



## LICENSING COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS ON  
TUESDAY, 21ST DECEMBER, 2010 AT 10.00 AM

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### 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;

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></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><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – 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><b>LATE ITEMS</b></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><b>DECLARATIONS OF INTEREST</b></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><b>APOLOGIES FOR ABSENCE</b></p>	
6			<p><b>MINUTES</b></p> <p>To approve the minutes of the last meeting held on 16<sup>th</sup> November 2010</p> <p>(Copy attached)</p>	1 - 6
7	Burmantofts and Richmond Hill; Gipton and Harehills;		<p><b>PROPOSED DESIGNATED PUBLIC PLACE ORDER (DPPO) BURMANTOFTS</b></p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on proposals to make a Designated Public Place Order (DPPO) in respect of the Burmantofts area of East Leeds</p> <p>(Copy attached)</p>	7 - 20
8			<p><b>SEXUAL ENTERTAINMENT VENUES - UPDATE</b></p> <p>To note the minutes of the Sexual Entertainment Venues Working Group meeting held on 26<sup>th</sup> November 2010 providing an update on the progress made on the drafting and implementation of a Statement of Licensing Policy for the licensing of Sex Establishments</p> <p>(Minutes attached)</p>	21 - 24

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>LICENSING WORK PROGRAMME</b></p> <p>To note the contents of the Licensing Work Programme</p>	25 - 28
10			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note the date and time of the next meeting as Tuesday 18<sup>th</sup> January 2011 at 10.00 am</p>	

# Agenda Item 6

## Licensing Committee

Tuesday, 16th November, 2010

**PRESENT:** Councillor S Armitage in the Chair

Councillors M Dobson, R Downes,  
R D Feldman, G Hussain, V Morgan,  
B Selby, D Wilson and G Wilkinson

### 35 Late Items

No formal late items of business were added to the agenda; however Members were in receipt of the following supplementary information: Agenda item 7 NVQ and VRQ qualifications for drivers – additional documents providing up to date information on the modules now available within the training programmes. (minute 39 refers)

### 36 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Councillor Downes – Item 9 The Leeds Festival Event Management Plan – stated his daughter had attended the 2010 Festival although this was not a personal interest under the terms of the Members Register of Interests (minute 40 refers)

### 37 Apologies for Absence

Apologies for absence were received from Councillors Dunn, Mrs R Feldman; Hanley; G Hyde and Townsley

### 38 Minutes

**RESOLVED** – That the minutes of the last Licensing Committee meeting held on 14<sup>th</sup> September 2010 be agreed as a correct record

### 39 NVQ and VRQ qualifications for drivers - Update and Review report

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the progress of the mandatory NVQ and VRQ qualification for all existing Hackney Carriage and Private Hire drivers and new applicants entering the trades since they were introduced by the former Licensing and Regulatory Panel in September 2008.

At that time, the former Panel set a target date of December 2011 for all existing drivers to have achieved the mandatory qualifications and new drivers were given 12 months from entering the trade to achieve the qualifications. Members were requested to consider those deadlines in the face of limited Government funding and having regard to the statistical analysis of the uptake and success of the scheme.

LCC Taxi & Private Hire Licensing Section (TPHL) had undertaken public consultation regarding the qualifications and whether they were perceived as remaining necessary in terms of providing a safe and quality service. The report included copies of the consultation and information documents available during the consultation process along with copies of responses received to the consultation from drivers and interested parties. Copies of the Quarterly Licensing Newsletter sent to all licence holders which highlighted the changes to the funding and the consultation were also included.

The report set out the detail of the training modules available and training providers, and Committee had also received additional information on future training modules.

The Committee considered the options available as set out in paragraph 3:2 of the report, and discussed the background to the implementation of the qualifications. The Committee was reassured by the evidence of the widespread consultation undertaken by TPHL and the Licensing Newsletter issued to all licence holders was considered to be a highly effective method for advising and informing drivers.

The Committee noted the following matters:

- The qualifications had been implemented due to the number of complaints regarding drivers' skill and professionalism received from the public and Councillors in Leeds.
- The government drive nationally to improve the standards of passenger carrying trades
- The fact that the time limited nature of the funding had been highlighted to drivers, but some still had not undertaken the course
- Some local providers were still able to source funding for the training
- The mix of comments received from the trade and public in response to the consultation
- The view that more experienced drivers should be exempted from the requirements of the VRQ, but noted the response that many trades required experienced operatives to undertake continual assessment

The Committee heard from Ms K Deane of Go Skills with regard to future funding of the scheme and the funding support likely to be available for drivers.

The Committee raised the following issues

- whether there was evidence that the number of complaints had decreased since the VRQ/NVQ scheme was implemented
- whether there had been an impact on the overall number of drivers from minority ethnic backgrounds
- 40% of drivers had not signed up the scheme. The Committee queried whether there was anything further to be done to attract them to the scheme, or if not, what measures were in place to enforce the mandatory scheme
- the wealth of the material before them and commented this would have been better presented as a list of comments received, rather than each individual letter of representation. Officers responded that the presentation

- of information in response to consultations was being reviewed given the personal information often contained therein
- whether LCC could provide the training modules in-house for drivers. Officers responded that there was a need to remain impartial from the process plus more time was required to fully consider the impact on LCC staffing and resources
  - whether LCC could procure training providers to deliver locally and reduce the cost
  - the possibility of no enforcement having taken place between September 2008 and September 2009 for new applicants.

The Committee welcomed the figures showing 3870 drivers had signed up for the qualifications with 3043 now certificated; and commended those drivers for their effort and those operators who had supported their drivers undertaking the scheme. The Committee also thanked the officers of TPHL Section for their work during the consultation, particularly Mrs K Coldwell, Service Development Officer. Members reiterated the importance of public safety and the benefits to the drivers personally of obtaining a nationally recognised accreditation

**RESOLVED** – 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% take-up of the scheme
- whether LCC could procure training providers to deliver locally and reduce the cost

The Committee also requested that an explanation of the possibility of no enforcement having taken place between September 2008 and September 2009 for new applicants be provided directly to Committee Members.

