



LICENSING COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
TUESDAY, 13TH SEPTEMBER, 2011 AT 10.00 AM

MEMBERSHIP

Councillors

S Armitage - Cross Gates and Whinmoor;
K Bruce - Rothwell;
R Downes - Otley and Yeadon;
J Dunn - Ardsley and Robin Hood;
R D Feldman - Alwoodley;
B Gettings - Morley North;
T Hanley - Bramley and Stanningley;
G Hussain - Roundhay;
G Hyde - Killingbeck and Seacroft;
A Khan - Burmantofts and Richmond Hill;
P Latty - Guiseley and Rawdon;
B Selby - Killingbeck and Seacroft;
C Townsley - Horsforth;
D Wilson - Rothwell;
G Wilkinson - Wetherby;

Agenda compiled by:
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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p>	

Item No	Ward/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 16th August 2011 as a correct record</p> <p>(copy attached)</p>	1 - 2
7	City and Hunslet;		<p>PRESENTATION - WEST YORKSHIRE POLICE</p> <p>To receive a verbal presentation from West Yorkshire Police providing an update on activity in Leeds City Centre and a briefing on city centre policing in the night time economy</p>	
8	City and Hunslet;		<p>LEEDS CITY CENTRE EVENING AND NIGHT TIME ECONOMY STRATEGY AND ACTION PLAN</p> <p>To receive a presentation and report on the Leeds City Centre evening and night time economy Strategy and Action Plan</p> <p>(draft report attached)</p>	3 - 46

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>RESPONSES TO CENTRAL GOVERNMENT CONSULTATIONS ON THE PRIMARY AUTHORITY SCHEME AND AGE RESTRICTED PRODUCTS</p> <p>To note the report of the Head of Licensing and Registration outlining proposed responses to two Central Government consultations on issues which fall within the remit of the Licensing Committee</p> <p>(report attached)</p>	47 - 68
10			<p>LICENSING WORK PROGRAMME</p> <p>To note the contents of the Licensing Work Programme for the remainder of the 2011/2012 Municipal Year</p> <p>(schedule attached)</p>	69 - 72
11			<p>DATE AND TIME OF THE NEXT MEETING</p> <p>To note the date and time of the next meeting as Tuesday 18th October 2011 at 10.00 am</p>	

Agenda Item 6

Licensing Committee

Tuesday, 16th August, 2011

PRESENT: Councillor S Armitage in the Chair

Councillors K Bruce, R D Feldman,
B Gettings, T Hanley, A Khan, P Latty,
C Townsley, D Wilson and G Wilkinson

19 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

20 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

21 Late Items

There were no late items submitted to the agenda by the Chair for consideration, however a risk assessment concerning the protection of children from viewing films which are unsuitable for their age group was circulated to Members as part of agenda item 7 (Minute 25 refers).

22 Declarations of Interest

There were no declarations of interest.

23 Apologies for Absence

Apologies for absence were received from Councillors Downes, Dunn, G Hyde, and Selby.

24 Minutes

RESOLVED – That the minutes of the meeting held on 26th July 2011 be agreed as a correct record.

25 Leeds Festival 2011 - Event Management Plan

The Principal Licensing Officer presented a report of the Head of Licensing and Registration, advising Members of the progress of the multi-agency meetings and the Event Management Plan in respect of the Leeds Festival 2011, due to be held within the grounds of Bramham Park, Wetherby, during the August Bank Holiday weekend.

Members raised concerns regarding the content of some films that were due to be shown at the festival, which had been considered by the Licensing Sub-Committee at its meeting held on 8th August 2011. The Licensing Sub-Committee had raised the classification of several films, and one film was refused certification on the grounds of gratuitous violence, criminal acts, and unprovoked attacks on passers-by. Members expressed their disappointment that the festival organisers had proposed to show such films, particularly in light of the riots which had recently taken place in various cities across England.

Officers had discussed Members' views with Mr Melvin Benn (the Premises Licence Holder), who also expressed disappointment with the content of some of the films. On this occasion the films had been selected and presented directly by the film company, but in future Mr Benn will manage this aspect more closely. It was also confirmed that this issue would be raised as part of the festival de-brief meeting. A risk assessment had been prepared by Festival Republic, outlining how children would be protected from viewing performances which are unsuitable for their age group. A copy was provided to Members at the meeting.

Members also discussed:

- it was noted that the event had not reached maximum capacity although ticket sales will be available on the day/s;
- ways in which children would be protected from harm at the festival;
- the improved way in which the festival has been managed over the last few years; and
- a complaint that Councillor Wilkinson had received from a Wetherby resident regarding the level of noise generated by the festival. The Principal Licensing Officer was asked to raise this with Mr Benn and ask him to respond to the resident.

RESOLVED –

- (a) That delegated authority be given to the Head of Licensing and Registration to approve the Event Management Plan and any minor amendments prior to the start of the event; and
- (b) That the Principal Licensing Officer be requested to raise the complaint received by Councillor Wilkinson with Mr Benn, and ask him to respond.

26 Work Programme

The Chair reported that the Work Programme was subject to change, depending on when representatives of West Yorkshire Police would be available to attend, and that Members would be informed of any changes.

RESOLVED – That the contents of the Work Programme be noted.

27 Date of next meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 13th September 2011 at 10.00am.



Report author: Claire McCall
Tel: 2475721

Report of Chief Officer Community Safety : Simon Whitehead

Report to Licensing Committee

Date: 13th September 2011

Subject: Leeds City Centre Evening and Night time Economy Strategy and Action Plan

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	City and Hunslet	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

1. This report highlights progress and provides an up-to-date position on implementation of the Leeds Evening and Night time Economy Strategy and Action Plan 2010.

Recommendations

Members are asked to note the contents of this report and request timely updates in the future.

Purpose of this report

- 1.1 To provide the Committee with an overview of the Leeds City Centre Evening and Night time Economy Strategy and Action Plan

2 Background information

- 2.1 The Strategy (see Appendix 1) and Action Plan (see Appendix 2) was produced in October 2010 following extensive information gathering and consultation with key partners and stakeholders.
- 2.2 It is owned; managed; and delivered by key partners through the City Centre Divisional Community Safety Partnership to ensure the ongoing effective and good management of Leeds city centre evening and night time economy.

2.3 The Strategy and Action Plan has been approved and noted by the Leeds City Centre Partnership Board and Safer Leeds Executive Board who are to receive timely updates on its implementation and progress.

2.4 The Strategy and actions address key themes of:

- policing; enforcement; and reassurance co-working
- welcoming and safe dispersal
- environment and cleansing
- planning
- business responsibilities and management

2.5 The Action Plan is an evolving document managed and monitored by the City Centre DCSP (Co Chaired by City Centre Manager Cath Follin and City Centre NPT Commander, Chief Inspector Vernon Francis). The DCSP meets quarterly and the plan is updated and considered at each meeting.

3 Main issues

3.1 Partnership working is key to the effective and good management of Leeds city centre night time economy – and is the basis of progressing the action plan. The following established partnerships are in place and are working effectively:

BACIL (Business Against Crime in Leeds)

BACIL is a proactive not for profit organisation that aims to reduce business crime, anti-social behaviour and disorder in Leeds city centre. It operates for the benefit of its members and the wider Leeds economy. It works with West Yorkshire Police, Leeds City Council, Leeds Retail Association, Leeds Hoteliers Association, national and independent local retailers, bars and clubs, Pubwatch, Leeds Chamber of Commerce, Safer Leeds and the entire BACIL membership.

BACIL carries out its operations with connections to crime initiatives locally, regionally and nationally to achieve its aims.

All members and partners have use of a high quality two way digital radio network .

BACIL acts as a centre for gathering, analysing and disseminating business crime intelligence from all partners to its members. It exchanges this information with its members, West Yorkshire Police, Safer Leeds, and other reputable partners. It uses the intelligence gathered to target criminal activity in order to make a positive impact on business crime reduction in Leeds city centre. In doing so, BACIL members help to make Leeds a safer place in which to live work and visit.

City Centre Pubwatch –engagement of licensees to address discuss and share information concerning all licensing related matters and encourage good practice and responsible management. Appropriate forum to address alcohol related anti social behaviour and violent crime. Meets bi monthly, with average attendance of 60 venues plus key partner organisations

Licensing Enforcement Group – meets monthly to agree actions relating to problematic premises which are on agencies radar/ City NPT Licensing matrix, plus identifies those premises which will be targeted for joint/multi-agency licensing visits, or any other action

deemed appropriate. Includes a statistical briefing on the past months city centre alcohol related violent crime for consideration and any appropriate agreed actions.

Student Safety Partnership – Led by Leeds University - monthly meeting of key partners to drive actions which address student related crime and disorder issues.

Operation Capitol 2 and Street Marshals

Led by Chief Inspector Vernon Francis of City NPT since June 2010 on Friday and Saturday nights Operation Capital 2 (police operations around licensed premises) entered a new and exciting phase. From this date licensed venue door staff have been positioned on the streets as Street Marshals in the 3 Violent Crime Hot spots alongside Police Officers, PCSOs and Special Constables. The Marshals are funded solely by the Licensees.

The scheme is a recognition of the responsibility of licensees for the sale of alcohol and its sometimes violent consequences. The purpose of the scheme is early intervention and the ultimate goal is to significantly reduce violent crime by these preventative measures. This has been proven through a year on year 40% reduction in city centre alcohol related violent crime.

Taxi Marshals – these Marshals have been deployed in Leeds city centre on the run up to and including Christmas and New Year since 2005 – and this year over the Easter and Royal Wedding Bank Holiday weekends.

The key purpose of the initiative is to provide Taxi Marshalling at three designated points within Leeds City Centre (Leeds Train Station, The Calls and Albion St adjacent to Oceana night club) as part of a package of partnership measures to reduce alcohol related incidents of disorder in these hotspot areas and provide public reassurance. The Marshals (both male and female) are Security Industry Agency (SIA) registered, and are fully trained in their role.

The role of the Marshals is to manage taxi queues in these hotspot locations, where footfall of night revellers is high, as is the dependency on taxis to transport people on to their forward destinations. As well as ensuring crowds are managed as they wait and that customers are ferried into cabs smoothly and fairly, the Marshall are also able to protect the safety of taxi drivers and support the ongoing work of identifying rogue private hire operators (which they report on to LCC licensing enforcement team) – working in partnership with licensed venues; West Yorkshire Police (WYP); British Transport Police (BTP) and Leeds City Council Taxi and Private Hire Licensing Enforcement Officers.

The provision has proved to be very popular with the public, partners, and venues, and resulted in a direct impact on the levels of alcohol related violent crime in the vicinity of their operation.

Due to the current financial constraints funding for provision this Christmas has not yet been secured. Work is continuing to take place with public and private sector partners to seek to sustain this initiative.

4 Corporate Considerations

4.1 Consultation and Engagement

Extensive consultation took place when the plan was being prepared and engagement is maintained through the various partnerships identified above.

4.2 Equality and Diversity / Cohesion and Integration

The plan seeks to ensure that the city is welcoming and safe for a diverse range of city centre users.

4.3 Council Policies and City Priorities

The plan contributes to the Safer Leeds Partnership Plan

4.4 Resources and Value for Money

Delivery of the action plan relies upon a range of partnership resources.

4.5 Legal Implications, Access to Information and Call In

No new implications arising from this report.

4.6 Risk Management

Key risks associated with the action plan are considered by the City Centre Community Safety Partnership.

