applicant operate any other sex establishments, licensed or otherwise? Please state name, address, and type of sex establishment of each.

OPERATING SCHEDULE

10. Please state the name and address of the business:

11. Has the applicant entered into any written or oral agreement in connection with the business, for example a management agreement, partnership agreement or profit share arrangement? Please provide details YES NO

12. Please provide details of any lender, mortgage or others providing finance:

13. Please provide details of any merchandising agreements:

Premises management

14. Please state the name of the person who will be in day to day control of the premises (the manager).

.....

a. Will the manager be based at the premises YES NO

b. Will the management of the premises be the manager’s sole occupation YES NO

15. Who will be in control of the premises in the manager’s absence (relief manager)?

.....

a. Will the relief manager be based at the premises in the absence of the manager? YES NO

If you have ticked no, please provide details

Further information
16. Please set out any further information you wish the authority to take into account.
17. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

CHECKLIST & ENCLOSURES	
Enclosures	
I have made or enclosed payment of the fee	<input type="checkbox"/>
I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, and 8	<input type="checkbox"/>
I have enclosed a completed form SE5 for the Manager and Relief Manager	<input type="checkbox"/>
Advertisement	
I declare that I have served notice of this application on West Yorkshire Police.	<input type="checkbox"/>
I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.	<input type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.	<input type="checkbox"/>
A copy of the relevant press edition will be forwarded to Entertainment Licensing	<input type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected	<input type="checkbox"/>
Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.	
Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000	

SIGNATURES	
Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.	
Signature	
Date	
Capacity	
Contact Name (where not previously given) and address for correspondence associated with this application	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Guidance Notes

1. Please return this completed application form to:
 Entertainment Licensing Department
 Civic Hall
 LEEDS
 LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for sex establishments is as follows:
 Transfer: £2,300
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.

For further assistance or information please contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

APPLICATION FOR THE VARIATION OF A SEX ESTABLISHMENT LICENCE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

Please read the following instructions

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Sexual Entertainment Venue

Sex Shop

Sex Cinema

APPLICANT DETAILS

1. Is the applicant:
- An individual (please answer questions 2, 5 to 9)
 - A company or other corporate body (please answer questions 3, 5 to 9)
 - A partnership or other unincorporated body (please answer questions 4, 5 to 9)

2. Full name of applicant:

Former or previous names:

Home address:

Post town :

Post code:

Telephone numbers:

Date of Birth:

3 Name of applicant (company name):

Address of registered or principal office:

Post town:

Post code:

Registration number:

4. Name of applicant:

Name of applicant's partners:

PREMISES DETAILS

5. Please state the name and address of the business:

6. Please describe fully the nature of your variation:

7. Are you seeking to alter change or remove any standard conditions?
Please provide details, including the condition number:

Premises management

8. Please state the name of the person who will be in day to day control of the premises (the manager).

-
- a. Will the manager be based at the premises YES NO
- b. Will the management of the premises be the manager's sole occupation YES NO

9. Who will be in control of the premises in the manager's absence (relief manager)?

-
- a. Will the relief manager be based at the premises in the absence of the manager? YES NO

If you have ticked no, please provide details

Further information
10. Please set out any further information you wish the authority to take into account.
11. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

CHECKLIST & ENCLOSURES	
Enclosures	
I have made or enclosed payment of the fee	<input type="checkbox"/>
I have enclosed three sets of plans of the premises (if appropriate)	<input type="checkbox"/>
I have enclosed a drawing of the street elevation of the premises (if appropriate)	<input type="checkbox"/>
I have enclosed a completed form SE5 for each person mention in Q2, 3, 4, 7 and 8	<input type="checkbox"/>
I have enclosed a completed form SE5 for the Manager and Relief Manager	<input type="checkbox"/>
Advertisement	
I declare that I have served notice of this application on West Yorkshire Police.	<input type="checkbox"/>
I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed.	<input type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.	<input type="checkbox"/>
A copy of the relevant press edition will be forwarded to Entertainment Licensing	<input type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected	<input type="checkbox"/>
Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.	
Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000	

SIGNATURES	
Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.	
Signature	
Date	
Capacity	
Contact Name (where not previously given) and address for correspondence associated with this application	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Guidance Notes

1. Please return this completed application form to:
 Entertainment Licensing Department
 Civic Hall
 LEEDS
 LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for sex establishments is as follows:
 Variation: £600
4. The applicant is responsible for serving notice of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application will be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.