#### **40 Leeds Festival 2010 - Grounds of Bramham Park, Bramham, Leeds LS23**

The Assistant Chief Executive (Corporate Governance) submitted a report on the outcome and findings of the Leeds Festival Multi-Agency meeting held on 7<sup>th</sup> October 2010. The Festival had been held over August Bank Holiday weekend and the report referred to the comments made by the various agencies involved in preparations for the Festival.

Members noted the comments of Mr G Mudhar on behalf of LCC Environmental Protection Team regarding the nature of the noise complaints received during the event

The Committee welcomed Mr Benn, the event promoter; and went onto discuss the recent news reports that an application would be made to

increase capacity on the site. Measures introduced to address ticket touts at this Festival and the national initiative to eradicate the illegal trade in tickets were also discussed.

Inspector M Griffiths of West Yorkshire Police then addressed the Committee. He stated that there had been an 11% decrease in reported incidents of crime during the Festival and provided an overview of Operation Northdale – a rape prevention exercise. Mr Benn highlighted the fact that the Leeds Festival 2010 was the only UK festival this year to have no recorded incidents of sexual offences.

The Committee noted that all agencies had been satisfied with the event this year and welcomed the efforts made by the promoter to address issues identified in previous years to provide a successful Festival.

**RESOLVED** – To note the contents of the report and to extend thanks to Mr Benn and Chief Inspector Griffiths for their attendance. The Chair also thanked all agencies and LCC officers involved in the event for their continued effort to produce a successful Festival.

#### **41 LCC Environmental Protection Team - Premises Licences - Prevention of Public Nuisance**

The Chief Officer (Health and Environmental Action Service) submitted a report setting out the process of assessment of applications made under the Licensing Act 2003 undertaken by the Service and the Environmental Protection Team (LCC EPT).

Mr R Bilsborough and Mr B Kenny attended the meeting to provide a presentation on the issues considered when considering whether to make a representation on an application in respect of public nuisance and the evidence to be provided in support of a representation.

(Councillor Downes withdrew from the meeting at this point)

It was noted that LCC EPT was served with a copy of every licensing application made to the Licensing Authority, and the Act 2003 required EPT to take a preventative approach to public nuisance in respect of new licences. Officers highlighted that in those instances, historical factual evidence may not be available.

The Committee noted that if agreement had been reached between an applicant and a Responsible Authority on measures to address the relevant licensing objectives, that RA no longer had the right to attend any subsequent hearing or speak. Sub Committee Members could however request further information, from that RA; and then adjourn the hearing to a given date.

**RESOLVED** – To thank LCC EPT team for their presentation and to note the contents of the report

(Councillor Dobson withdrew from the meeting at this point)



- 42 Three Year Review of the Statement of Licensing Policy 2011 - 2013**  
The Committee considered the report of the Assistant Chief Executive (Corporate Governance) on the review of the Councils' current Statement of Licensing Policy. The report set out the consultation undertaken so far and the comments received, with the likely revisions to the Policy.

Members noted the Policy had been considered by Executive Board on 3<sup>rd</sup> November 2010 as part of the process for adoption of the revised Policy. Approval by full Council was anticipated at its meeting on 17 November 2010 in time for the deadline of adoption of the Policy as 5<sup>th</sup> January 2011.

Members noted the contents of Appendix 1 of the report which set out the proposed revisions arising from the consultation and the experience of the licensing authority in detail.

(Councillor Dobson rejoined the meeting at this point)

**RESOLVED** – That the contents of the report be noted

- 43 Large Casino Update**  
The Assistant Chief Executive (Corporate Governance) submitted a report outlining the progress made so far on the two stage process to establish a Large Casino in Leeds.

**RESOLVED** – To note the contents of the report

- 44 Sexual Entertainment Venues Update - Local Government (Miscellaneous Provisions) Act 1982**

The Assistant Chief Executive (Corporate Governance) submitted a report providing an update on the work so far of the Sexual Entertainment Venue Working Group (SEV WG) which had been established by the former Licensing and Regulatory Panel on 22<sup>nd</sup> June 2010. A copy of the minutes of the last SEV WG meeting were attached for reference and Members noted the future work programme of the Group

**RESOLVED** – To note the contents of the report

- 45 Licensing Work Programme**

**RESOLVED** – To note the contents of the Licensing Work Programme

- 46 Date and Time of Next Meeting**

**RESOLVED** - To note the date and time of the next meeting as Tuesday 21<sup>st</sup> December 2010 at 10:00 am

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Agenda item:

Originator: B Yearwood

Tel: 0113 3367632

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**Report of the Assistant Chief Executive (Corporate Governance)  
Licensing Committee.**

**Date: 21<sup>st</sup> December 2010**

**Subject: Proposed Designated Public Place Order (DPPO) Burmantofts**

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**Electoral wards affected:**

Burmantofts and Richmond Hill  
Gipton and Harehills

**Specific implications for:**

Ethnic minorities

Women

Disabled people

Narrowing the gap

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**Executive Summary**

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

## 1.0 Purpose of this report

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

## 2.0 Legal framework

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

## 3.0 The Statutory Test

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

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

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

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

#### **4.0 Existing powers**

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

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

#### **5.0 Supporting evidence**

5.1 Evidence has been sought from West Yorkshire Police regarding the history of drinking related anti-social behaviour and violent crime in Burmantofts . A summary of this evidence appears at Appendix 1.

#### **6.0 Consultation**

6.1 As part of the application process to establish a DPPO, statutory consultation has been carried out with relevant agencies and Council Departments. The proposal Support for the application has been given by Burmantofts/Richmond Hill elected members at the ward briefing on 12<sup>TH</sup> October 2010. Harehills /Gipton Ward members were consulted via email on 11<sup>th</sup> October 2010 following changes to the boundary to include Harehills Park and Cemetery, West Yorkshire Police, and the Chair of the North East Divisional Community Safety Partnership.

6.2 Further statutory consultation with the general public, relevant bodies and licensees in the area has also been completed in order to inform them of the proposed designated area and the implication of such an Order being granted.