5 Conclusions

Through effective partnership working the Evening Economy Strategy Action Plan is progressing well. The City Centre Community Safety Partnership is continuing to engage a range of partners and secure their support for delivery of different elements of the plan. This is against a backdrop of significant resource pressures for public and private partners involved.

6 Recommendations

Members are requested to note the contents of this report.

7 Background documents

- 7.1 Leeds City Centre Evening and Night time Economy Strategy and Action Plan
October 2010

**LEEDS CITY
CENTRE
EVENING AND
NIGHT TIME
ECONOMY
STRATEGY
2010**

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Forward - Co Chairs of the City Centre Divisional Community Safety Partnership

Leeds has a well established reputation for its vibrant nightlife with a real buzz and energy about it. Whether you fancy a pint of Yorkshire beer whilst listening to live acoustic guitar, or a dance frenzy at some of the biggest and best club nights around – you'll find it all, and lots in between.

However Leeds night time economy is not limited to clubs pubs and bars, it is much more. It is the combination of an early evening economy, classed as the hours before 10.30pm, and a later night time economy classed as post 10.30pm.

If eating out is your interest, you'll never get bored – the sheer variety of international and home grown flavours at your fingertips makes Leeds stand out as a top eating out destination.

Theatre treats in Leeds include a choice of Leeds Grand Theatre and Opera House; the Howard Assembly Room to the Carriageworks Theatre in Millennium Square, and the ever-popular West Yorkshire Playhouse. Leeds is also very fortunate to have its very own opera and ballet companies – Opera North and the Northern Ballet Theatre.

As for shopping, Leeds city centre has over 1000 shops from luxury department stores to one-off independents and boutiques, and work is ongoing to drive later retail opening hours into the evening economy.

This strategy has been developed in order to balance the needs of people enjoying the evening and night time economy, with those of local residents, and others arriving, visiting and working in Leeds, and to encourage a wider range of activities in the city centre. This strategy and action plan also compliments existing Leeds Strategies including the Safer Leeds Partnership Plan and the Leeds City Centre Strategic Plan.

To this end our vision is to provide:

'a welcoming, safe and attractive city centre with a diverse evening and night time economy, accessible to all, whilst protecting the quality of life for residents'

To achieve this encompasses an area of work which is complex – it draws in a number of organisations and partners, each of which operate differently and are accountable to different bodies. No single organisation has overall responsibility and therefore effective and committed partnership working is crucial.

Cath Follin

Head of City Centre and Markets

Leeds City Council

Vernon Francis

Chief Inspector

Leeds City Centre Commander
West Yorkshire Police

Introduction:

The ultimate aim of every night time economy strategy for any town or city is to make that town or city feel safer, more diverse and more attractive in the evening.

Studies undertaken across many European cities have shown that to achieve this we must:

- Attract a wider range of people into the town/city in the evening with a diverse range of venues and activities (boosting local economic growth and job creation) - it is estimated that over 80% of the population of UK cities rarely or never use their city centre in the evening
- Improve safety and the perception of safety and reduce costly binge drinking and prevent related crime, disorder, accidents, noise and nuisance etc.
- Reduce the cost of addressing these problems

Achieving these outcomes must be done in the most cost-effective way, through partnership working and the sharing of resources.

A good evening and nightlife is one of the most powerful economic engines a town or city has.

Recent surveys undertaken across the UK on behalf of the licensed trade show that pubs and clubs turn over £23billion per annum, but very little is known about the economic value of the night time economy. Based on estimated figures of value added from Camden, London in 2004:

Restaurant/cafe/takeaway: £762,000 p.a)
Pub or Bar: £340,000 p.a)
Music venue or nightclub: £687,000 p.a)

The above figures, whilst reflecting the position in London, do not include licensed trade suppliers or the less measurable benefits in terms of attracting students, business investment, tourism, supporting daytime retail etc.

On the same basis an estimate figure for Leeds figure allowing for 2.7% annual inflation, results in an annual figure of £163 million for Leeds.

However, before decisions are made to plan, manage, license, police and market a night time economy we must first gain agreement on what we mean by a night time economy.

What is the evening and night time economy?

A Night time economy is the provision of entertainment, food, and drink usually in a social setting, predominantly but not exclusively between 6pm and 6am.

Breaking this down; ***entertainment, food and drink*** is identified as:

- Theatres, cinemas and other cultural events e.g. Leeds Light Night
- Restaurants, cafe-eateries and takeaways
- Bars, pubs, cafes and off licences
- Dance clubs and music venues
- Fairs, circuses and other public events
- Evening Retail

Usually in a social setting:

- This makes the night time economy quite unique. It is social and about coming together in a venue or in a public place to be entertained; to eat; have a drink; socialise; and enjoy yourself.
- It is often about large numbers of people doing these things
- It performs a social function as well as an economic one, and gives our city its social atmosphere.

‘Provision’ is extremely important as *where* and *how* entertainment, food, and drink are provided is of key significance:

- It can significantly affect how you feel, how much you drink and how you behave
- Its ability to affect how people behave can make an evening out feel safe and attractive or rowdy and intimidating

Predominantly but not exclusively between 6pm and 6am:

- Not all daytime retail happens during the day, and not all night time economy happens during the night.

On examination of towns and cities across Europe that are as popular in the evening as they are in the day three common characteristics apply:

- They are SAFE and they *feel safe*
- They are DIVERSE – with varied options in terms of venue style, activity and days of the week when they’re available.
- They are ATTRACTIVE to a wide range of people – wide range of customers with different drinking habits and behaviours.

The outcome of these three common characteristics is invariably a lot of people socialising - behaving responsibly and presenting a POSITIVE social norm.

A strong night time economy is also able to support the development of daytime retail as no shopping centre is now considered complete without restaurants, cafes, bars and other attractive places to rest and relax before continuing 'retail therapy'.

A well planned Evening and Night time Economy attracts business, leisure visitors and tourists if it is able to offer a variety of choices day and night including:

- Traditional pubs
- Chill-out bars
- Unique restaurants
- Good hotels
- Quality theatres and cinemas
- Nightclubs and live music venues
- Varied public events

It also fosters a 'sociable city' which helps to build a community and improve the quality of life where people can relax, socialise and enjoy themselves.

The combination of the above is seen to attract and help maintain a skilled workforce, as attractive and affordable places to socialise along with varied food, drink and entertainment options, are a significant draw for students and young professionals looking for a place to make their home. People invariably aren't attracted to cities by efficient transport systems but because of the buzz generated by a vibrant daytime and night-time economy.

Addressing Evening Economy Issues:

Whilst the evening and night time economy injects money into the local economy, it can also introduce a number of issues that can detract from its popular acceptance and wider use.

An over dependency on alcohol consumption can result in anti social behaviour and disorder deterring participation from the wider population.

Government legislation enables authorities to combat alcohol-related crime and disorder through the use of enforcement powers in the Licensing Act 2003 and the Violent Crime Reduction Act 2006 which tend to focus on the extreme cases with emphasis on policing and door security. This is further supported within the previous government's updated Alcohol Harm Reduction Strategy for England - 'Safe, Social Sensible'.

However, enforcement itself will never provide the complete answer and could be better serviced by larger numbers of people who are acting responsibly showing others how to behave. In any town or city there will be a limited number of police officers available to come to the centre to police the evening and night time economy- in the case of Leeds on a weekend night there can be between 60,000 to

80,000 users of the night time economy. Invariably only the most severe cases of crime and disorder get picked up as every arrest takes police officers off the streets. A number of problems will therefore go unaddressed.

Promoting positives prevents problems and through partnership activity we are able to design out the root causes of binge drinking, noise nuisance, and alcohol related harm in and around licensed venues.

Root Causes

Drunkenness - drinking a large amount of alcohol in a short space of time (binge drinking)

The decisions made on Planning Uses, Urban design, Licence Conditions, Policing and Alcohol Policy significantly affect:

- How people feel
- Levels of binge drinking, crime and disorder
- Local economic growth and job creation.
- Licensed venues
- Social and physical environment

Attractiveness

It is essential to know what features in a city will attract visitors:

- Welcoming
- Cost of entertainment, food, drink and transport
- Easily accessible transport choices
- Variety of venues and setting
- Family friendliness
- Behaviour of enforcement staff/ guardians
- Cleanliness and environmental setting

Safety

The key features that surveys identify as deterring from safety are:

- High occupancy of licensed premises
- High music volume
- Lack of alternatives
- Limited demographic, i.e. 18 -24 yrs all under one roof
- Permissive environments – lack of control and management to identify drunkenness inside premises and other related incidents of disorder.

We need to address both the root causes and features that bring negatives to the evening and night time economy, and at the same time promote attractiveness safety and reassurance.

MANAGING LEEDS CITY CENTRE EVENING AND NIGHT TIME ECONOMY

Background:

- In 2002/2003 Leeds city council commissioned Chesterton Planning; Economics and Urban Practitioners to prepare an Evening and night-time Economy Study.
- The resulting wide ranging study set out detailed recommendations and an action plan which was developed and delivered by key stakeholders in Leeds city centre
- The city centre evening economy has continued to grow and develop since the Chesterton report, particularly in relation to licensed premises opening for longer hours (selling alcohol/ hot food) as a result of the Licensing Act 2003, and has significantly altered the way in which the city centre is used. At the same time the residential population of the city centre has also changed and grown, including a high number of first year University students. These factors are creating both new pressures and new opportunities for business.
- An update on the current position and related actions are now needed to ensure the ongoing effective and good management of Leeds city centre evening economy, with the resulting outcome being a sustainable, successful, vibrant and diverse evening economy, within an environment that is accessible, welcoming, attractive and safe to use by all. In October 2009 the City Centre DCSP (Divisional Community Safety Partnership) agreed to produce, in consultation with key partners and stakeholders, an updated Leeds City Centre Evening Economy Plan, which sets out clear actions, priorities, responsibilities, costs, and funding sources for its future development and management
- It is imperative to ensure that effective partnership working in relation to managing the evening economy are in place in preparation for the opening of the Leeds Arena in 2012, which will have a capacity of 12,500 and potentially hosting 140 events a year (approx 60 concerts; 20 musical stage shows; 18 exhibitions and 3 sporting dates).

Current position:

As already acknowledged the vitality and vibrancy of a city centre's leisure and tourism activities are an essential element of the evening economy. It is these

activities that draw visitors and residents into centres and encourage those working in the locality to stay longer.

Over the past decade Leeds city centre has seen an increase not only in the number but also in the range of evening leisure venues. The evening leisure offer within the city centre today includes:

- Restaurants, bars & pubs, cafes, and take aways with approximately 281 licensed premises in the city centre in 2009, 90 of which are open at 4am.
- Four theatres which attract over half a million visitors a year.
- Four casinos.
- A cinema.
- Comedy clubs.
- Music venues.

The city centre also plays host to a diverse range of public events. The ice rink has become a regular and popular feature in Millennium Square. The German Christmas market also returned for the eighth year in 2009. Light Night, Leeds Shopping Week, and Leeds Loves Food have become annual events for the city to celebrate, as well as live music delivered through The Live at Leeds Music Festival and Summer of Jazz. The city centres shopping offer continues to grow and develop and remains a huge pull for many weekend visitors.

The growth of the evening leisure and entertainment offer has both influenced and been influenced by an increase in the number of hotels. Since 2000 the number of hotels in the city centre has more than doubled, to 25 amounting to approximately 3750 rooms in 2009.