For further assistance or information please contact Entertainment Licensing on 0113 247 4095

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

INFORMATION ON INDIVIDUALS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED

Please read the following instructions

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

PERSONAL DETAILS

1. Name:	
2. Former name (if any):	
3. Position in relation to applicant (i.e. director, partner, manager):	
4. Date of Birth:	5. Gender:
5. Permanent address:	
6. If resident at this address for less than 3 years, state previous address:	
7. Have you been resident in the UK for longer than 6 months?	YES <input type="checkbox"/> NO <input type="checkbox"/>
8. Have you ever been disqualified from holding a sex establishment licence? Please give details	YES <input type="checkbox"/> NO <input type="checkbox"/>
9. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal reviewed or revoked?	
a. Sex establishment licence	YES <input type="checkbox"/> NO <input type="checkbox"/>
b. Licence for the supply of alcohol	YES <input type="checkbox"/> NO <input type="checkbox"/>
c. Licence for the provision of entertainment, whether sexual or otherwise	YES <input type="checkbox"/> NO <input type="checkbox"/>
d. Personal Licence under the Licensing Act 2003	YES <input type="checkbox"/> NO <input type="checkbox"/>
Please give details:	

<p>10. Have you ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?</p> <p>If so, provide details of the date, convicting court, offence and penalty imposed.</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>11. To your knowledge, are you currently the subject of any criminal investigate?</p> <p>If so please give details</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>12. Have you ever had civil legal action taken against you?</p> <p>If so please give details</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>13. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement?</p> <p>If so please give details</p>	
<p>14. Have you ever been disqualified from acting as a company director?</p> <p>If so please give details</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>15. Is there any other information which you believe the licensing authority would reasonably expect notice of, or you would like to licensing authority to take into account when considering information you supplied?</p> <p>If so please give details</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>16. Is there any information in this form which you do not wish to be seen by members of the public?</p> <p>If so state which information and the reasons why you do not wish it to be seen.</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
<p>Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.</p> <p>Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000</p>	
<p>SIGNATURES</p>	
<p>Signature</p>	<p>.....</p>
<p>Date</p>	<p>.....</p>

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

EXAMPLE NOTICE OF APPLICATION FOR A SEX ESTABLISHMENT LICENCE

Sexual Entertainment Venue / Sex Cinema / Sex Shop (delete as appropriate)

Application has today been made to **LEEDS CITY COUNCIL** in accordance with Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, for a grant/renewal/transfer/variation (delete as appropriate)

of a **SEX ESTABLISHMENT LICENCE** in respect of premises situated at:
(insert address of premises)

To operate as a sexual entertainment venue sex cinema sex shop

Signature(s) of Applicant(s)

Dated:

Any objections to this application should be made in writing **no later than 28 days** after the above date to:

Entertainment Licensing
Civic Hall
LEEDS
LS1 1UR

and also to the applicant:

Full name:

Address:

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STANDARD DECLARATION

NOTICE OF APPLICATION FOR A SEX ESTABLISHMENT LICENCE

Sexual Entertainment Venue / Sex Cinema / Sex Shop

I/we

of

being the applicant, certify that I, on [date],
displayed a notice in the prescribed form in a conspicuous position on or near to
the premises situated at:

Signature of applicant:

Date:

To be returned to:
Entertainment Licensing
Civic Hall
LEEDS
LS1 1UR

Appendix 3 Contact details

**Leeds City Council
Entertainment Licensing**

Civic Hall
Leeds LS1 1UR

T: 0113 247 4095

F: 0113 224 3885

Entertainment.licensing@leeds.gov.uk

Application form, plan, fee, notices and
declaration

West Yorkshire Police

Robert Patterson
Leeds District Licensing Officer
Millgarth Police Station
Leeds LS2 7HX

T: 0113 241 4023

bob.patterson@westyorkshire.pnn.police.uk

Notice of application

Consultation Report

Statement of Licensing Policy

Local Government (Miscellaneous Provisions) Act 1982
as amended by the Policing and Crime Act 2009

Contents

Executive Summary	3
Introduction	4
Consultation Methodology	6
Main Themes	8
Fee Review	10
How to respond	12
Annex A - List of consultees	13
Annex B - BRE Code of Practice on Consultation	15

Executive Summary

This report details the development of Leeds City Council's Licensing of Sex Establishments Statement of Licensing Policy and the findings of the public consultation.