6.3 Methods of consultation included:

- Discussions with Superintendent Timothy Kingsman at North East Police Division
- Discussions with members of North East Divisional Community Safety Partnership
- Circulated to members of the Anti-Social Behaviour Panel on 23 November 2010
- Discussions with the Police Inspectors (Jacqueline Hawkes and Nik Adams) at Burmantofts and Harehills Neighbourhood Policing Team

- Direct consultation via personal visits to all licensees of on and off licensed premises from management at Burmantofts and Harehills Neighbourhood Policing Team (see Appendix 4)
- Publication of an "Order of Notice" via the local press (Appendix 2) published on 1<sup>st</sup> November 2010 and expired **on 29<sup>th</sup> November 2010**. Copies have been made available at Killingbeck Police Station, Leeds City Councils 'The Compton Centre' and the Councils internet site.
- Direct Consultation at the Burmantofts Public Forum on 22<sup>nd</sup> November 2010
- A map showing proposed boundaries is presented at Appendix 3. A consultation on the boundary has been undertaken by the methods mentioned above.

With reference to Appendix 2 (legal notice) the description incorrectly identifies Cherry Road; however this should read Cherry Row. Upon identifying this error, Legal have been consulted. The legislation requires

Before making an order, a local authority shall cause to be published in a newspaper circulating in its area a notice—

(a) identifying specifically or by description the place proposed to be identified;

The notice placed does not simply state Cherry Road but is quite specific about where the boundary starts, that Cherry Road (Row) becomes Dolly Lane and references it to St James' Hospital. Added to that there is no Cherry Road that it could be confused with. On that basis the legal advice is that the wording of the notice is sufficient to satisfy the statutory requirement which is in effect a requirement to identify the land so that a person may submit representations.

- 6.4 Following consultation, if a Designated Order is approved, compulsory signage will be distributed throughout the area. This will be done by the licensees displaying signage on their premises and via notices situated in prominent positions around the specific area. This signage will inform customers and the general public that they are in a Designated Public Place and explain the conditions attached to this Order.
- 6.5 The design for the signs has already been established as a result of previous DPPOs established in the city.

## **7.0 Consultation findings**

- 7.1 At the time of writing this report, no letters from the public or trade have been received supporting or objecting to the Order. One comment has been made. This was by the Thackray Medical Museum who welcomed the proposal. All agencies and groups consulted support the Order. The deadline for responses to the "Order of Notice" was 29<sup>th</sup> November 2010, and any comments received between the time of writing this report to Licensing Panel will be presented verbally.
- 7.2 The cost of designating the recommended area and other costs associated with the statutory consultation, statutory advertising, together with the recommended signage to inform the public of the designation have been funded via Burmantofts Tasking funds (delegated from area committee well being) in consultation with ward Councillors.

Set out below are approximate costs:

- Advertisement in local press (Yorkshire Post) £1,031.40(statutory notice/consultation) £1000 approx (28 days notice implementation)
- Signage (including fixing to post/wall) 25 x £60.00 each = £1, 500
- Posters for licensees (in house)

## **8.0 Recommendations**

8.1 Members are recommended to:

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

- (i) Make a Designated Public Places Order in respect of the area of Burmantofts as identified in the map submitted with this report: and
- (ii) Authorise the Director of Environment and Neighbourhoods to advertise the making of the Order, procure the required signage and carry out any further steps necessary to bring the Order into force.

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

### 1. Introduction

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

### 2. The geography and distribution of alcohol licences in Burmantofts

- 2.1 The proposed Area has 29 on and off licensed premises in total ( A list is attached at Appendix 4) . The map at Appendix 3 shows the boundary for the proposed DPPO.

### 3. Violent Crime /Anti-social behaviour - 1<sup>st</sup> September 2009 – 31<sup>st</sup> August 2010

The following table shows the breakdown of alcohol crime offences by month, which have occurred on more than 3 occasions within the specified area over the last twelve months. In total there have been 236 offences relating to alcohol within the specified area. Overall, Assault offences account for 39% of the total alcohol related offences. That is followed by Drunk and Disorderly (15%) and OPL offences (10%). The month with the greatest amount of offences was May 2010 with 25 occurrences. There appears to be a decrease of offences over the winter months between October 2009 and March 2010. Offences then started to rise from April to August 2010.

Occurrence Type	September	October	November	December	January	February	March	April	May	June	July	August	Grand Total
ASSAULT	7	5	4	9	7	6	4	12	10	9	9	10	92
DRUNK AND DISORDERLY	5	2	2	3	3	3	2	1	8	1	2	3	35
OPL - DRIVE OVER PRESCRIBED LIMIT	5	2	3	3	2	0	2	2	2	1	1	1	24
CRIMINAL DAMAGE - DWELLING	0	0	1	1	1	1	2	1	1	1	3	2	14
PUBLIC ORDER	1	0	1	0	3	0	1	1	1	1	2	0	11
CRIMINAL DAMAGE - MOTOR VEHICLE	1	0	0	0	0	1	0	0	2	2	2	0	8
THEFT SHOP	2	0	0	0	0	0	2	2	1	0	0	0	7
AFFRAY	1	0	0	0	0	0	1	0	0	1	1	2	6
BREACH OF ASBO / INJUNCTION	0	0	0	0	0	0	0	1	0	1	1	1	4
ROBBERY	0	0	0	0	0	1	1	0	0	1	1	0	4
CRIMINAL DAMAGE - NON SPECIFIC	0	0	0	0	0	0	0	1	0	0	0	2	3
DRUGS	1	0	1	0	0	1	0	0	0	0	0	0	3
THEFT FROM PERSON	0	0	0	0	0	1	1	0	0	0	1	0	3
<b>Month Total (Three or more offences)</b>	<b>23</b>	<b>9</b>	<b>12</b>	<b>16</b>	<b>16</b>	<b>14</b>	<b>16</b>	<b>21</b>	<b>25</b>	<b>18</b>	<b>23</b>	<b>21</b>	