In terms of future growth, the completion in 2012 of the Leeds Arena (12,500 seats) will have a significant impact on the city centres evening leisure and entertainment offer.

In 2007 QA Research undertook a perceptions survey of users and potential users of Leeds city centre. (It is hoped further research will be carried out in 2010). A survey of 2107 people was undertaken and in relation to evening economy issues found:

- The most popular uses of the city centre after 5pm were pubs, clubs and restaurants, followed by theatres, and then shopping.
- 60% of respondents stated that there was 'nothing' which prohibited them accessing the city centre in the evening.
- 20% of respondents were reluctant to come into the city centre after 5pm due to 'feeling unsafe due to antisocial behaviour'

Three focus groups were also undertaken and the following opinions were expressed in terms of evening uses of the city centre;

- Most participants did not go out regularly in the city centre in the evening either because they felt they 'had done all Leeds had to offer' when they were younger or they didn't feel safe. However, younger respondents did not agree with these perceptions.
- Linked to the feeling of safety, was the perceived lack of good public transport out of the centre in the evening.
- Some respondents felt that drinking and clubbing was all Leeds had to offer on an evening; however it was acknowledged that this was a wider national issue.
- Events were seen as a good way of widening the evening leisure and entertainment offer, and it was felt that an arena would be a welcome addition to the city centre.
- Despite the concerns raised, Leeds was seen to have a vibrant night time economy, and many saw this as a good thing, if not catering to their tastes.

Violent Crime

In 2009 West Yorkshire Police responded to 750 incidents, either inside or directly outside, licensed premises in the 3 hot spot areas of Leeds City Centre.

Violent Crime figures for Leeds overall show a significant reduction (14%) but figures for the city centre (City and Holbeck) division are slightly above target against last year's out-turn. Serious assault with injury figures are 15 above last year and assault with injury are 58 above last year. A review of the reasons behind the increase have failed to identify a clear single reason other than 50% of all serious assaults occurred in the city centre and of these 48% occurred in or directly outside licensed premises. Certain premises have been identified for further action by the Licensing Enforcement Team.

Drugs – West Yorkshire Police was one of the first forces to recognise the importance of tackling drugs related offences and in particular the links between volume crime and drugs misuse and also that there are strong links between drugs and organised crime groups.

The force has a co coordinated approach and its drug strategy mirrors the Government Drug Strategy.

Drugs and Offender Management Unit have a number of partner agencies working together with Drug Intervention Teams throughout the Leeds area and have significantly reduced crime by assisting and supporting those who abuse drugs to enter into treatment.

The police in Leeds City Centre have adopted a no nonsense approach to Drug use with much success and have improved this with a strong relationship with the Licensees in the city.

An important aspect of West Yorkshire Police Strategy is taking the wealth from drugs dealers, and a large number of confiscation orders have been made to the value of over £3,000.000 - much of this is connected to illegal drugs activity.

This approach has meant that the young people who come to the city are even safer and are less likely to come into contact with drugs.

Sexual Entertainment Venues:

On 1 April 2010 the law relating to the licensing of lap dancing establishments changed. These venues will in future be licensed as Sexual Entertainment Venues under the Local Government (Miscellaneous Provisions) Act 1982. This will give the community greater input into the number and location of such venues than was possible under the previous system of licensing.

In 2010 the Council will be considering whether to adopt the legislation for Leeds and if so whether to have a policy on the numbers or locations of lap dancing venues in the city. Any new policy would be subject to public consultation before it is approved.

If the legislation is adopted for Leeds then all existing venues will need to reapply for their licences and will be judged against the new policy. There will also be the opportunity to look at any conditions which should be placed upon the new licences.

Way Forward:

On 15th January 2010 a half day event with key partners and stakeholders '*The Leeds Evening Economy: The Next Steps....*' was held. Facilitated discussion groups related to:

Policing and enforcement

Business responsibilities and management

Environment and cleansing

Welcoming; Reassurance; and safe dispersal

The groups considered the threats, opportunities, weaknesses and strengths relating to the city centre evening economy, and identified key issues and the actions required to address such.

Emerging key issues:

- The on going need for effective partnership working and sharing of resources
- Benefits of and need to further develop co working in relation to policing; enforcement, reassurance and welcoming by all relevant partners : Police - WYP and BTP; Parking services; Taxi enforcement; Leedswatch, Street Chaplains; Taxi Marshalls and licensed premises.

- Funding of Taxi Marshalls (currently only funded on run up to Christmas and New Year with no ongoing arrangements in place) – tried and tested with very positive impact on reducing incidents of violence, managed dispersal; rogue private hire operators; reassurance – yet no on going funding in place. Key partners and public recognise and appreciate their contribution.
- Cleansing – inadequate provision at present and need to carry out Night time environmental visual audit with active involvement of venues. Need to share intelligence with cleansing re night time footfall and movement, to enable improved and appropriate scheduling etc
- Leeds Arena – need to be prepared - huge potential and impact for evening economy – need to be ready for increased footfall and seize positive opportunities – include and engage with developers and operators
- Increase transport options and improve dispersal – sole option during late night /early morning hours is currently taxis and private hire vehicles
- Retail – more consistent extended opening of retail to 8 or 9pm in the evening across the city centre

The feedback from this and in addition to further consultation and gathering of information, the **Evening and Night time Economy Action Plan** has been produced - **see Appendix 1**. The plan will be progressed and monitored through the City Centre DCSP, and Champions will be identified and invited to lead on key themes. The Action Plan is a live document that will develop and progress through ongoing consultation and input from partners.

Purple Flag:

This accreditation scheme (similar to the Blue flag beach scheme) recognises great entertainment and hospitality areas at night. It has been developed by the Association of Town Centre Management (ATCM) in conjunction with a number of key government departments and with the support of the Association of Chief Police Officers. It is awarded on the basis of an objective assessment of 5 key elements relating to Policy Framework; Wellbeing; Movement; Appeal and Place.

Martin Blackwell, CEO, ATCM states, *"Our towns and cities must now adapt. Retailing is important but not the whole story. Those centres that thrive in the future will be those that have a more balanced economy and utilise their assets 24/7. "*

It may be that Leeds will apply for accreditation with the scheme once the full resource implications are clear.

This strategy document along with the Action Plan will compliment and positively contribute to the Purple Flag assessment should Leeds decide to proceed with an application.

Partnership Approach to policing:

Strides are already being made with regard to improved co working in relation to Policing - the City Centre NPT Commander has set out his objectives through briefing key partners and stakeholders to work in partnership to reduce violent crime and disorder by:

- Ensuring licensees take more responsibility for the 'Night Time Economy'
- Introducing the new 'licensing matrix' system to identify licensed premises experiencing high levels of crime early on, so as to establish how best to address problems before they escalate
- A cohesive partnership approach
- Recognising, understanding and accepting that it's not just a 'Policing Problem' but a 'Community Problem'

To achieve this will require the following

- Early Intervention – 'the key'
- Phased Patrol throughout the evening
- Police/PCSO's/Special Cons – Designated areas
- Street Briefings – Inspectors/Sergeants
- More venues involved = less problems/shared responsibility

Appendix 1: Action Plan

LEEDS CITY CENTRE EVENING & NIGHT TIME ECONOMY: ACTION PLAN 2011

Issue	Action	Action Manager / Agencies	What and when	Timescale	£ of delivery (source)	Cost of non delivery (source)
<p>Policing, Enforcement and Reassurance co-working</p> <p>Street drinking;</p>	<p>Proactive and co-ordinated deployment of city centre civil and enforcement uniformed staff throughout evening and night time economy timeframe – specifically Friday and Saturday nights</p> <p>Enforce City</p>	<p>City NPT & WYP Op Support BTP Parking (LCC) Environmental enforcement (LCC) Cleansing (LCC) Taxi & PH Enforcement Taxi Marshalls Street Marshalls Street Chaplains Leedwatch (LCC) Venue staff Trading Standards UK Borders Agency WY Ambulance Service</p> <p>WYP</p>	<p>As part of weekly Police Operation Capitol, since June 2010, Street Marshals paid for and staffed by licensed venues in the 3 hotspot locations on weekend nights. No dispersal of violence to other areas of the city centre. July 2011 – scheme ongoing with continued success – on street assaults down by approx 40%. BACIL to temporarily fund further Street Marshall provision Sept – Dec 2011 to boost and support scheme.</p> <p>Raised with taxi trade- don't</p>	<p>Ongoing</p>	<p>Street Marshalls funded by venues in hotspot locations</p>	<p>Home office figures : 1 GBH = £37 K</p> <p>Yorkshire Ambulance service: each ambulance call out = £108</p>

<p>glass and bottle Street litter –also see Cleansing section</p>	<p>Centre DPPO Promote to both operators and visitors</p> <p>Revisit DPPO signage/poster wording and position/distribute</p>	<p>BTP Venues Licensing enforcement</p>	<p>allow alcohol consumption in cabs . private hire forums.</p> <p>Marketing Leeds/LCC and WYP working together re appropriate crime prevention/awareness messages and dissemination</p> <p>Aug 2011 -updated version and print run underway</p>	<p>Ongoing</p>	<p>£200</p>	
<p>Congestion and illegal parking</p>	<p>Manage and enforce parking and traffic regs</p>	<p>WYP LCC Parking services</p>	<p>Identify hotspots; where and when and deploy staff to take action</p>	<p>Ongoing</p>		
<p>Taxi/ PH vehicles over ranking and illegal plying for hire</p>	<p>Enforcement action</p>	<p>Licensing enforcement WYP</p>	<p>Regular city centre operations</p>			
<p>Funding and location of Taxi Marshalls (also an action within Draft Leeds</p>	<p>Explore all funding avenues Establish key dates in calendar year when most</p>	<p>CMc</p>	<p>Establish scope for taxi trade contribution via licence fee- explored and would require full consultation- no scope 2010/11, raise again with LCC</p>		<p>Xmas 2010 delivery approx £17K</p>	

Alcohol Harm Reduction Plan)	needed Key locations for deployment identified	VF	Taxi Licensing. Com Safety and CCM provided funding for Xmas 2010. Easter 2011 - CCM funded for 2 consecutive bank holiday weekends. Partner sub group in place to manage delivery. WYP – ‘POCA’ funds – explore potential- no scope @ present – Aug 2011	Ongoing	1 Marshal costs £68.75 per night (5 hour shift) Cost for 3 Marshalls @ 3 locations for 2 weekend nights = £1383.50	
Drink driving	Awareness campaign Enforcement action	Venues; employers; local publicity WYP	BTP METRO Network Rail Venues?			
Establish ‘Dispersal’ sub group of Welcoming Group		CMc/JM LCC VF WYP	Welcoming Group disbanded as ‘welcoming’ theme incorporated into business of City Centre DCSP as well as City Centre Partnership Board. Sept ’10 sub group met and taking forward dispersal plan July 2011 ongoing	Ongoing		
Environment	Engage LCC	CF	CF to scope potential for			