In April 2010 The Policing and Crime Act 2009 amended the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brought lap dancing, pole dancing and other "relevant entertainment" into a new licensing regime.

The Home Office has released guidance on Sexual Entertainment Venues. In the Ministerial Foreword Alan Campbell, Parliamentary Under-Secretary of State for Crime Reduction explains:

"In September 2008 the Home Secretary announced the Government's intention to give local people greater say over the number and location of lap dancing clubs in their area. This followed a consultation with local authorities which highlighted concerns that existing legislation did not give communities sufficient powers to control where lap dancing clubs were established.

In order to address these concerns, section 27 of the Policing and Crime Act 2009 reclassifies lap dancing clubs as sexual entertainment venues and gives local authorities in England and Wales the power to regulate such venues as sex establishments under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

These new measures, which took effect on 6th April 2010 in England will, if adopted by local authorities, give local people a greater say over where and how many lap dancing clubs open and operate in their neighbourhoods."

Introduction

Background

In April 2010 The Policing and Crime Act 2009 amended the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brought lap dancing, pole dancing and other "relevant entertainment" into the sex establishment licensing regime. This regime has been in place since 1982 in Leeds, and currently licences sex shops and sex cinemas.

Adopting the Provisions

The Local Government (Miscellaneous Provisions) Act 1982 is adoptive legislation which means that the council will need to resolve to adopt Schedule 3 to the 1982 Act as amended by the 2009 Act so that it has effect in this area. The process involves the council passing a resolution, then advertising the decision in a local paper.

The legislation requires that should the council decide not to adopt the provisions by April 2011, they shall seek the views of local people about whether they should make such a resolution.

In January 2011 Leeds City Council resolved that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 shall apply to the Leeds metropolitan district and that Schedule shall come into force in this area on 1st October 2011.

Policy and Standard Conditions

The council has decided to adopt a policy and standard conditions which will cover sexual entertainment venues, sex shops and sex cinemas. The Licensing Committee formed a working group which included members and officers of the council to develop a policy and standard conditions.

Definition of Sexual Entertainment Venue

A sexual entertainment venue is defined as "*any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.*"

The meaning of 'relevant entertainment' is "*any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether verbal or other means).*" An audience can consist of just one person (e.g. where the entertainment takes place in private booths).

It is expected that the definition of relevant entertainment would apply to lap dancing, pole dancing, table dancing, strip shows, peep shows and live sex shows.

Purpose of the Statement of Licensing Policy

The purpose of the policy is to set out the principles upon which the council will exercise its functions under the Local Government (Miscellaneous Provisions) Act 1982 as

amended. Applicants are expected to read the policy before making their application and the Council will refer to the policy when making decisions.

Purpose of the consultation

Although there is no specific requirement that the council consult with people affected by the policy it is the council's practice to do so. This is to ensure that people affected by the policy, and the wider general public, has a say in the principles stated in the policy.

Consultation Methodology

In order to ensure that a wide range of people are consulted the council has undertaken the following steps:

1. Formed a working group of members of the Licensing Committee and officers from Entertainment Licensing who:
 - Attended seminars and workshops relating to the new legislation
 - Examined the policy and standard conditions adopted by other councils, particularly those in place for Westminster City Council, London Borough of Hackney and Harrogate Borough Council.
 - Heard from West Yorkshire Police, Leeds City Council's Taxi and Private Hire Licensing, Domestic Violence Unit, and Leeds University, Dept of Sociology.
2. Provided the draft policy to operators of sex establishments, including sexual entertainment venues currently operating in the area.
3. Provided the first draft of the policy to partner agencies for comment:
 - West Yorkshire Police
 - British Transport Police
 - Local Safeguarding Children Board
 - Leeds City Council - City Development
 - Leeds City Council - Environmental Health Services
 - HM Revenue and Customs
 - West Yorkshire Fire and Rescue Service
 - Trading Standards
 - Domestic Violence Team
 - Taxi and Private Hire Licensing
 - Leeds University

The working group also undertook a series of site visits to a representative sample of the sexual entertainment venues in Leeds city centre.