District Name	Total
HAREHILLS	108
BURMANTOFTS	104
LINCOLN GREEN	8
MABGATE	8
GIPTON	4
EAST END PARK	2
OSMONDTHORPE	2
<b>Grand Total</b>	<b>236</b>

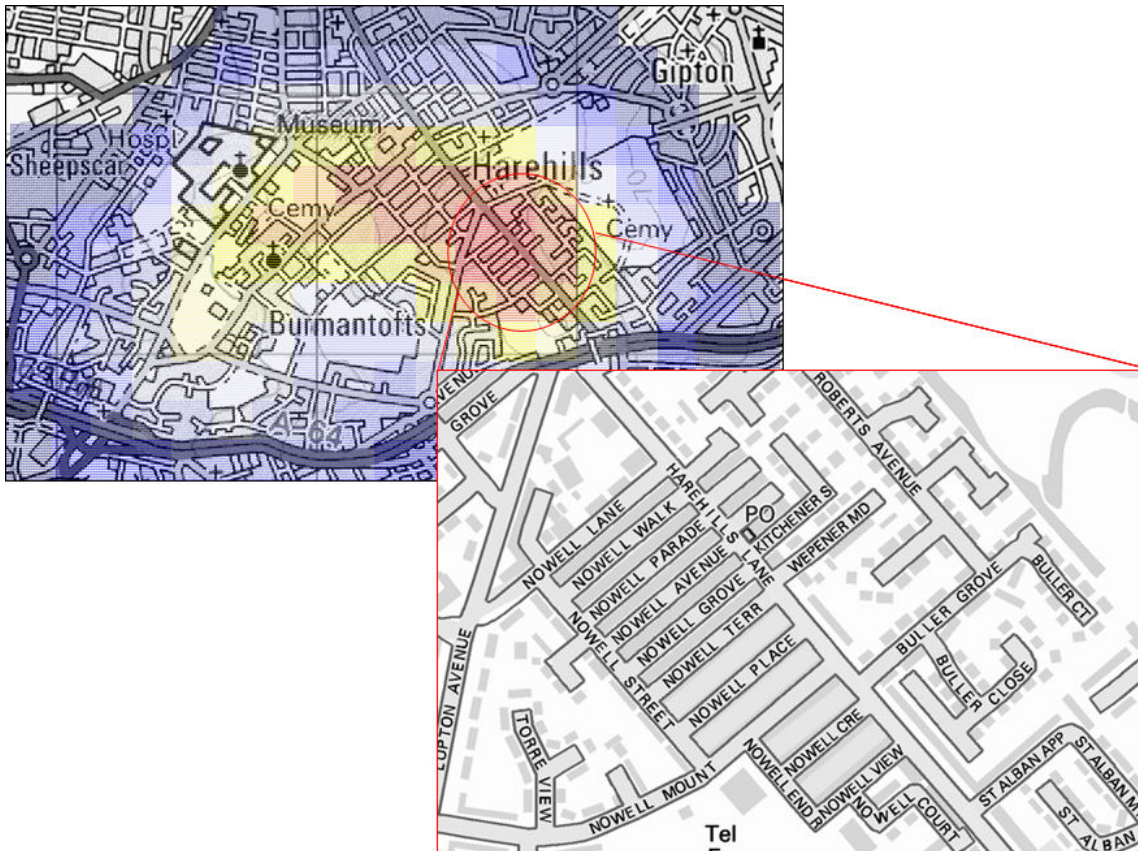
### Offences by District

As shown by the table (left) nearly half of the alcohol related offences within the specified area occurred in Harehills. This is followed by Burmantofts which accounts for 44% of the overall total in the specified area.



## Geographical Spread

The map below shows the hotspot for alcohol related offences within the specified area between September 2009 and August 2010.



As can be seen from the map, the hotspot for alcohol related offences has been in the Harehills district in particular the Nowells and Cliftons.

Street Name	Total
BECKETT STREET	34
HAREHILLS LANE	10
LUPTON AVENUE	10
COMPTON ROAD	8
NOWELL COURT	6
ROBERTS AVENUE	6

The worst affected streets for alcohol related offences within the hotspot were Harehills Lane (10) and Lupton Avenue (10). Overall the worst affected street was Beckett Street with 34 offences, these offences occurred in and around St James hospital. The majority of offences which occurred at the hospital were related to individuals being drunk and disorderly whilst being admitted to hospital.

The majority of offences within the hotspot took place within a house (88) or on the street/road (also 88). Four offences occurred in public houses, five were committed in supermarkets, and two were in a convenience store.

Overall, peak times within the specified area of alcohol related crime have been during the evenings to the early hours of the morning between 21:00x02:00hrs. The majority of offences have occurred on Saturdays (43) and Sundays (23). These dates and time correlate with when the public tend to socialise.

#### 4. Anti-Social Behaviour

Between September 2009 and August 2010 the most drink related incidents have been categorised as 'Rowdy inconsiderate Behaviour' accounting for 82% of the overall total incidents.