<p>and Cleansing Cleansing:</p> <p>Need info on current position What do private operators do?</p> <p>Flyering and littering</p>	<p>Chief Officer support to Champion</p> <p>Conduct regular night time environmental visual audit including venues</p> <p>Obtain info from all relevant partners Share info/intelligence</p> <p>Establish partnership evening economy cleansing plan</p> <p>Night time deployment of staff to take enforcement action</p>	<p>Street Scene Services Pubwatch</p> <p>LCC Street scene Licensed venues Retailers Hotels and restaurants City NPT</p> <p>LCC Street scene Pubwatch</p> <p>Pubwatch Hoteliers Assoc Lets Eat</p> <p>LCC</p>	<p>Andrew Mason to Champion July 2011- City centre specific team as a result of restructure.</p> <p>March 2011 – overnight working by Env Enforcement officers – dealt with littering; flyering consents and cleansing issues</p> <p>Licensed venues provided info re busy nights, opening hours etc via Pubwatch.</p> <p>City Centre Team Manager well aware of night time issues and concerns – LCC staff attend city centre Pubwatch</p> <p>See above</p> <p>As above –permit info provided to Pubwatch July 2011- flyering consent conditions amended to disallow promotional stickers as they were becoming</p>	<p>On going</p>		
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<p>Improve 'look' (e.g. Boar Lane)</p> <p>Planning: Multi agency consideration of planning applications</p> <p>Non enforcement of planning conditions No overlap with entertainment licensing</p> <p>Cumulative Impact Policy Review</p>	<p>Businesses clean and care for own frontages</p> <p>Ensure City Centre DCSP informed and contribute to discussion and consultation relating to city centre CIP</p>	<p>environmental enforcement</p> <p>LCC Env Enforcement</p> <p>System in place</p> <p>LCC Licensing LCC Planning</p>	<p>problematic</p> <p>e.g Enforcement notice served on premises on Boar Lane and premises exterior refurbished</p> <p>Planning attend monthly LEG meetings where any planning queries and /or issues with licensed premises can be identified and addressed</p> <p>July 2011- Planning and Development services have CIP areas on their computer system which triggers an automatic comment on related planning applications - Planning send out Licensing CIP explanatory leaflet to applicants.</p> <p>Input to April 2010 DCSP by Licensing Officer leading CIP review- comments made etc</p>			
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<p>Business responsibilities and management Forum to enable eve econ partnership between hotels; restaurants and night time venues, to enable tactical and strategic approach to issues and concerns</p> <p>Share footfall and other relevant data with partners</p> <p>Irresponsible/che</p>	<p>Progress via Lets Eat; Hoteliers Assoc and Pubwatch</p> <p>Automatic water availability –pubs and restaurants</p> <p>Identify relevant shareable data and establish what useful to who and how to distribute</p> <p>Challenge via</p>	<p>CMc</p> <p>LEG partners</p>	<p>The following weblink provides info and graphs re city centre footfall as well as were cameras located: http://www.leedsinitiative.org/citycentre/page.aspx?id=20127</p>	<p>Partners advised of weblink Jan '11 – need to explore use and further scope for sharing</p> <p>Ongoing</p>		
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ap drinks promotions	LEG – Licensing Enforcement Gp And Pubwatch			via monthly meetings		
Door staff : quality and training	Audit via BACIL Night time Co-ordinator	Cath Arkle - WYP	City NPT call meetings with key security staff providers operating in city centre	Ongoing		
Proactive and effective use of Nitenet radio system amongst venue door staff and Leedswatch	Short term: PCSO @ Leedswatch Fri and Sat night. Long term:CCTV Operators to verbally communicate		As a result of BACIL member survey, rebranding BACIL and new upgraded 'BACIL RADIO' distributed in Feb. Night time Co-ord in post. July 2011 Working protocol for Leedswatch/BACIL radio use now in place			
Broaden offer 5 – 8pm	Encourage and support late night shopping and other activities	CCM	Leeds on board with national ATCM action re major chains strategy on late opening			
Best Bar None	Ensure ongoing promotion and that awards compliment venue status with licensing matrix	Jo Rostrun	2011 scheme complete - winners announced and award ceremony held. Safer Leeds unable to resource future scheme.			
Joined up	Marketing		Part and parcel of Marketing	Ongoing		

<p>marketing of City Centre offer</p> <p>Leeds Arena</p>	<p>Leeds/Locate in Leeds</p> <p>Ensure Arena Project Board aware of this plan and enable communication on Arena related issues - identify and ensure input re evening economy issues</p>	<p>CF</p>	<p>Leeds work programme</p> <p>Aug 2011 – Officer from Arena Project being invited to October DCSP meeting to enable input /discussion and engagement</p>			
<p>Resources</p> <p>Financial: Explore all potential funding sources to enable activities which contribute to effective management of night time economy</p> <p>Health funding for alcohol treatment programmes</p>	<p>VF to explore scope to access POCA (Proceeds of Crime Act) funds</p> <p>Scope for private sector support e.g. Diageo?</p> <p>To be raised via Safer Leeds Exec</p>	<p>VF,CF on behalf of City Centre DCSP</p> <p>VF</p>	<p>Agree application and submit July 2011 – no POCA funds available at present</p> <p>July 2011: Approach made and discussion ongoing</p> <p>Update needed</p>			

<p>Ongoing consultation and input Ensure ongoing input to this action plan by all relevant and interested parties –residents; businesses; city workers; visitors and young people</p>	<p>Consult with young people via Young People and City Centre Group partners</p>	<p>CMc and KD</p>	<p>Jan 2011: City centre Young People Committee set up by Youth Services. CMc attended May meeting re city centre safety issues including evening economy, plus 182 young people completed questionnaire re perceptions of city centre safety</p>			
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Appendix 2: Established Partnership working and good practice

In addition to the statutory enforcement agencies many effective roles and partnerships already exist to work proactively in managing Leeds city centre evening economy including:

Leeds Enforcement Group

The licensing authority chairs monthly multi-agency enforcement meetings for all responsible authorities plus their invited guests. The purpose of these meetings is to discuss problem premises, problem areas and to share information about any new initiatives or schemes.

The outcome of the meeting is a list of target premises circulated to each of the agencies identifying those premises which will be targeted for joint/multi-agency licensing visits, or any other action deemed appropriate.

Responsible authorities liaise with the relevant agencies in the interim if premises are identified which warrant immediate action. In addition to these meetings, the licensing authority will arrange any ad hoc meetings if required to discuss non standard events such as large scale sporting events e.g. the football World Cup, or seasonal periods such as Christmas.

Licensing visits

the licensing authority's enforcement section will undertake risk-based licensing visits to those premises identified at the regular Leeds Licensing Enforcement Group multi-agency meetings or where a specific complaint exists.

During these visits enforcement officers of the licensing authority will complete general inspections to check whether a premise is being operated in a manner which promotes the licensing objectives. If, during a licensing visit, enforcement officers suspect non-compliance with any licensing condition which is outside their area of expertise they will refer this to the relevant responsible authority for their action.

Responsible authorities undertake enforcement visits in line with the provisions of Section 179 of the Act. This Section levies a power on constables or other authorised persons to enter particular premises to investigate if licensable activities are being or are about to be carried out in accordance with an appropriate authorisation.

In principle, licensing visits will always be reactive focusing on high-risk premises in line with the recommendations of the Better Regulation Executive and carried out in accordance with the Regulators' Compliance Code, where applicable. Local authority licensing enforcement officers and West Yorkshire Police conduct regular joint licensing visits to licensed premises throughout the Leeds district. Other agencies may be involved such as The UK Border Agency, Trading Standards, and Environmental Health. Joined up partnership working facilitates more effective and efficient use of agencies' resources while reducing the regulatory burden on businesses. As required, specific ad hoc joint licensing compliance operations are conducted where intelligence of a licensing non-compliance is highlighted and may include gathering evidence of illegal drinking dens. Regular joint licensing visits promotes closer relationships with the licensed trade offering support where necessary.

Best Bar None:

Best Bar None is a national awards scheme which along side the Home Office rewards licensees who provide good management, a safe and enjoyable environment for customers, discourage binge drinking and prevent alcohol related crime.

Leeds Best Bar None is in its fourth year with the number of applicants for the 2010 up 15% from 2009. The scheme works in partnership with Leeds Metropolitan University whereby their hospitality students undertake the assessments of venues as part of their degree course. Assessment covers issues such as door and security policies and practice, first aid and health and safety provision, how venues deal with customers and handle incidents of alcohol abuse and how they deal with drugs.

From management to door staff, our licensed premises whether they are bars, clubs or pubs have all made great strides in contributing to these improvements and these are reflected in the scores achieved by all premises engaged in Best Bar None.

NITENET Radio System

BACIL (Business Against Crime in Leeds) took over the running of the NITENET system on the 1st August 2008, and set about promoting its use with the existing equipment following the already very successful model of Basil's day time economy model.

Over 100 Night time economy venues have a Nitenet radio through their membership and numbers continue to grow. The main aim of the system is to create an Information Sharing Network amongst the city centre night time economy 'Family', thereby enabling venues to reduce the risk of crime or disorder affecting their premises.

The radio system allows the quick and effective sharing of information amongst user venues regarding potentially problematic individuals or groups. This effectively reduces the individual's or groups opportunity to cause further incidents of crime and disorder, as they can be refused entry to other venues.

A PCSO from City NPT is deployed to the LeedsWatch Control room on weekend nights; enabling real time communication with a vast network of CCTV camera's which can record incidents as they occur. This is not only a useful tool for West Yorkshire Police but also the users of the radio, who can be safe in the knowledge that an incident can be caught on camera which can then be used to support any action taken by the staff at the premises. The ultimate aim is to remove the need for the PCSO and have LeedsWatch staff themselves, answering the radio 24 hours a day.

City NPT PCSO's also carry NiteNet radios whilst on patrol, whilst it is not there as an Emergency response service, where practical, they will endeavour to answer and deal with incidents arising from these calls - enabling early intervention where possible. It is widely accepted that door staff do know when an individual or group have the potential to cause disorder and by passing this information across the radio it enables West Yorkshire Police to deal with these individuals or groups before the opportunity to cause or be involved in any form of violent disorder arises.

BACIL funds and employs a full time night time economy Co-ordinator who examines details of incidents and offenders, identifying those that are prolific and persistent offenders, and takes the required steps to exclude these people from BACIL member's premises. Information is shared with BACIL members, enabling them to refuse entry and effectively removing the opportunity for them to cause problems in the city. The Co-ordinator also works during the weekend evenings and is available to deal with any radio issues that arise as well as helping to provide a communication conduit between venues, PCSO's and LeedsWatch CCTV.

LeedsWatch

The Leeds City Council Community Safety CCTV system manages and operates the council's network of 300+ fixed site public space monitoring CCTV cameras located across the city. The cameras are used to prevent and respond to criminal and anti-social activities by capturing, monitoring and recording video footage. This is done either pro-actively by monitoring the network of cameras for incidents or by responding to requests and intelligence from other council services and external agencies.

In addition to the network of fixed camera installations, the service also manage and operate two mobile CCTV vehicles which are deployed into hot spot areas of the city and provide a visible deterrent for high risk situations, events and activities. This can either be in support of existing static camera installations or in locations where no CCTV installation currently exists.

Leeds City Council Community Safety CCTV has robust operational protocols and procedures which have been tried and tested and adopted by others as good practice. Indeed the quality of evidence produced by the CCTV system has been instrumental in convicting hundreds of offenders over the past recent years.

The system plays a major role in reducing crime and anti social behaviour in the city. Community Safety is in the process of delivering a £1m scheme to revamp the CCTV operations centre. When complete this facility will be one of the biggest of its kind outside of London.

Pubwatch Coordinator

The role is a joint initiative between the agencies of the Crime and Disorder Reduction Partnership for Leeds - Safer Leeds.