These steps produced a draft policy. The public consultation will run from 4th April to 24th June 2011. This consultation will include:

- A postal consultation to the trade, support groups, religious groups, ward members and local MPs.
- A press release
- Poster advertisement placed in libraries, one stop shops and leisure centres for the public to access.
- A webpage on the Leeds City Council website which provided the consultation documents and online questionnaire.
- Attendance at Area Committee meetings to bring the matter to the attention of the public and ward members.

Timetable

4 April to 24 June 2011	Public consultation
19 July 2011	Final Policy to Licensing Committee for approval and referral to Council
14 Sept 2011	Council
1 October 2011	First Appointed Day - Licensing regime comes into effect. The council will be able to receive applications from existing operators and new remises during this first six month period.
1st April 2012	Second Appointed Day - this is the final day that the first wave of applications can be received. These applications will be determined at the same time in April 2012.
1st October 2012	Third Appointed Day - the date on which all the new sex establishment licences granted in April 2012 come into effect.

Main Themes

Following consultation with partner agencies, the working group decided that specific attention would be taken in the following areas:

1. Advertising
2. Dancers Welfare Pack
3. External appearance of clubs
4. Locality & Limiting numbers

1. Advertising

Over the past few years the council has received a number of complaints relating to the way sex establishments are advertised. This included promotional material sited outside the premises, advertisements and the use of vehicles and promotional material.

The working group discussed the current conditions placed on sex shops in relation to advertisement, and used these as a basis. It was decided that all advertisements should be approved by the council. This way matters such as decency, location/positioning and offence can be dealt with on a case by case basis.

2. Dancers Welfare

After having heard from the Domestic Violence Team, West Yorkshire Police and Professor Sanders from Leeds University, the working group discussed the need to protect the welfare of people providing the entertainment at sexual entertainment venues. There was particular concern that staff do not report crime as they are not aware of how to do this safely.

The working group discussed a number of measures that could be introduced to protect staff but felt that providing this information to new staff, in a pack, would be the most appropriate.

The working group discussed codes of conduct for both staff and customers. These are required and will be scrutinised as part of the application process.

Through the research being undertaken by Leeds University, the working group are aware of the practice of fining staff for misdemeanours. Although it is not appropriate for the council to involve itself in specific management arrangements, it was felt that a fine register would resolve a number of the issues described by the entertainers.

The working group investigated the use of private booths. The Leeds University research highlighted that the use of booths encouraged an expectation that the staff may provide additional services. The group heard from the existing operators and how their trade is dependant on booths. The group felt that it was important that should booths be provided that they are supervised adequately, both by CCTV but also by the physical presence of security staff.

3. External Appearance

In line with complaints received about advertising the council is aware that the external appearance of all sex establishments is a sensitive issue. There is a need for premises to be able to advertise themselves to the night time economy. However there is a

strong need for the premises to be discreet during the day time economy. As such the council will approve the external appearance of all sex establishments.

4. Locality and numbers

Under the legislation there are a number of discretionary grounds for refusal. These are:

- a) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- b) that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- c) that the number of sex establishments or of sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
- d) that the grant or renewal of the licence would be inappropriate, having regard
 - i) to the character of the relevant locality; or
 - ii) to the use to which any premise in the vicinity are put; or
 - iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

This allows a local authority to determine the appropriate number and localities of sex establishments in their area.

Some authorities have consulted upon policies which lay down guidelines on where they prefer sex establishments to be located, and the number they feel is appropriate. In some cases that number is nil.

The working group discussed this issue and decided that for the area of Leeds, with the current number of existing premises and their generalised locations, that it would not be appropriate for the council to set the location and number of sex establishments in their area.

Instead each application will be considered on its own merits by the licensing sub-committee convened for that purpose. However there is specific mention in the policy of locations that are considered to be unsuitable.

Fee Review

Leeds City Council currently licences five retail outlets which trade as adult shops. There are no licensed sex cinemas in the Leeds District. From the 1st October 2011 the council will receive applications from existing sexual entertainment venues and there are eight premises which outwardly advertise as "gentlemen's clubs" and a number of other premises which offer sexual entertainment on an occasional basis.

The current fee for a sex establishment licence was approved by Licensing and Regulatory Panel (now Licensing Committee) in 2008. This was reviewed following written representation from the industry.