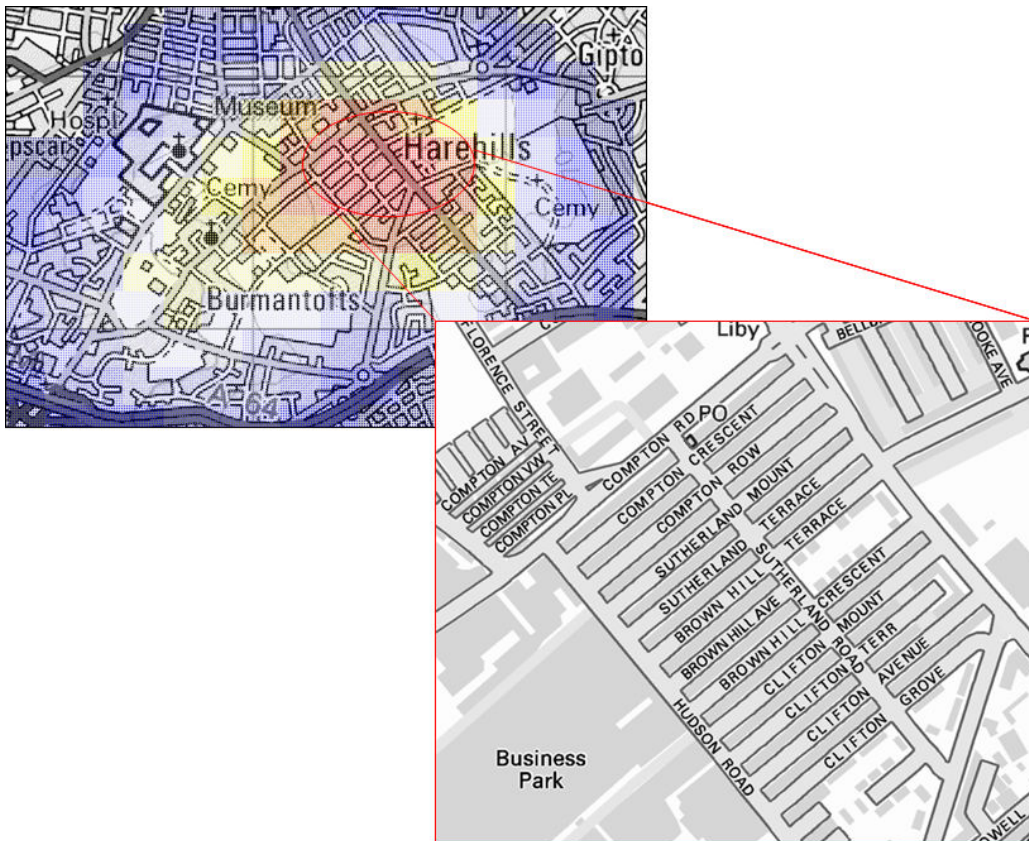
ASB Type	September	October	November	December	January	February	March	April	May	June	July	August	Grand Total
ROWDY INCONSIDERATE BEHAVIOUR	12	7	13	5	9	8	4	13	10	16	13	11	121
RNB - NEIGHBOURS	1	2	0	1	2	1	0	0	3	0	2	0	12
EMERGENCY SERVICE HOAX	2	0	0	0	1	0	1	0	1	1	0	1	7
BEGGING/VAGRANCY	0	0	0	0	0	0	0	1	0	1	0	0	2
STREET DRINKING	0	0	0	0	0	0	1	0	0	0	0	1	2
LITTERING/DRUGS PARAPHERNALIA	0	0	0	0	0	0	1	0	0	0	0	0	1
MALICIOUS COMMUNICATIONS	0	0	0	0	0	0	0	1	0	0	0	0	1
NOISE	0	0	0	0	0	0	0	0	0	0	0	1	1
<b>Grand Total</b>	<b>15</b>	<b>9</b>	<b>13</b>	<b>6</b>	<b>12</b>	<b>9</b>	<b>7</b>	<b>15</b>	<b>14</b>	<b>18</b>	<b>15</b>	<b>14</b>	<b>147</b>

The top two repeat locations relate to ASB incidents in and around St James hospital (Beckett Street) and the cemetery. The logs mainly relate to rowdy individuals in drink being abusive, aggressive or refusing to leave to leave the hospital. A number of logs relate to youths or alcoholics drinking in the cemetery.

Other locations have been highlighted as hot spots, such as the Bellebrookes, Lincoln Green Road and The Kiln, Brignall Garth. Incidents on Lincoln Green Road relate to assaults and drinking in a public place. Three incidents occurred at The Kiln public house, one relating to youths drinking in the car park and two relating to Assaults.

#### Geographical Spread

Similar to the crime offences, the hotspot area for ASB incidents, within the stated area between September 2009 and August 2010 has been around the Harehills area.



The worst affected streets within the hotspot have been Bellbrooke Grove (8), Brownhill Terrace (6), Hudson Grove (6) and Sutherland Terrace (5).

All incidents on Bellbrooke Grove have been categorised as 'Rowdy Inconsiderate Behaviour'. Four of the logs occurred on the street with people arguing and being abusive and including a male shouting abuse through a letterbox. The other logs relate to arguments within the home and people refusing to leave.

Calls made from Sutherland Terrace varied from two calls categorised as 'Rowdy Inconsiderate Behaviour', two were 'RNB-Neighbours' and one was a 'Malicious Communication' log. One caller reported a drunk male walking up and down the street another reporting a neighbour shouting in the street. The other calls were domestic disturbances. Peak times within the specified area have been during the evening between 19:00x02:00hrs with a sharp peak at 01:00hrs. Peak days have been over the weekend from Friday to Sunday.

In conclusion, a high number of offences were shown to have been committed in a public place over the last twelve months in the specified area. Beckett Street, in particular St James Hospital and the cemetery, tended to have a number of criminal offences, such as Drunk and Disorderly and Assault offences, as a result of alcohol consumption. Although there was a high number off offences committed within the home, this may be a result of consumption of alcohol in a public place. The main ASB problem has been 'Rowdy Inconsiderate Behaviour' which has mainly related to youths drinking and being rowdy, arguments and violence. As with crime, Beckett Street appears to be a significant problem for drink related incidents.

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

The City of Leeds Metropolitan District Council proposes to make a Designated Public Places Order under Section 13 of the Criminal Justice and Police Act 2000 (as amended).

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

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

*This area is defined along the southern boundary by the A64 (York Road) with the western end denoted by the junction of the A64 and Mabgate then following the latter north along Argyle Road and Macaulay Street before turning to follow Cherry Road which becomes Dolly Lane which in turn becomes Gledhow Road running adjacent and to the west of St James Hospital. The hospital then forms the Northernmost boundary at this end running west until meeting Harehills Road and turning onto Stanley Road. There is then a sharp turn North West onto Compton Road which becomes Foundry Approach before turning approx South East at Foundry Place and following the perimeter of Harehills Recreation Ground and Harehills Cemetery parallel with Southfarm Road until turning south west along Brander Road and through St Albans Road onto the A64 and the southern boundary.*

A map identifying the specific location of the designated public place and a list of licensed premises within the area is available for inspection at Killingbeck Police Station, Foundry Lane, Seacroft, Leeds LS14 6NN, and Leeds City Council's Compton Centre at the junction of Compton Road and Harehills Lane, Leeds, LS9 7BG. Alternatively you can view the information at [www.leeds.gov.uk](http://www.leeds.gov.uk).