The main aim is to develop policy, practice and service delivery in relation to Leeds Pubwatch across elements of the Safer Leeds Partnership crime and disorder reduction strategy -particularly alcohol and violent crime.

To support the Safer Leeds Partnership in all aspects of the planning, strategy and delivery of services implemented to meet the agreed aims and objectives of the Partnership Alcohol strategy.

To develop and maintain close working relationships with statutory bodies, stakeholders and all members of the Licensing Industry across the city, to ensure adherence and enforcement of all aspects of the Licensing Act 2003 and other relevant legislation.

Leeds City Centre Pubwatch

The scheme involves Leeds licensees, who are supported by Police, Local Authority and other agencies who collectively afford each others confidence, support and protection.

The key aim of Pubwatch is to achieve a safe, secure and responsibly led social drinking environment in licensed premises which helps to reduce alcohol-related crime therefore increasing trade.

Outcomes include;

- Know who your local troublemakers are and deter them from your premises

- Actively shows due diligence to upholding the objectives of the Licensing Act 2003
- Reduce the risk of assaults on licensees, staff & customers
- Develop a positive relationship with Police & other agencies
- Information on the latest legislation and other important issues
- Helps your business and others by contributing to improving the public perception of an area where trade can prosper.

The scheme provides better communication between licensees in an arena which provides a forum for discussions and solutions to problems relating to violence, disorder and business information linked to licensed premises.

Street Chaplains

The Leeds Churches Street Chaplains project is an ecumenical Christian response by the churches across Leeds to the needs of the people using the city centre and in particular the night time economy. The project seeks to demonstrate a Christian presence by engaging with people on the streets and around the wide range of night time venues in Leeds, in order to care, listen, converse with and offer practical help to those most vulnerable. The Leeds Churches Street Chaplains was launched in November 2008, working in close partnership with Safer Leeds, West Yorkshire Police and the British transport Police. At the present time the Street Chaplains aim to go out on the first two Fridays of the month, volunteers permitting but once there are enough volunteers available they would like to increase this to every Friday and Saturday evening. The Chaplains meet together at 10.00pm in their base in the cafe at Holy Trinity church on Boar Lane. At the present time this is only accessible to volunteers, however it is hoped that eventually they will be able to offer somewhere with “Safe space” available for anyone who needs some time to chill out. The Street Chaplains usually stay out until around 2.0pm but with more volunteers they would be able to stay out ideally until around 4am.

All volunteers are trained and CRB checked and they carry Nitenet radios.

Taxi Marshalls

Since 2005, on the run up to and including Christmas and New Year, Taxi Marshalls have been deployed in Leeds city centre on weekend nights (Friday and Saturday).

The role of the Marshalls is to manage taxi queues in hotspot locations, where footfall of night revellers is high, as is the dependency on taxis to transport people on to their forward destinations. As well as ensuring crowds are managed as they wait and that customers are ferried into cabs smoothly and fairly, the Marshalls are also able to protect the safety of taxi drivers and support the ongoing work of identifying rogue private hire operators – working in partnership with licensed venues; West Yorkshire Police (WYP); British Transport Police (BTP) and Leeds City Council Taxi and Private Hire Licensing Enforcement Officers. The male and female Marshalls, who are Security Industry Agency (SIA) registered, are fully trained in their role.

A very successful partnership working approach is adopted throughout their deployment - including the attendance at joint pre shift briefings and passing attention by City Neighbourhood Policing Team /British Transport Police. Communication and surveillance is enabled through the Nitenet radio system and LeedsWatch.

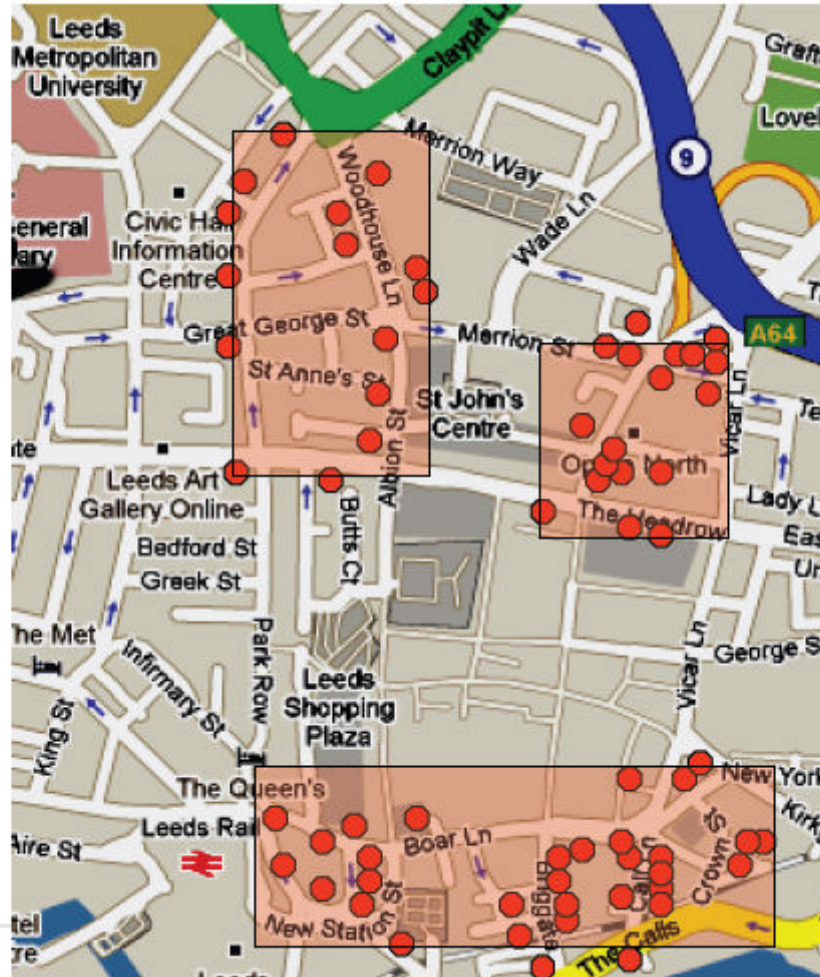
Alcohol Arrest Referral Programme

The Leeds Alcohol Arrest referral programme has now been running for a full year and after a relatively slow start the cell based workers are now giving in excess of 100 Brief Interventions every month to a wide range of persons arrested in the city for alcohol related offences of violence and disorder. The majority of recipients of the service are age between 18 – 24 years and could be classed as 'Hazardous' drinkers or more commonly known as Binge drinkers. It is of value to note that for the past 6 months Cry, the service provider in the cell area has taken data from arrestees and tracked their offending and since the arrest and intervention 89% of these offenders have not been arrested for a subsequent similar offence. Plans to roll out the scheme across all of Leeds are stalled due to the refurbishment plans for the cells across the city.

Appendix 3: Key Licensed venues in Leeds city centre

Oceana, Varsity,
 Yates, Baja Beach Club,
 Fab Café, Wakabout,
 O2 Acadamey, Bourban bar
 Revolution, The Courtyard
 Sports Café, The Northern
 Monkey
 NU Bar, Tiger Tiger,
 Bar Risa, Sandanista,
 Gatecrasher, Sela Bar,
 Flares, Bar Censsa,
 Birdcage, The Brassiere,
 The New Penny, Revolution,

 Bar Room Bar, Doctor Wu's,
 Mezz, Chilli White
 Space, Milo
 The Regent, The Hi-Fi Club
 The Duncan, Fire, Wire
 Superna, Oporto, Jake's Bar



Franks Bar, The
 Reform
 The Wrens,
 Santiago's
 Casa Locos, Mint
 North Bar, Rio's
 The Horse and
 Trumpet
 The Vine, The Three
 Legs
 Cloud Nine, Blue
 Coyote
 Verve, Spencers,
 Scarborough Hotel
 Prince of Wales,
 Cockpit
 The Brewery tap,
 Square
 Hogs Head,
 Smokestack
 The Viaduct, Stone
 Roses Bar
 Queens Court, Fibre



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Appendix 2: Action Plan

LEEDS CITY CENTRE EVENING & NIGHT TIME ECONOMY: ACTION PLAN 2011

Issue	Action	Action Manager / Agencies	What and when	Timescale	£ of delivery (source)	Cost of non delivery (source)
<p>Policing, Enforcement and Reassurance co-working</p>	<p>Proactive and co-ordinated deployment of city centre civil and enforcement uniformed staff throughout evening and night time economy timeframe – specifically Friday and Saturday nights</p>	<p>City NPT & WYP Op Support BTP Parking (LCC) Environmental enforcement (LCC) Cleansing (LCC) Taxi & PH Enforcement Taxi Marshalls Street Marshalls Street Chaplains Leedwatch (LCC) Venue staff Trading Standards UK Borders Agency WY Ambulance Service</p>	<p>As part of weekly Police Operation Capitol, since June 2010, Street Marshalls paid for and staffed by licensed venues in the 3 hotspot locations on weekend nights. No dispersal of violence to other areas of the city centre. July 2011 – scheme ongoing with continued success – on street assaults down by approx 40%. BACIL to temporarily fund further Street Marshall provision Sept – Dec 2011 to boost and support scheme.</p>	<p>Ongoing</p>	<p>Street Marshalls funded by venues in hotspot locations</p>	<p>Home office figures : 1 GBH = £37 K Yorkshire Ambulance service: each ambulance call out = £108</p>

Street drinking; glass and bottle Street litter –also see Cleansing section	Enforce City Centre DPPO Promote to both operators and visitors	WYP BTP Venues Licensing enforcement	Raised with taxi trade- don't allow alcohol consumption in cabs . private hire forums. Marketing Leeds/LCC and WYP working together re appropriate crime prevention/awareness messages and dissemination	Ongoing		
	Revisit DPPO signage/poster wording and position/distribute		Aug 2011 -updated version and print run underway		£200	
Congestion and illegal parking	Manage and enforce parking and traffic regs	WYP LCC Parking services	Identify hotspots; where and when and deploy staff to take action	Ongoing		
Taxi/ PH vehicles over ranking and illegal plying for hire	Enforcement action	Licensing enforcement WYP	Regular city centre operations			
Funding and	Explore all	CMc	Establish scope for taxi trade		Xmas 2010	

location of Taxi Marshalls (also an action within Draft Leeds Alcohol Harm Reduction Plan)	<p>funding avenues Establish key dates in calendar year when most needed</p> <p>Key locations for deployment identified</p>	VF	<p>contribution via licence fee- explored and would require full consultation- no scope 2010/11, raise again with LCC Taxi Licensing. Com Safety and CCM provided funding for Xmas 2010. Easter 2011 - CCM funded for 2 consecutive bank holiday weekends. Partner sub group in place to manage delivery. WYP – 'POCA' funds – explore potential- no scope @ present – Aug 2011</p>	Ongoing	<p>delivery approx £17K</p> <p>1 Marshal costs £68.75 per night (5 hour shift)</p> <p>Cost for 3 Marshalls @ 3 locations for 2 weekend nights = £1383.50</p>	
Drink driving	<p>Awareness campaign</p> <p>Enforcement action</p>	Venues; employers; local publicity WYP	BTP METRO Network Rail Venues?			
Establish 'Dispersal' sub group of		CMc/JM LCC VF WYP	Welcoming Group disbanded as 'welcoming' theme incorporated into business of	Ongoing		