This agreed fee has been subject to minor annual increments and the current charges presently stand at:

Grant	£8098 with a refund of £1890 if refused or withdrawn
Renewal	£3271.67 with a refund of £1674 if refused or withdrawn
Transfer	£248

The current fees include an element of the licensing sections costs post grant of the licence such as an annual compliance check with a contribution to the investigation of unlicensed operators.

The Local Government (Miscellaneous Provisions) Act 1982 permits the council to set a reasonable fee. Whilst in the past this gave a wide discretion, Article 12.2 of the European Services Directive provides:

'2. Authorisation procedures and formalities shall not be dissuasive and shall not unduly complicate or delay the provision of the service. They shall be easily accessible and any charges which the applicants may incur from their application shall be reasonable and proportionate to the cost of the authorisation procedures in question and shall not exceed the cost of the procedures.'

Enquiries made with other local authorities reveal that the majority of authorities are reviewing their fees and charges this year. The core cities current charges are as follows:

Licensing Authority	New	Renewal	Transfer	Variation
Birmingham	£9,935	£9,935		
Bristol	£8,000	£5,500	£796	£63
Nottingham	£13,840	£11,100		
Manchester	£5,142	£5,142		
Sheffield	£5,200	£4,400		

Enquiries were also made with the neighbouring West Yorkshire authorities:

Licensing Authority	New	Renewal	Transfer	Variation
Bradford	£5,658	£5,658		
Calderdale	£2,433	£2,433		£2,433
Kirklees	£2,575	£2,575		
Wakefield	£2,876	£2,876		

Following a comprehensive costing exercise, in which all the current charges for services were examined, the following charges are proposed:

New, renewal, transfer application: £2,300

This fee includes:

- Application processing
- Inspection of notices
- Dealing with objections
- Compilation of committee report
- Chairs brief
- Notices of Hearing
- Site visits
- Associated hearing costs
- Notice of Decision
- Production of licence

Maintenance fee: £500 payable within 30 days of grant

Maintenance fee includes the cost of updating personnel records, an annual compliance check and investigation of complaints/unlawful activities.

Variation: £600

A variation may include a change of the details on the licence, i.e. operating hours, conditions etc, change of external appearance, new advertising material, structural changes, new vehicle (with new style of advertising).

This fee includes:

- Application processing
- Notice of Hearing
- Associated hearing costs
- Decision notice/minutes
- Notice of Decision
- Site visit
- Production of licence

The new charges are to be applied to all categories of sex establishments as licensed under the Local Government (Miscellaneous Provisions) Act 1982, including:

- Sexual establishment licensing
- Sex shops & Internet and mail order sales
- Sex cinemas (showing R18 classification films)

How to respond

Anyone can respond to this consultation. The list of consultees at Annex A indicates those organisations that we will contact to suggest that they may wish to respond. The closing date for making responses to this consultation is **24th June 2011**. If you would like to respond to this consultation, please email your response to entertainment.licensing@leeds.gov.uk.

If you prefer, you may submit a hard copy by post to:

**Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR**

If you have any queries about this consultation, or require additional copies, please contact Entertainment Licensing at the above address or by telephone on 0113 247 4095.

Disclosure

Normal practice will be for responses to this consultation document to be disclosed, and for respondents to be identified. However if you would prefer to remain anonymous we may disclose the content of your response but only in such a way as to anonymise it.

Please identify any information that you or any other person involved do not wish to be disclosed. You should note that many facsimile and e-mail messages carry, as a matter of course, a statement that the contents are for the eyes only of the intended recipient. In the context of this consultation such appended statements will not be construed as being requests for non-inclusion in the post consultation review unless accompanied by an additional specific request for confidentiality.