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

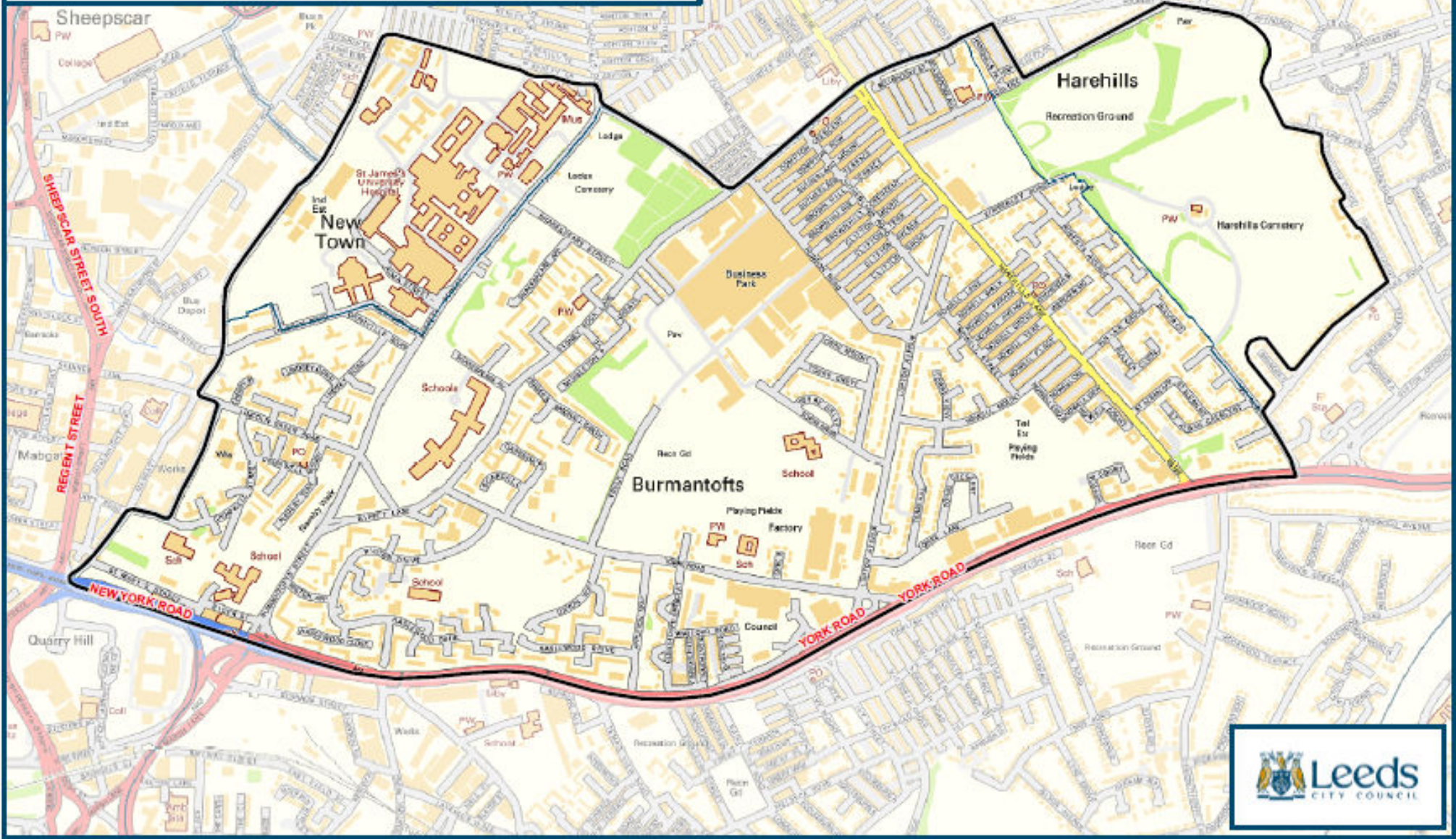
Any representations as to whether or not the order should be made must be made in writing to Beverley Yearwood, Leeds City Council, East North East Area Management Team, The Reginald Centre, 263 Chapeltown Road, Leeds, LS7 3EX by no later than **29 November 2010**.

Alternatively you can contact us through the Leeds Community Safety website [www.leeds-csp.org.uk](http://www.leeds-csp.org.uk).