Welcoming Group			City Centre DCSP as well as City Centre Partnership Board. Sept '10 sub group met and taking forward dispersal plan July 2011 ongoing			
Environment and Cleansing Cleansing:	Engage LCC Chief Officer support to Champion	CF	CF to scope potential for Andrew Mason to Champion July 2011- City centre specific team as a result of restructure.			
Need info on current position What do private operators do?	Conduct regular night time environmental visual audit including venues	Street Scene Services Pubwatch	March 2011 – overnight working by Env Enforcement officers – dealt with littering; flyering consents and cleansing issues	On going		
	Obtain info from all relevant partners Share info/intelligence	LCC Street scene Licensed venues Retailers Hotels and restaurants City NPT	Licensed venues provided info re busy nights, opening hours etc via Pubwatch. City Centre Team Manager well aware of night time issues and concerns – LCC staff attend city centre Pubwatch			
	Establish partnership evening economy	LCC Street scene Pubwatch	See above			

<p>Flyering and littering</p>	<p>cleansing plan Night time deployment of staff to take enforcement action</p>	<p>Pubwatch Hoteliers Assoc Lets Eat LCC environmental enforcement</p>	<p>As above –permit info provided to Pubwatch July 2011- flyering consent conditions amended to disallow promotional stickers as they were becoming problematic</p>			
<p>Improve 'look' (e.g. Boar Lane)</p>	<p>Businesses clean and care for own frontages</p>	<p>LCC Env Enforcement</p>	<p>e.g Enforcement notice served on premises on Boar Lane and premises exterior refurbished</p>			
<p>Planning: Multi agency consideration of planning applications Non enforcement of planning conditions No overlap with entertainment</p>	<p>Ensure City Centre DCSP informed and contribute to discussion and consultation relating to city centre CIP</p>	<p>System in place LCC Licensing LCC Planning</p>	<p>Planning attend monthly LEG meetings where any planning queries and /or issues with licensed premises can be identified and addressed July 2011- Planning and Development services have CIP areas on their computer system which triggers an</p>			

<p>licensing</p> <p>Cumulative Impact Policy Review</p>			<p>automatic comment on related planning applications - Planning send out Licensing CIP explanatory leaflet to applicants.</p> <p>Input to April 2010 DCSP by Licensing Officer leading CIP review- comments made etc</p>			
<p>Business responsibilities and management</p> <p>Forum to enable eve econ partnership between hotels; restaurants and night time venues, to enable tactical and strategic approach to issues and concerns</p> <p>Share footfall and</p>	<p>Progress via Lets Eat; Hoteliers Assoc and Pubwatch</p> <p>Automatic water availability –pubs and restaurants</p> <p>Identify relevant</p>	<p>CMc</p>	<p>The following weblink provides</p>	<p>Partners</p>		

other relevant data with partners	shareable data and establish what useful to who and how to distribute		info and graphs re city centre footfall as well as were cameras located: http://www.leedsinitiative.org/citycentre/page.aspx?id=20127	advised of weblink Jan '11 – need to explore use and further scope for sharing		
Irresponsible/cheap drinks promotions	Challenge via LEG – Licensing Enforcement Gp And Pubwatch	LEG partners		Ongoing via monthly meetings		
Door staff : quality and training	Audit via BACIL Night time Co-ordinator	Cath Arkle - WYP	City NPT call meetings with key security staff providers operating in city centre	Ongoing		
Proactive and effective use of Nitenet radio system amongst venue door staff and Leedswatch	Short term: PCSO @ Leedswatch Fri and Sat night. Long term:CCTV Operators to verbally		As a result of BACIL member survey, rebranding BACIL and new upgraded 'BACIL RADIO' distributed in Feb. Night time Co-ord in post. July 2011 Working protocol for Leedswatch/BACIL radio use			

Broaden offer 5 – 8pm	communicate Encourage and support late night shopping and other activities	CCM	now in place Leeds on board with national ATCM action re major chains strategy on late opening			
Best Bar None	Ensure ongoing promotion and that awards compliment venue status with licensing matrix	Jo Rostrun	2011 scheme complete - winners announced and award ceremony held. Safer Leeds unable to resource future scheme.			
Joined up marketing of City Centre offer	Marketing Leeds/Locate in Leeds		Part and parcel of Marketing Leeds work programme	Ongoing		
Leeds Arena	Ensure Arena Project Board aware of this plan and enable communication on Arena related issues - identify and ensure input re evening economy issues	CF	Aug 2011 – Officer from Arena Project being invited to October DCSP meeting to enable input /discussion and engagement			

<p>Resources Financial: Explore all potential funding sources to enable activities which contribute to effective management of night time economy</p> <p>Health funding for alcohol treatment programmes</p>	<p>VF to explore scope to access POCA (Proceeds of Crime Act) funds</p> <p>Scope for private sector support e.g. Diageo?</p> <p>To be raised via Safer Leeds Exec</p>	<p>VF,CF on behalf of City Centre DCSP</p> <p>VF</p>	<p>Agree application and submit July 2011 – no POCA funds available at present</p> <p>July 2011: Approach made and discussion ongoing</p> <p>Update needed</p>			
<p>Ongoing consultation and input Ensure ongoing input to this action plan by all relevant and interested parties –residents; businesses; city workers; visitors and young people</p>	<p>Consult with young people via Young People and City Centre Group partners</p>	<p>CMc and KD</p>	<p>Jan 2011: City centre Young People Committee set up by Youth Services. CMc attended May meeting re city centre safety issues including evening economy, plus 182 young people completed questionnaire re perceptions of city centre safety</p>			



Report author: Seamus Kennedy
Tel: 74095

Report of the Head of Licensing and Registration

Report to Licensing Committee

Date: 13th September 2011

Subject: RESPONSES TO CENTRAL GOVERNMENT CONSULTATIONS ON THE PRIMARY AUTHORITY SCHEME AND AGE RESTRICTED PRODUCTS

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. This report presents proposed responses to two Central Government consultations on issues which fall within the remit of the Licensing Committee:
 - a) The Department for Business, Innovation and Skills (BIS): The Future of the Local Better Regulation Office and Extending the Benefits of the Primary Authority Scheme (deadline for responses : 16th September 2011)
 - b) Local Better Regulation Office (LBRO) Age Restricted Products and Services Consultation (deadline for response : 16th September 2011)
2. The Licensing Authority intends to respond to the consultations by the given deadlines and seeks Members support for the proposed responses

Recommendations

3. The Licensing Committee is requested to consider the proposed responses to the two consultations and to make comment as necessary

1 Purpose of this report

- 1.1 To provide the Licensing Committee with an opportunity to comment on the draft responses to be submitted by the Licensing Authority prior to their submission to Central Government by the given deadlines

2 Background information

- 2.1 On 23rd June 2011 The Department for Business, Innovation and Skills (BIS) issued "The Future of the Local Better Regulation Office and Extending the Benefits of the Primary Authority Scheme. This consultation seeks views on a strategy for important elements of front line regulation. Its stated aim is to bring more consistent and targeted enforcement, while reducing burdens for businesses and regulators alike.
- 2.2 Again, on 23rd June 2011 The Local Better Regulation Office (LBRO) issued consultation on Age Restricted Products and Services. This consultation seeks views on the enforcement of age-restricted products and services legislation. It is relevant to anyone with an interest in the regulation of age-restricted products and services such as alcohol, tobacco, knives, fireworks and gambling.

3 Main issues

- 3.1 This report provides an opportunity for Members to comment on the draft responses by the Licensing Authority prior to their submission to Central Government
- 3.2 Attached at Appendix A is a Briefing note setting out the key issues for Entertainment Licensing in respect of the Primary Authority Scheme
- 3.3 The proposed response to the consultation on the future of the Local Better Regulation Office and extending the benefits of the Primary Authority Scheme is attached at Appendix B of this report. Members attention is drawn to Questions 8 to 12 of the document.
- 3.4 Appendix C contains a Briefing Note on the consultation regarding Age Restricted Products and Services and Appendix D contains the draft response to that consultation for Members comments

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Other Responsible Authorities are considering their own responses to the consultation. Comments arising from discussions by Licensing Committee on the documents can be addressed and incorporated in the response to Central Government

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no identified implications for equality and diversity or cohesion and integration. Any impact assessment required for legislative change will be the responsibility of central government

4.3 Council Policies and City Priorities

- 4.3.1 The responses have regard to the Council's own Statement of Licensing Policies relating to the Licensing Act 2003 and the Gambling Act 2005 and the emerging Policy in respect of Sexual Entertainment Venues

4.4 Resources and Value for Money

- 4.4.1 Response to the consultations incurs no additional expense, however any changes to working practices subsequent to the Consultations may incur additional or unforeseen expenditure and will require evaluation

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report is purely to advise Members of the consultation and as such there are no implications in respect of legal, call-in or access to information. The outcome of the consultation will be reported back to Members in due course.

4.6 Risk Management

- 4.6.1 This report is presented for Members information and as such, no risks are identifiable.

5 Conclusions

- 5.1 Submission of a response to the consultation provides the Licensing Authority with an opportunity to participate in the consultation and shape policy

6 Recommendations

- 6.1 Members are asked to note and discuss the contents of the draft response and to make comment as necessary

7 Background documents

- 7.1 Local Better Regulation Office (LBRO) publication – Primary Authority – The Gateway to Better Local Regulation
- 7.2 Transforming Regulatory Enforcement: Freeing Up Business Growth – a discussion paper
- 7.3 Executive Summary “The Future of the Local Better Regulation Office and extending the benefits of the Primary Authority Scheme consultation (June 2011)
- 7.4 Local Better Regulation Office : Age Restricted Products and Services Consultation (June 2011)

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Briefing Note for Members

The future of the Local Better Regulation Office and Extending the benefits of the Primary Authority Scheme Consultation

Purpose

This briefing note provides background information on the consultation being run by the Department for Business, Innovation & Skills (BIS): The future of the Local Better Regulation Office and extending the benefits of the Primary Authority Scheme Consultation.

The deadline for responses to BIS is Friday, 16th September 2011.

Background

Background information on the Primary Authority scheme:

Extract taken from Local Better Regulation Office (LBRO) publication – ‘Primary Authority – The Gateway to Better Local Regulation.’

- **What is a Primary Authority?**

Regardless of its size, a business operating across council boundaries can form a primary authority partnership with a single local authority in relation to regulatory compliance.

These partnerships can cover all environmental health and trading standards legislation, or specific functions such as food safety or petroleum licensing.

Once legally nominated by the LBRO, partnerships are automatically recognized by all local regulators. A central register of the partnerships provides an authoritative reference source for businesses and councils.

By working closely with the business a primary authority can apply regulations to their specific circumstances providing robust and reliable advice. This advice must be respected by all local regulators, enabling the business to operate with assurance and confidence.

A national inspection plan can be produced by the primary authority to improve the effectiveness of inspection, avoid repeated checks, and enable better sharing of information.

If a problem arises, the primary authority can coordinate enforcement action to ensure that the business is treated consistently and that responses are proportionate to the issue.

LBRO oversees Primary Authority and operates a dispute resolution procedure.

Full details of the consultation paper can be found at:

<http://www.bis.gov.uk/Consultations/future-of-local-better-regulation-office-and-primary-authority-scheme>

(Extract taken from the Executive Summary to - The future of the Local Better Regulation Office and extending the benefits of the Primary Authority Scheme Consultation (June 2011)).