Confidentiality and Freedom of Information

It is possible that requests for information contained in consultation responses may be made in accordance with access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004). If you do not want your response to be disclosed in response to such requests for information, you should identify the information you wish to be withheld and explain why confidentiality is necessary. Your request will only be acceded to if it is appropriate in all the circumstances. *An automatic confidentiality disclaimer generated by your IT system will not of itself be regarded as binding on the Department.*

Annex A – List of consultees

To be amended prior to the public consultation

Multi-agency Partners

West Yorkshire Police
West Yorkshire Fire and Rescue Service
Leeds City Council Environmental Health Services
Leeds City Council Health & Safety Team
Leeds Safeguarding Children Board
Leeds City Council Development Department
West Yorkshire Trading Standards Domestic Violence Team

Existing operators

Licensing Solicitors

A Halsalls & Co Solicitors
Anthony Collins Solicitors
Barber Titleys Solicitors
Batleys Limited
Berwin Leighton Paisner Solicitors
Blacks Solicitors
Bond Pearce Solicitors
Brabners Chaffe Street Solicitors
Burton Burton & Ho
Cobbetts Solicitors
Dickenson Dees Solicitors
DLA Piper Rudnick Gray Cary Solicitors
DWF Solicitors
Elmhirst Solicitors
Essence Consultants
Ford & Warren Solicitors
Fraser Brown Solicitors
Freemans Solicitors
Gamestec Leisure Ltd
Gill Turner Tucker Solicitors
Godloves Solicitors
Gordons Solicitors
Halliwells Solicitors
Hardys & Ansons Plc
Hart & Co Solicitors
Henry Hyams Solicitors
Howard Cohen & Co Solicitors
Inncourt Licensing Consultants
Joelson Wilson & Co Solicitors
John Cordingley Consultancy
John Gaunt & Partners

Jones & Company Solicitors
Kuit Steinart Levy Solicitors
Last Cawthra Feather Solicitors
LesterAldridge Solicitors
Levi & Co. Solicitors
Licence Trade Consultants
Licensing Legal Licensing Solicitors
Luptonfawcett Solicitors
McCombie & Co Solicitors
McCormicks Solicitors
Mitchells & Butlers
Mr John T Burton
Poppleston Allen Solicitors
Ricksons Solicitors
Rollits Solicitors
Roscoes Solicitors
T L T Solicitors
Trethowans Solicitors
United Co-operatives
Walker Morris Solicitors
Wells Connor & Co Solicitors
Winckworth Sherwood
Winston Solicitors
Zermansky & Partners Solicitors

Trade organisations

Support Organisations

OBJECT
Fawcett Society
Alcohol and Drugs Service
Leeds Addiction Unit
Leeds Chamber of Commerce & Industry
Mencap
Victim Support Leeds

Health

Leeds North East PCT
Leeds North West PCT
Leeds West PCT
Leeds East PCT
Leeds South PCT

Local MPs

Leeds West MP
Leeds Central MP

Leeds North West MP
MP for Elmet
MP for Morley and Rothwell
MP for Leeds North East
MP for Leeds East
MP for Pudsey

Parish and Town Councils

Aberford & District Parish/Town Council
Allerton Bywater Parish/Town Council
Arthington Parish/Town Council
Bardsey cum Rigton Parish/Town Council
Barwick in Elmet and Scholes
Parish/Town Council
Boston Spa Parish/Town Council
Bramham cum Oglethorpe Parish/Town
Council
Bramhope & Carlton Parish/Town Council
Clifford Parish/Town Council
Collingham with Linton Parish/Town
Council

Drighlington Parish/Town Council
East Keswick Parish/Town Council
Gildersome Parish/Town Council
Great & Little Preston Parish/Town
Council
Harewood Parish/Town Council
Horsforth Town Council
Kippax Parish/Town Council
Ledsham Parish/Town Council
Ledston Parish/Town Council
Micklefield Parish/Town Council
Morley Town Council
Otley & Yeadon Parish/Town Council
Pool Parish/Town Council
Scarcroft Parish/Town Council
Shadwell Parish/Town Council
Swillington Parish/Town Council
Thorner Parish/Town Council
Thorp Arch Parish/Town Council
Walton Parish/Town Council
Wetherby Town Council

Annex B – BRE Code of Practice on Consultation

The consultation is being conducted in line with the BRE Code of Practice on Written Consultation. The consultation criteria are listed below. More information can be found at: <http://www.berr.gov.uk/files/file47158.pdf>

The Consultation Criteria

1) When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

2) Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

3) Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

4) Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

5) The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

6) Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

7) Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any questions or complaints about the process of consultation on this paper, please contact Susan Holden, Principal Project Officer, Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR.