Tom Riordan  
Chief Executive  
Leeds City Council  
**1 November 2010**

# Burmantofts (Proposed Designated Area)

## Section 13 - Criminal Justice and Police Act 2001



ON LICENSED PREMISES	Visits Conducted in relation to DPPO		
Anglers - (Leeds District Amalgamated Society of Anglers)	19:20 29/11/10	Pc 5632 spoke to Tom Owen	No Objections
FOUNTAIN HEAD	18:05 24/11/10	Pc 4460 spoke to Andrew Firth	No Objections
HARP	18:35 24/11/10	Pc 4460 Spoke to Martin Roatry	No Objections
KILN	20:50 25/11/10	PC 4460 Spoke to Licensee awaiting name	No Objections
North Leeds WMC	18:10 24/11/10	Pc 4460 Spoke to Andrew Backhouse	No Objections
ROSE & CROWN (f. MOON UNDER WATER / WETHERSPOONS)	18:15 24/11/10	Pc 4460 Spoke to Colin Fletcher	No Objections
SPORTSMAN	18:20 24/11/10	Pc 4460 Spoke to Angela Carr	No Objections
THACKREY MEDICAL MUSEUM / CREATIVE CUISINE - (ST. JAMES HOSP)	12:10 29/11/10	Insp Hawkes Spoke to Paul Stokes	No Objections/welcomes the idea
United Services WMC	18:30 24/11/10	Pc 4460 Spoke to Deborah Buck	No Objections
STARLIGHT BAR	17:00 25/11/10	Pc 4460 Spoke to Nawaz Khan	No Objections
DOCK GREEN	18:00 24/11/10	Pc 4460 Spoke to David Hanson	No Objections
OFF LICENSED PREMISES			
CHERRY ROW - 001/003 Supersava	Bet 10:40 & 12:30 27/11/10	Ps 2600 Spoke to Dhirha Patel	Objections
FRASER STREET - 003/005	Bet 10:40 & 12:30 27/11/10	Ps 2600 Spoke to Mohammed Yousaf	No Objections
HASLEWOOD DRIVE - 175/177	Bet 10:40 & 12:30 27/11/10	Ps 2600 Spoke to Suresh Patel	No Objections
LINCOLN GREEN ROAD - 068/070 Costcutter	Bet 10:40 & 12:30 27/11/10	Ps 2600 Spoke to Tim Bhullar	No Objections
LUPTON AVENUE – 141	Bet 10:40 & 12:30 27/11/10	Ps 2600 Spoke to Shavita Mistery	No Objections
ROSEVILLE ROAD – 043 Pakash Stores	Hair dressers Licensee Paramjit Sambui 07903 802173 not possible to connect call	Not surrendered license	
TORRE LANE / YORK ROAD - 393 - UNIT B B&M stores	Bet 10:40 & 12:30 27/11/10	Ps 2600 Spoke to Nicola Belchamber	No Objections
TORRE LANE / YORK ROAD - UNIT A Iceland	Bet 10:40 & 12:30 27/11/10	Ps 2600 Spoke to Alan Stringer	No Objections
COMPTON ROAD – 039 Pizza Zone	13:15 29/11/10	Insp Hawkes Spoke to Irfan Malik	No Objections
COMPTON ROAD – 050 Post office	Bet 10:40 -12:30 26/11/10	Ps 2600 Spoke to Stephen Roda	No Objections
FOUNDRY APPROACH - 022/024 Foundary News & Booze	18:10 29/11/10	Pc 5632 Spoke to Jasvinder Kaur	No Objections
HAREHILLS LANE - 274 Harehills Foods	13:20 29/11/10	Insp Hawkes	No Objections

		Spoke to Omer Kondu	
HAREHILLS LANE – 304 News extra	Bet 14:00 -16:00 26/11/10	Ps 2600 Spoke to Hanil Verma	No Objections
HAREHILLS LANE - 311 Grosik	Bet 10:40 -12:30 27/11/10	Ps 2600 Spoke to Ahmed Abraham	No Objections
HAREHILLS LANE - 318-322 Sainsburys	Bet 14:00 -16:00 26/11/	Ps 2600 Spoke to Paula Dudley	No Objections
HAREHILLS LANE – 411 Co-op	Bet 14:00 -16:00 26/11/10	Ps 2600 Spoke to Michael Wager	No Objections
HAREHILLS LANE - 422/424 Now ell Stores	18:00 29/11/10	Pc 5632 Spoke to Kish Patel	No objections
HAREHILLS LANE / KIMBERLEY ROAD Netto	Bet 14:00-16:00 26/11/10	Ps 2600 Spoke to Emma Shippin	No Objections
SUTHERLAND MOUNT - 002/004 C&R Newsagents	Bet 14:00-16:00 26/11/10	Ps 2600 Spoke to Surrinder Sin	No Objections

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## LICENSING COMMITTEE SEXUAL ENTERTAINMENT VENUES WORKING GROUP

26<sup>th</sup> NOVEMBER 2010

**PRESENT** Councillors Armitage and Wilson

**IN ATTENDANCE** S Holden – Principal Project Officer  
A Strudwick - LCC Domestic Violence Team  
N Raper – Section Head, Entertainment Licensing  
S Kennedy – Principal Liaison & Enforcement Officer  
R Des Forges - Solicitor  
H Gray - Clerk

**APOLOGIES** Councillors R D Feldman and Grayshon  
P Carville – Principal Licensing Officer

**18 WELCOMES AND INTRODUCTIONS**

Councillor Armitage welcomed all present and brief introductions were made

**19 MINUTES OF THE LAST MEETING**

**RESOLVED** – The minutes of the last SEV WG held 15<sup>th</sup> October 2010 were agreed as a correct record

**20 GUEST SPEAKER – Ms A Strudwick, Health and Domestic Violence co-ordinator, LCC Domestic Violence Team**

Miss Strudwick gave a brief presentation to the WG to emphasise risk management as a key issue for the WG to consider in drafting the Statement of Licensing Policy for the Licensing of Sex Establishments. Miss Strudwick welcomed the measures ensuring the safety of dancers within the draft Policy and suggested the WG consider broadening this element to encompass the safety of women in the city centre in general. She also emphasised:

- the gender issues within the lap dancing business highlighting that dancers were predominantly female and customers mainly male
- The Genesis Group which works with prostitutes had evidence of lap dancing venues being a new route into prostitution
- Statistics from a 2003 survey showed an increase in the number of sexual assault and sex crimes occurring near to lap dancing venues
- LCC had produced a Violence Against Women Strategy and this could be referenced within the SE Policy under Section 7

The WG welcomed the offer of assistance from Miss Strudwick in the creation of the proposed Dancers Welfare Pack and thanked her for her presentation. The WG then discussed dancers' isolation in terms of employment protection and the low uptake of union membership, such as Equity. The WG felt it was important make dancers aware of the benefits of union membership

**RESOLVED –**

- a) To thank Ms Strudwick for her input into the drafting of the Policy and the Dancers Welfare Packs

- b) To consider the inclusion of information on union membership within the Dancers Welfare Packs

## 21 PROJECT PLAN

The WG noted that adoption of the Policy was to be delayed until September 2011 as discussions were ongoing regarding the approval process and whether it was a matter for full Council or the Licensing Committee. Importantly, Council had already agreed to use the Miscellaneous Provisions Act 1982 to create the Policy. This delay would also afford LCC more time to undertake a second, targeted, public consultation on any amendments drawn up after consultation with the trade.