‘The Government is committed to transforming the way in which regulation is delivered at the front line. A particular focus of this commitment is to tailor enforcement to meet the needs of all parties concerned - from businesses to regulators to consumers – and moving away from a prescriptive ‘one size fits all’ approach.

The Coalition Agreement makes clear our intention to bring an end to this ‘tick-box regulation’ and the proposals that follow are a key element in our strategy for achieving this.

This document sets out for consultation a new strategy for important elements of front line regulation, which will bring more consistent and targeted enforcement, while reducing burdens for businesses and regulators alike.

We propose to make the following changes to the Local Better Regulation Office (LBRO) and to the Primary Authority scheme that it operates:

LBRO:

- Dissolve the LBRO as a public body
- Cease the LBRO’s function of direct service improvement in local authorities
- Continue with the LBRO’s other two functions of administering the Primary Authority scheme and simplifying the national framework for regulatory enforcement
- Constitute a ‘new LBRO’, within the Department for Business, Innovation and Skills to carry out the two continuing functions
- Further task the new LBRO with providing advice to central government on its work on regulatory delivery and providing a forum for business engagement at the heart of the regulatory system.

Primary Authority:

- Strengthen the role of inspection plans to deliver earned recognition for business
- Broaden the eligibility criteria to enable more organisations to participate in the scheme
- Extend the scheme to include specific policy areas which are currently out of scope.

These proposals will help to address tick-box regulation by promoting a more collaborative approach between regulators and the regulated. They also enable better targeting of front line regulatory resources. Importantly, they also provide a link between regulated businesses, central government and regulators.’

Contact details

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LS1 1UR	Author:	Seamus Kennedy

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**The future of the Local Better Regulation Office and Extending
the benefits of the Primary Authority Scheme
Consultation Response form**

Instructions for completion			
You can move between questions by pressing the 'Tab'/'Shift-Tab' or 'Page Up' / 'Page Down' keys or by clicking on the grey boxes with a mouse. Please type your replies within the grey boxes or click on the grey boxes labelled 'Please select' to reveal a drop down list to select an answer. Once you have completed the form please return it by email to: treconresponse@bis.gsi.gov.uk			
Please provide information about yourself and your organisation.			
Title: Mr	Forename: Seamus	Surname: Kennedy	
Organisation:	Leeds City Council		
Address 1:	Entertainment Licensing Section		
Address 2:	Civic Hall		
Address 3:			
Town / City:	Leeds		
County:	West Yorkshire	Post code:	LS1 1UR
Tel. number:	0113 2474095		
E-mail address:	entertainment.licensing@leeds.gov.uk		
Sector: Local Authority		Details of 'Other'	
Responding to this consultation:			
Are you responding as:			
An individual <input type="checkbox"/> or on behalf of an organisation <input checked="" type="checkbox"/>			
If you are responding on behalf of an organisation did you consult others within your organisation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If you represent a business, what size is it? Large			
Does your business have sites in more than one local authority area?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Confidentiality:			
Please indicate which option you would prefer:			
• Responses can be published with respondent's details <input type="checkbox"/>			
• Responses can be published, but without respondent's details <input checked="" type="checkbox"/>			
• Responses cannot be published <input type="checkbox"/>			
Unless otherwise indicated responses will be treated confidentially and not be shared with third parties.			

Consultation response – The Future of the Local Better Regulation Office and Extending the benefits of the Primary Authority Scheme

The future of the Local Better Regulation Office

QUESTION 1: Are the functions identified for the new organisation (Primary Authority and system improvement) consistent with the aspirations identified by the government and does the name of the new organisation, Regulatory Delivery Organisation, accurately reflect its scope and function? (Page 7)

Yes No

Please provide comments

QUESTION 2: Will the proposed governance arrangements for the BRDO, including the creation of the Representative Steering Group and the draft Memorandum of Understanding with BIS provide the necessary levels of independent decision making and accountability to stakeholders? (Page 10)

Yes No

Please provide comments

The proposed governance arrangements appear to be sufficient.

QUESTION 3: Do the arrangements for the Representative Steering Group and the draft Memorandum of Understanding with BIS provide sufficient assurance for businesses and local authorities in Primary Authority partnerships that the BRDO will be sufficiently independent? (Page 10)

Yes No

Please provide comments

It should provide transparency in that the proposed arrangements will draw on input from a wide range of stakeholders.

QUESTION 4: Is the proposed membership of the Representative Steering Group appropriate? (Page 10)

Yes No

Please provide comments

Yes. It would be inclusive of relevant members from both business and regulators which should provide for balanced discussions.

QUESTION 5: Are the terms of reference and areas of responsibility for the Representative Steering Group appropriate? (Page 10)

Yes No

Please provide comments

QUESTION 6: Do you agree that the BRDO should continue to support LBRO's existing stakeholder reference groups (World Class Coalition, Business Reference Panel and the Local Authority Reference Panel) and that these groups should work with the Representative Steering Group? (Page 10)

Yes No

Please provide comments

QUESTION 7: Are the arrangements for working with the Devolved Administrations appropriate? (Page 11)

Yes No

Please provide comments

Extending the benefits of the Primary Authority Scheme

QUESTION 8: Do you agree that eligibility for the Primary Authority scheme should be broadened by removing the requirement for:

- a primary authority to itself regulate the business in all areas covered by the partnership?
- businesses whose regulated activities do not coincide in a single local authority area?

(Page 16)

Yes No

Please provide comments

In principle, yes, though reservations that by broadening the Primary Authority scheme under the proposals could see some local authorities swamped with expressions of interest to form a Primary Authority with more than one business which would have a potentially significant impact on staffing resources to deliver the partnership functions. At a time when public funds are being severely cut full cost recovery would be necessary and appropriate based on reasonable costs incurred by the Primary Authority in

delivering its functions under the scheme.

QUESTION 9: Do you agree that eligibility for the Primary Authority scheme should be broadened so that the 'assured advice' benefits of the Scheme become available to different business models such as:

- Company Group structures
- Franchises
- Trade Associations? (Page 17)

Yes No

Please provide comments

However, for this to work would increase bureaucracy because national companies would need to adopt the most onerous condition as their standard practice and apply that to all its outlets irrespective of local factors e.g. closed-circuit television system (see also answer to Q12).

QUESTION 10: Do you agree that:

- The current duty to "have regard to" inspection plans should be amended so that local authorities are obliged to follow inspection plans drawn up by a Primary Authority
- The current duty for local authorities to "give notice" to Primary Authorities when deviating from inspection plans should be amended so that local authorities are obliged to obtain consent in advance from the Primary Authority
- Local authorities should be obliged to provide feedback on inspections to the Primary Authority so that inspection plans can be updated to accommodate current compliance activity by business and to ensure that local issues can be addressed
- Local authorities that object to any element of an inspection plan should be able to request that the BRDO (which consents to all plans before they are implemented) review the appropriateness of the plan
- The current exemptions for inspectors which cover enforcement action should be extended to cover deviations from inspection plans? (Page 19)

Yes No

Please provide comments

Regarding paragraph 1, we are not convinced local authorities should be 'obliged' to follow inspection plans drawn up by a Primary Authority as this is, in my opinion, too prescriptive. There will be frequent and specific

circumstances when there is good reason to depart from an agreed Primary Authority inspection plan e.g. specific local issues, conditions attached to a premises licence (Licensing Act 2003/Gambling Act 2005).

Re paragraph 2, in principle, where a Primary Authority inspection plan exists (or indeed if one could exist for the Licensing Act 2003, Gambling Act 2005 & Local Government (Miscellaneous Provisions) Act 1982 for reasons given below), it would be good practice for a local authority to obtain consent before deviating from it save for exceptional circumstances e.g. where there is serious risk to person and/or property.

Re paragraph 3 - Yes.

Re paragraph 4 - Yes.

Re paragraph 5 - Yes. There should be scope for discretion by enforcers where it is deemed applicable in the individual circumstances.

QUESTION 11: Do you agree that that the following Acts should be included within scope of the Primary Authority scheme so those covered by the regulatory regimes may benefit from the Primary Authority Scheme?

- Part 1 of The Housing Act 2004
- Criminal Justice Act 1988: parts related to age restricted products
- Offensive Weapons Act 1996: parts related to age restricted products
- Regulatory Reform (Fire Safety) Order 2005
- Licensing Act 2003: only those parts related to age restricted products. Do you agree or disagree that these should be included?
- Alternatively, do you think that licensing authorities should 'have regard to' (rather than 'comply with') Primary Authority advice on those parts of the Licensing Act 2003 related to age restricted products?
- Gambling Act 2005: parts related to age restricted products
- Gambling Act 2005: do you think there may be a role for Primary Authority advice on other parts of the Act
- Is there any other legislation, particularly on age restricted products, which you feel should be included within the scope of the Primary Authority scheme? (Page 24)

Yes No

Please provide comments

With reference to paragraph 2.45 (pages 23/24) of the consultation document, we do not believe the Licensing Act 2003 and Gambling Act 2005 or Local Government (Miscellaneous Provisions) Act 1982 (Sexual Entertainment Venues) should be included in the scope of the Primary Authority scheme for the points raised i.e 'Given the importance of licensing

decisions to local democratic accountability and local authorities' responsibilities to create vibrant local places, it may not be appropriate to require licensing authorities to follow Primary Authority advice.'

It must be borne in mind that premises licences and club premises certificates granted under the Licensing Act 2003 (and Gambling Act 2005) are specific to a particular premises and the authorised permitted licensable hours and activities and conditions are granted/imposed specific to those premises, based on local, and not national, factors. As such, this presents practical issues regarding the regulation and enforcement of age-restricted products and services which would not necessarily take in to account local issues specific to the inspected premises e.g. conditions imposed at a licence review hearing.

One important issue needs careful consideration before any decision is made as to whether the Primary Authority scheme is extended to include the Licensing Act 2003 (and Gambling Act 2005) and age-restricted products including alcohol i.e. the police and Trading Standards ordinarily take the lead on test purchase programmes for under-age sales of alcohol. Should the scope of the Primary Authority scheme be extended to include age-restricted alcohol sales then there is potential for a two-tier approach in that Trading Standards is included under the Primary Authority scheme and the police are not. Both agencies work closely together conducting under-age alcohol test purchase programmes, however, Trading Standards will be obliged to conduct its inspection activities in accordance with the scheme but not the police. This would create an anomalous situation in that there would be a disparity in the way either of the two services would operate its inspection programmes and ultimately enforcement outcomes.

The Primary Authority scheme would conflict with the Licensing Act 2003, Gambling Act 2005 and Sexual Entertainment Venues Local Government (Miscellaneous Provisions) Act 1982 licensing policies which has led each local licensing authority to develop its own unique policy and local conditions including age verification measures which varies from premises licence to premises licence.

QUESTION 12: Are there any other ways in which you feel that the Primary Authority benefits may be extended? (Page 25)

Yes No

Please be specific where possible

For the Primary Authority scheme to work effectively would require a major overhaul of the Licensing Act 2003, Gambling Act 2005 and Local Government (Miscellaneous Provisions) Act 1982 (the latter for Sexual Entertainment Venues) legislation to put in place national standards/conditions.

Regarding 'Responding to this consultation' (page 1 of the consultation form), the response comments to this consultation is provided by the Entertainment Licensing section only and is not a collective response by the whole of Leeds City Council as an organisation.