This page is intentionally left blank



Report of the Assistant Chief Executive (Corporate Governance)

Licensing Committee

Date: 15th March 2011

Subject: Sex Establishment Fees and Charges
Local Government (Miscellaneous Provisions) Act 1982

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

Executive Summary

Sex establishments, meaning a sex cinema or a sex shop are licensed under the Local Government (Miscellaneous Provisions) Act 1982. An applicant for the grant, renewal or transfer of a licence under the Act pays a reasonable fee determined by the appropriate authority.

Recent changes in the law, namely the European Services Directive, have determined that licence application fees are to be proportionate to the effective cost of the procedure dealt with.

In addition the Policing and Crime Act 2009 amended the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues.

These two changes have precipitated a review of the application fees charged by the council for these applications.

1.0 Purpose Of This Report

- 1.1 To seek members approval in principal to the proposed fees, subject to consultation with the industry which will take place during the wider consultation on the new Sex Establishment Statement of Licensing Policy from April to June 2011.

2.0 Background Information

- 2.1 The council currently licences five retail outlets which trade as adult shops. There are no licensed sex cinemas in the Leeds District. From the 1st October 2011 the council will receive applications from existing sexual entertainment venues and there are eight premises which outwardly advertise as “Gentlemen’s Clubs” and a number of other premises which offer sexual entertainment on an occasional basis.
- 2.2 The current fee for a sex establishment licence was approved by the Licensing and Regulatory Panel in 2008. This was reviewed following written representations from Darker Enterprises.
- 2.3 This agreed fee has been subject to minor annual increments and the current charges presently stand at:
- New application £8098 with a refund of £1860 if refused or withdrawn
 - Renewal £3271.67 with a refund of £1674 if refused or withdrawn
- 2.4 The current fees include an element of the licensing sections costs post grant of the licence such as an annual compliance check with a contribution to the investigation of unlicensed operators.

3.0 Main Issues

- 3.1 The Local Government (Miscellaneous Provisions) Act 1982 permits the council to set a reasonable fee. While in the past this gave a wide discretion, Art 12.2 of the European Services Directive provides:

‘2. Authorisation procedures and formalities shall not be dissuasive and shall not unduly complicate or delay the provision of the service. They shall be easily accessible and any charges which the applicants may incur from their application shall be reasonable and proportionate to the cost of the authorisation procedures in question and shall not exceed the cost of the procedures.’

- 3.2 In addition officers have received verbal requests from the current sex shops to review the current fees in line with the European Services Directive.

- 3.3 Enquiries made with other local authorities reveal that the majority of authorities are reviewing their fees and charges this year. The core cities current charges are as follows:

Licensing Authority	New	Renewal	Transfer	Variation
Birmingham	£9,935	£9,935		
Bristol	£8,000	£5,500	£796	£63
Nottingham	£13,840	£11,100		
Manchester	£5,142	£5,142		
Sheffield	£5,200	£4,400		

- 3.4 Enquiries were also made with the neighbouring West Yorkshire authorities:

Licensing Authority	New	Renewal	Transfer	Variation
Bradford	£5,658	£5,658		
Calderdale	£2,433	£2,433		£2,433
Kirklees	£2,575	£2,575		
Wakefield	£2,876	£2,876		

- 3.5 Following a comprehensive costing exercise, in which all the current charges for services were examined, the following charges are proposed:

3.5.1 New, renewal, transfer application: £2,300

This fee includes:

- Application processing
- Inspection of notices
- Dealing with objections
- Compilation of committee report
- Chairs brief
- Notices of Hearing
- Site visits
- Associated hearing costs
- Notice of Decision.
- Production of licence

3.5.2 Maintenance fee: £500 payable within 30 days of grant

Maintenance fee includes the cost of updating personnel records, an annual compliance check and investigation of complaints/unlawful activities.

3.5.3 Variation: £600

A variation may include a change of the details on the licence, i.e. operating hours, conditions etc, change of external appearance, new advertising material, structural changes, new vehicle (with new style of advertising).

This fee includes:

- Application processing
- Notice of Hearing
- Associated hearing costs
- Notice of Decision
- Site visit
- Production of licence

3.6 The new charges are to be applied to all categories of sex establishments as licensed under the Local Government (Miscellaneous Provisions) Act 1982, including:

- Sexual establishment licensing
- Sex shops (retail)
- Internet and mail order sales
- Sex cinemas (showing R18 classification films)

3.7 It should be noted that sexual entertainment venues will still be subject to the Licensing Act 2003 fees which range from £100 to £635.