The WG also discussed

- the lap dancing venues in Leeds did not appear to be suffering the same downturn in business as other nightclubs during the current economic climate
- the value of Leeds Light Night organised to highlight issues affecting women in the city centre at night
- concerns that young, drunken women in the city centre appear vulnerable
- the Street Angels scheme being launched in Headingley to provide “friends” to men and women who look vulnerable who can assist with finding transport home etc

**RESOLVED** – To note the revised project timetable as:

September to December 2010 – policy development including pool of conditions

January & February 2011 – Pre-consultation

January 2011 – possible site visit

March – May 2011 – Public consultation

September 2011 – Approval process

## 22 DRAFT POLICY

The WG noted receipt of comments from Councillor R D Feldman and discussed the following

Statement of Licensing Policy

Section 5 – a reference will be made to the LCC Violence Against Women Strategy

Section 6 – now referenced culturally sensitive areas

Section 7 – a reference to the Equality Act to be included

Section 8 – Application process

- 8:13 – 8:21 Hearings – The WG noted the query raised by Councillor R D Feldman on inclusion of site visit information but determined this was not necessary as it was included within the general hearings procedure for Licensing Sub Committees
- 8:36 – 8:41 “Waiver” – The WG determined all this information was required as it provided guidance to applicants and the Sub Committees. It was noted there was no provision to issue an “occasional licence”, such instances would require a waiver application. The WG determined that waiver applications should be determined by a Sub Committee. Further investigation was needed to determine an appropriate fee.

### Appendix 1 – Standard Conditions

External Appearance – the following was determined:

- discussed signage and preferred “adult entertainment” to “gentleman’s club” as appropriate wording for signage within the lobby area of each club.
- There shall be no indication that a venue offers adult entertainment when the venue is closed. Venues shall be discreet in the street scene during the day
- There shall be no external neon signage or illumination

#### Advertising

- Condition 27 - Further consideration required of what constitutes littering/distribution of flyers in conjunction with LCC Highways who issue the relevant consents and penalty fines

The WG noted that 8 lap dancing clubs already existed in Leeds city centre and that it may not be possible to visit each of those in one evening prior to the final draft of the Policy. Members noted the operators would be offered the opportunity to accept a visit from the WG and their response would be taken into account. The WG also considered the merits of visiting one of each small/large type of venue.

### Appendix 2 – Application form

- Q7 – The noted the inclusion of the request for information on beneficiaries
- The WG noted the application form sought information from the applicants on polices and operating procedures and that some of this information would be duplicated as some venues would submit these documents for applications for a Premises Licence under the LA2003. However, as this form would be completed by cinemas and shops, it was determined to leave the request in the application form at present and review the consultation responses on its inclusion.
- Q41 “Is the proposal for full nudity” was also discussed, having regard to Q 42 on the “nature of entertainment”. The WG recalled previous discussions on the entertainment offered at the venues, and determined to leave those 2 questions within the form pending the results of consultation

The WG noted it would also be appropriate to meet with representatives of the sex shop businesses within Leeds and requested officers make arrangements with the trade to do so. It was reported that the Authority would be required to consult with both the SS and SEV trades on fees in due course

**RESOLVED** – to note the contents of the discussions and the comments made on the draft Policy

## **23 DATE OF NEXT MEETING**

SEV WG 13<sup>th</sup> January 2010 at 1.00 pm

Meeting with the trade 13<sup>th</sup> January 2010 at 2.00 pm

Both meetings to be held in the Civic Hall, Leeds

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LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 8 December 2010 (hg)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Items Currently Unscheduled</b>			
<b>Youth Service</b>	Review of work being done on under age consumption of alcohol	Requested by LC at meeting 04/10	B
<b>WYTSS</b>	Test purchasing and other measures tackling under age sales		B
<b>Nighttime economy strategy</b>	Briefing by revised strategy	Clare McCall	B
<b>TPHL policies</b>	To agree a schedule for policies to be refreshed and approved		DP
<b>Driver licences – nationality and immigration status checks</b>	To consider amending the existing driver application process to include checks on applicants right to work in the UK		DP
<b>Regular Renewal of CRBs for Licence Holders</b>	Review, timetable to be agreed having regard to necessary public consultation	Martyn Johnson	

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

**LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 8 December 2010 (hg)**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>Officer</b>	<b>TYPE OF ITEM</b>
<b>Meeting date: 21 December 2010</b>			
DPPO Burmantofts	To consider making a DPPO to cover areas of Burmantofts	Bev Yearwood	DP
<b>Meeting date: 18 Jan 2011</b>			
<b>Casino</b>	Update – possible start of stage 1	Sue Holden	B
<b>Cumulative Impact Policies</b>	Members' Briefing on revised CIP areas		B
<b>NVQ/VRQs for drivers</b>	Update and review report	Kate Coldwell	DP
<b>Constitution for trade forums</b>	To approve new constitution	John Mulcahy	DP
<b>Member Learning Day : 26 January 2011</b>			
Compulsory training	Licensing matters	All Members of Council, including Licensing Committee Members, are required to attend the sessions which are held throughout the year	
	Governance & Conduct		
<b>Meeting date: 15 Feb 2011</b>			
SEVs	Report back on public consultation and possible approval of policy	Sue Holden	B/DP
Health Matters	Briefing re impact of LA 2003 on health matters	John England	B

**LICENSING COMMITTEE WORK PROGRAMME - LAST UPDATED 8 December 2010 (hg)**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>Officer</b>	<b>TYPE OF ITEM</b>
<b>Meeting date: 15 Mar 2011</b>			
Casino	Update on applications/arrange sub committee	Sue Holden	B
<b>Meeting date: 12 April 2011</b>			
<b>Meeting date: 17 May 2011</b>			
Casino	Update on stage 1 appeals/stage 2 process	Sue Holden	B
SEVs	Report on transitional applications	Sue Holden	B

Key:

RP – Review of existing policy

PM – Performance management

SC – Statutory consultation

DP – Development of new policy

B – Briefings

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