Thank you for completing this questionnaire. Please add any other comments you have in the box below and submit this form via email to:

treconresponse@bis.gsi.gov.uk

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Briefing Note for Members

Local Better Regulation Office (LBRO) Age Restricted Products and Services Consultation



Purpose

This briefing note provides background information on the consultation relevant to anyone with an interest in the regulation of age restricted products and services such as alcohol, tobacco, knives, fireworks, gambling, and others. This may include, in particular, those who supply these products and services to consumers; those who are responsible for enforcing the legislation; and those who have an interest in the societal impact of these products and services, for example in relation to health and anti-social behaviour.

The focus of this briefing note is in regard to alcohol and gambling.

The deadline for responses to LBRO is Friday, 16th September 2011.

Background

Full details of the consultation paper can be found at:

<http://www.lbpro.org.uk/docs/age-restricted-products-consultation.pdf>

(Extract taken from the introduction to the Local Better Regulation Office: Age Restricted Products and Services Consultation (June 2011)):

'Legislative age restrictions exist for a wide range of products, from tobacco and solvents to alcohol and knives. Most regulation in this area shares common objectives of protecting children from harm and limiting access to products that can negatively impact on communities. Research tells us that where children and young people do attempt to access restricted products before they are old enough, they use a number of different sources, including family, friends, older siblings, illicit sellers, and high street businesses.

It is important to recognise that the greatest contribution to meeting the objectives of legislative controls can be made by children and young people themselves, and by their parents and others who have responsibility for educating and caring for them. High street businesses are at the frontline of restricting retail access but can not solve the wider problems of young people accessing these products and services.

The role of regulators and enforcers is to promote awareness of the controls in the wider community; to provide support, where it is needed, to those businesses that recognise their responsibilities and are striving for compliance; and, to step in and take firm action where businesses do not act responsibly.

LBRO is consulting on a broad framework of principles which will encourage a view of compliance and enforcement in this area that takes account of the responsibilities of the key parties involved, and, conversely, what their reasonable expectations might be. It is proposed that this broad framework will provide a context for the development of a code of practice that will contain more detailed provisions for regulators and enforcement agencies. This code will be developed in partnership with businesses and regulators and enforcers. It will draw on the expertise of the group that produced the 'Retail View', the Trading Standards Institute and the Association of Chief Police Officers, and will be informed by the responses to this written consultation, and by views sought during the consultation period.

It is proposed that the code should be applicable to:

- all age restricted products and services, and all regulators and enforcers that enforce the legislation governing these products and services;
- all compliance and enforcement activities, but in particular to the practice of 'test purchasing', where regulators and enforcers engage a young person to attempt to access a product or service; and
- England and Wales.

We (LBRO) anticipate publishing the draft code in the autumn and it will then be the subject of a separate consultation. We aim to have the final document ready for publication early in 2012.'

Contact details

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Age Restricted Products and Services Consultation



Deadline date for responses is 16th September 2011

Introduction

Question 1 - Do you agree with our analysis that the most significant contributions to meeting the objectives of regulation in this area can be made by young people and their parents, and by businesses?

Yes, absolutely. There needs to be equal buy-in by young people and their parents as well as by businesses. There is a very important societal issue which needs to be addressed by responsible parents in educating young people, in particular concerning age restricted products and services, about what is right and what is wrong, what is acceptable and what is not, and the inherent dangers of irresponsible abuse of age restricted products by young persons.

Question 2 - Do you agree with the proposition that the role of regulators is to encourage, support and reward responsible approaches to compliance, and to take firm action where businesses do not act responsibly?

Yes. Closer working relationships between regulatory bodies and businesses is a healthy approach to take. It is appropriate for regulators to encourage and support responsible compliant businesses. However, I am unclear what constitutes 'reward'?

The role of regulators does need to be appropriately balanced between the enforcer and enforced. Enforcing bodies should be able to take 'firm' and formal action where it is warranted and should not be stifled by overly and unnecessarily prescriptive and bureaucratic regulatory frameworks, policies and procedures.

Young People

Question 3 - Do you agree that these points reflect the responsibilities of young people or are reasonable expectations for them to have in relation to age restricted products and services? (Please use the numbering above if you want to comment on specific points.)

Yes. To support young people parents and peers have a moral duty to educate them about what is right and what is wrong, what is acceptable and what is not, and the inherent dangers of irresponsible abuse of age restricted products by young persons.

In respect of A2, instead of just stating it is a criminal offence to use 'fake' proof of age or purchasing or attempting to purchase alcohol under the legal age it is important to impress on young people the detrimental effects of having a criminal record on future job prospects, CRB disclosure checks, educational/university entry applications, financial loss (fixed penalty notice, fine, costs), social stigma.

Parents

Question 4 - Do you agree that these points reflect the responsibilities of parents or are reasonable expectations for them to have in relation to age restricted products and services? (Please use the numbering above if you want to comment on specific points.)

Yes. Regarding C1 to C4, I would like to see particular emphasis placed on 'responsible parenting' to punctuate parents' responsibilities as opposed to society's responsibility. See answers to Qs 1 & 3.

Businesses

Question 5 - Do you agree that these points reflect the responsibilities of businesses or are reasonable expectations for them to have in relation to age restricted products and services? (Please use the numbering above if you want to comment on specific points.)

Yes.

Question 6 - What requirements should the code of practice make in respect to notifications following a test purchase?

For transparency, where test purchases are conducted by enforcing agencies, to better engage with/by businesses and build confidence, both positive and negative results should be notified to those businesses in a timely manner. Details to tested businesses should include the date the test purchase was carried out, brief circumstances warranting the test purchase e.g. receipt of a complaint, chronology of test purchase actions taken to date for the subject premises, brief circumstances of the test purchase transaction. Notifications to include potential penalties for non-compliance i.e. FPN, conviction, imprisonment, licence review/licence revocation/suspension/removal of DPS/added or amended licence conditions (Licensing Act 2003). Where there are negative test purchases, notification to include brief circumstances as above but to acknowledge the business's effective compliance controls on that particular occasion.

There will be occasions, for operational reasons, that it should be left to the enforcing agency whether to notify subject premises of test purchase actions undertaken so as not to potentially prejudice outcomes of investigations. Case notes/inspection plans could be noted in these circumstances for the reasons why no notification provided.

Employees

Question 7- Do you agree that these points reflect the responsibilities of employees or are reasonable expectations for them to have in relation to age restricted products and services? (Please use the numbering above if you want to comment on specific points.)

Yes. I would add though that employers have an important responsibility when recruiting shop front staff that they are suitable for the role and display sufficient confidence to deal with members of the public when refusing age restricted sales, in particular aggrieved members of the public. Front of house staff are pivotal in ensuring compliance with legislation for age restricted products and services.

Regulators and Enforcers

Question 8 - Do you agree that these points reflect the responsibilities of regulators and enforcers in relation to age restricted products and services? (Please use the numbering above if you want to comment on specific points.)

Yes.

Test Purchasing – Appropriate Use of a Valuable Tool

Question 9 - Do you agree that it would be helpful to structure the code around the different considerations that apply in these two scenarios? What would be the key characteristics of each approach in terms of planning, conduct and outcomes?

Yes. It would be helpful to structure the code around test purchasing for i.) information gathering and ii.) evidence gathering to clearly distinguish between the two.

Question 10 - If test purchasing is being used only to gather information how should businesses be engaged as part of the process?

I do not believe test purchasing should be used for the gathering of information only. Test purchasing can be a very effective tool in gathering good evidence against businesses found to be not complying with legislation.

Question 11 - Where test purchasing is used as an evidence gathering tool, should its use always be intelligence-led? If so, is there a need for guidance on what constitutes 'sufficient' intelligence, both in terms of quality and quantity?

Yes. I do not believe there is a need for guidance on what constitutes 'sufficient' intelligence, both in terms of quality and quantity and a commonsense approach should be taken.

Information gathering test purchasing is useful in testing enforcing agencies' risk based assessment systems as well as businesses compliance controls to improve engagement with responsible retailers without the fear of formal action being taken against them where a non-compliance is found.

Question 12 - In what circumstances do you think it would be acceptable for young people conducting test purchases to lie about their age? Should this practice be specifically authorised?

I do not think it is acceptable for young people conducting test purchases to lie about their age. To ensure the integrity of the test purchasing operation and to be transparent as much possible as well as positively engaging with business operators, test purchase operatives should give their true age, where asked. There is a danger that, where a young person undertaking a test purchase lies about their age that it could provide a defence against criminal liability on the grounds of entrapment/agent provocateur as it could be argued that the young person incited or lured a person to commit a crime that they would not otherwise have committed.

If a young person test operative were allowed to lie about their age then the activity should be specifically authorised.

Question 13 - Do you think that the use of 'false' id by young people conducting test purchases is ever a legitimate practice? Should this practice be specifically authorised?

No. Same response as to Q 12, above.

Question 14 - Do you feel that there are circumstances in which a single sale or test purchase provides sufficient evidence to warrant enforcement action? If so, what are these circumstances?

Yes. It may be appropriate to consider instigating formal action where there is history of previous non-compliance for the same subject nominal/management or the offence is so serious that it is in the public interest to do so.

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LICENSING COMMITTEE WORK PROGRAMME 2011/12- LAST UPDATED 23 August 2011 (hg)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Items Currently Unscheduled			
Leeds PCT	Update on Alcohol Strategy and Health Matters		B
WYTSS	Test purchasing and other measures tackling under age sales		B
Regular Renewal of CRBs for Licence Holders	Review, timetable to be agreed having regard to necessary public consultation	Des Broster	
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 (to include driver licences nationality & immigration status checks)	Des Broster (Sept 2011 – Jan 2012)	DP
NVQ/VRQs for drivers	Review ongoing arising from the Working Group	Des Broster	DP
SEVs	w/c 11 June 2012 applications to be considered		
Casino	w/c 25 June 2012 training followed by Casino Stage 1 application process		

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 17 May 2011 - cancelled			
Meeting date: June 2011 – HELD. Casino application pack/Annual Gov arrangements/procedure Rules/appeals			
Meeting date: 26 July 2011 – HELD SEVS policy/HC Trade Forum constitution			
Meeting date: 16 August 2011 – HELD Leeds Festival EMP update			
Meeting date: 13 September 2011			
City Centre Quarterly Update	Discussion on city centre premises, licensing and policing	WYP	B
City Centre Night Time economy	Discussion on the night time strategy & economy	Clare McCall	B

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ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 18 October 2011			
Planning & Licensing		Chris Sanderson & Sue Holden	B
Police Reform & Social Responsibility Bill	Update on the progress of the Police Reform Bill	Sue Holden	B
Casino Advisory Panel	Update on the Casino Application Process – the Casino Advisory Panel	Sue Holden	B
Meeting date: 15 November 2011			
Leeds Festival De-Brief	Report on multi-agency feedback following the Leeds Festival 2011	Nicola Raper/Steve Holder	B
Meeting date: 20 December 2011			
Meeting date: 17 January 2012			
City Centre Quarterly Update	Discussion on city centre premises, licensing and policing	WYP	B
Meeting date: 14 February 2012			

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ITEM	DESCRIPTION	Officer	TYPE OF ITEM
Meeting date: 14 March 2012			
Meeting date: 13 April 2012			
City Centre Quarterly Update	Discussion on city centre premises, licensing and policing	WYP	B
Meeting date: 15 May 2012			

Key:

RP – Review of existing policy

PM – Performance management

SC – Statutory consultation

DP – Development of new policy

B – Briefings

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