4.0 Implications for Council Policy and Governance

4.1 There are no implications for council policy and governance.

5.0 Legal and Resource Implications

5.1 If members are minded to agree the revised charges there would be an annual loss in revenue relating to the licensing sex shops of £2,178.

5.2 However there would be additional revenue from sexual entertainment venues. Initially this will be £22,688 if all eight current establishments apply for the sex establishment licence from 1st October 2011 and the same amount annually from 12th October 2013 (12 months from when the initial licences come into effect).

6.0 Conclusions

6.1 The council has undertaken to review the current fees for sex establishments, and it is timely to do this now so that a consultation can take place during the Statement of Licensing Policy consultation commencing April 2011.

7.0 Recommendations

7.1 Members are requested to agree the revised licence charges set out in paragraph 4.

7.2 Members are requested to approve the proposals in principal to allow Entertainment Licensing to consult with members of the industry alongside the wider consultation for the Statement of Licensing Policy which is due to commence early April.

- 7.3 It is requested that the new charges take effect from the 1st October 2011 in line with the new provisions adopted by Council in January but which take effect in October.

This page is intentionally left blank

LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 2 March 2011 (hg)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Items Currently Unscheduled			
Youth Service	Review of work being done on under age consumption of alcohol	Requested by LC at meeting 04/10	B
WYTSS	Test purchasing and other measures tackling under age sales		B
Nighttime economy strategy	Briefing by revised strategy	Clare McCall	B
Driver licences – nationality and immigration status checks	To consider amending the existing driver application process to include checks on applicants right to work in the UK		DP
Constitution for HC trade forums	To approve new constitution	John Mulcahy	DP
Regular Renewal of CRBs for Licence Holders	Review, timetable to be agreed having regard to necessary public consultation	Martyn Johnson	
TPHL Policy Review – ongoing review of the policies/conditions	Timetable for the reviews was agreed Feb 11, the policies/conditions will return to the Committee at the conclusion of the necessary consultation period		

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
	Meeting date: 20 July 2010 HELD. LA2003 Policy consultation/ Leeds Festival EMP/Bargain Booze Appeal/WYP presentation		
	Meeting date: 17 August 2010 CANCELLED		
	Meeting date: 14 Sept 2010 HELD SEV WG update/Leeds Pubwatch briefing		
	Meeting date: 19 October 2010 CANCELLED		
	Meeting date: 16 November 2010 NVQs & VRQs (deferred)/ Leeds Festival/EPT presentation/ SEV update/Large Casino update/LA2003 policy		

LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 2 March 2011 (hg)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 21 December 2010 Burmantofts DPPO, SEV update			
Meeting date: 18 Jan 2011 CANCELLED			
Member Learning Day : 26 January 2011			
Meeting date: 15 Feb 2011 SEV update, Casino Update, TPHL policy review schedule, Leeds Festival			
Meeting date: 15 Mar 2011			
NVQ/VRQs for drivers	Update and review report	Kate Coldwell	DP
SEV Update		Sue Holden	
Fees	Update on Review of Fees	Sue Holden/N Raper	
Health Matters	Briefing re impact of LA 2003 on health matters	John England/ Brenda Fullard	B
Member Learning Day : 24th March 2011 Compulsory training on morning session – Licensing Afternoon session – Governance and Conduct			
Meeting date: 12 April 2011			
Casino	Update on applications/arrange sub committee	Sue Holden	B
Meeting date: 17 May 2011			
Casino	Update on stage 1 appeals/stage 2 process/application pack	Sue Holden	B
SEVs	Report on transitional applications	Sue Holden	B

LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 2 March 2011 (hg)

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: June 2011			
Casino	Update on the application pack	Sue Holden	B
Terms of ref	To note the Terms of Reference for the 11/12 Municipal Year		PM
Sub Committees	To appoint the Sub Committees		PM
Meeting date: July 2011			
SEVs	Report on transitional applications	Sue Holden	B
Meeting date: August 2011			
Leeds Festival	Update prior to the Festival event held during August Bank Holiday	S Holder	

Key:

RP – Review of existing policy

DP – Development of new policy

PM – Performance management

B – Briefings

SC – Statutory consultation

This page is intentionally left blank