



## LICENSING COMMITTEE

---

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON  
TUESDAY, 14TH FEBRUARY, 2012 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:  
Tel No:  
Governance Services  
Civic Hall  
LEEDS LS1 1UR

Helen Gray  
247 4355

# A G E N D A

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

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATIONS OF INTEREST</b></p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p><b>APOLOGIES FOR ABSENCE</b></p>	
6			<p><b>MINUTES</b></p> <p>To approve the minutes of the last meeting held on 17<sup>th</sup> January 2012 as a correct record</p> <p>(Copy attached)</p>	1 - 2
7			<p><b>PRESENTATION - POLICING AND THE NIGHT TIME ECONOMY - WEST YORKSHIRE POLICE</b></p> <p>To receive a presentation from officers of West Yorkshire Police on issues relating to policing and the night time economy in Leeds pertinent to the work of the Licensing Committee and its' Sub Committees</p> <p>(Report attached)</p>	3 - 10

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			<p><b>LICENSING ACT 2003 - UPDATE</b></p> <p>To consider the report of the Head of Licensing and Registration providing an update on changes to the Licensing Act 2003 in respect of the Golden Jubilee and Live Music Bill, and provides comments to inform the council's response to the consultation "Dealing with the problems of late night drinking"</p> <p>(Report attached)</p>	11 - 38
9	Harewood; Wetherby;		<p><b>LEEDS FESTIVAL</b></p> <p>To consider the report of the Head of Licensing and Registration on the outcome of multi agency de-brief meetings following the Leeds Festival 2011 held over August Bank Holiday weekend, August 2011. The report also sets out the progress made so far with plans for the Leeds Festival 2012</p> <p>(Report attached)</p>	39 - 48
10			<p><b>LICENSING WORK PROGRAMME</b></p> <p>To note and comment on the Licensing Work Programme</p> <p>(Schedule attached)</p>	49 - 50
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note the date and time of the next meeting as Tuesday 13<sup>th</sup> March 2012 at 10:00 am</p>	

# Agenda Item 6

## Licensing Committee

Tuesday, 17th January, 2012

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

Councillors J Dunn, B Gettings, G Hussain,  
G Hyde, P Latty, B Selby, C Townsley and  
G Wilkinson

**56 Chairs Opening Remarks**

Councillor Armitage welcomed all present to the meeting and informed the Committee of her recent hospital visits and diagnosed illness. The Committee extended their best wishes and support for Councillor Armitage for her treatment during the coming months.

**57 Late Items**

No formal late items of business were added to the agenda; however Members were in receipt of an up to date version of Appendix 1 summary of changes to the large Casino Application Pack (minute 62 refers)

**58 Declarations of Interest**

There were no declarations of interest. However in relation to the report on the Large Casino, Councillor Selby stated that as he was Chair of City Centre Plans Panel and it was likely that future applications for planning permission for a Large Casino would be considered by that Panel, he wished to make it clear that he would treat individual planning applications on their own merits and within the remit of the Plans Panel. Similarly, he would consider any licensing applications in accordance with the Gambling Act 2005, the relevant Guidance and the LCC Statement of Licensing Policy and would not pre-determine any matter before him (minute 62 refers)

**59 Apologies for Absence**

Apologies for absence were received from Councillors Bruce, Downes, R D Feldman, Khan and Wilson

**60 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 15<sup>th</sup> November 2011 be agreed as a correct record

**61 Matters Arising**

Minute 50 NVQ Working Group – Members noted the request that Councillor Khan be invited to attend future meetings of the NVQ Working Group

**62 Large Casino Application Pack**

The Head of Licensing and Registration submitted a report on the progress of the Large Casino project and seeking approval of the draft application pack prior to the start of the Large Casino application process. Due to the volume of documentation, a copy of the draft application pack had been despatched

to Members of the Committee prior to Christmas in order for Members to have sufficient time to consider the contents.

Members were aware that the Gambling Act 2005 Statement of Policy 2010-12 containing the statement of principles to be applied when determining the Large Casino Licence had been revised in acknowledgement of the start of the Large Casino process in Leeds. The revised Statement of Policy and the Council's proposed response to the public consultation on the Large Casino section of that Policy were due to be presented to full Council on 18 January 2011 for approval.

A schedule of amendments to the Application Pack suggested since the Pack was despatched to Members in December 2011 was attached as Appendix 1 of the report and a further revised copy was tabled at the meeting. An extract from the Consultation Report on the Large Casino Section of the Statement of Licensing Policy 2010-12 containing matters relevant to non-statutory consultation on the Application Pack was attached at Appendix 2.

The Committee also noted receipt of a Briefing Note tabled at the meeting setting out the proposed timetable for the Stage 1 application process and its impact on the workload of the Sub Committees. Members noted the request to consider their availability to attend appropriate training and the additional meetings required to deal with both the SEV applications (June 2012) and the Casino Stage 1 applications (July 2012).

The Committee received clarification on the approach to be adopted by officers when liaising with applicants, especially during stage 2 of the application process. The Committee also discussed the implications for the authority should the Council exercise the power to pass a "no casino" resolution.

**RESOLVED** – That approval be given to the Application Pack in preparation for the start of the Large Casino application process, which will be advertised on the 24<sup>th</sup> January 2012

**63 Licensing Work Programme**

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

**64 Date and Time of Next Meeting**

**RESOLVED** – To note the date and time of the next meeting as Tuesday 14<sup>th</sup> February 2012 at 10.00 am

## Report of the Chief Officer Democratic & Central Services

### Report to Licensing Committee

Date: 14<sup>th</sup> February 2012

### Subject: PRESENTATION FROM WEST YORKSHIRE POLICE

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

The Committee will receive a presentation from officers of West Yorkshire Police on issues relating to policing and the night time economy in Leeds pertinent to the work of the Licensing Committee and its' Sub Committees

### Recommendations

1. The Committee is requested to consider and discuss the information presented by West Yorkshire Police as appropriate.

#### 1 Purpose of this report

- 1.1 This report is submitted by means of introduction to a presentation from officers of West Yorkshire Police on issues relating to policing and the night time economy in Leeds pertinent to the work of the Licensing Committee and its' Sub Committees
- 1.2 Chief Inspector V Francis and Sergeant R Fullilove will attend the meeting

#### 2 Background information

- 2.1 The Committee previously received a presentation from West Yorkshire Police on 13th September 2011 when matters relating to the outcome of recent appeals and the city centre Cumulative Impact Policy were discussed.

- 2.2 West Yorkshire Police presented a spreadsheet showing the outcome of premise licence applications from within the city centre CIP area to the September meeting. The latest version of the spreadsheet for applications within the CIP area 1 of Leeds City Centre since 1<sup>st</sup> January 2011 is attached to this report.

### **3 Recommendations**

- 3.1 The Committee is asked to receive the presentation from West Yorkshire Police and consider and discuss the contents as appropriate

### **4 Background Documents**

None



Cumulative Impact Policy (2nd Review) - Area 1 Leeds City Centre - applications dealt with since 010111 (chronologically as received):

No.	Premises Name	Address - (Identified "Hot Spot Area" in bold and blue shade)	Alcohol / Other Lic. Activities	Hours Applied for / (already issued)	Applicant - (New / Variation)	Police Objection	Reason for NO police objection	DOH	Hearing Result BOTH grant and refuse!	Specific Committee Comments / Reasons to grant/part grant/ Conditions	Withdrawn by the applicant	Appeal to Mags Court
1	Raja's	13-15 Grand Arcade, New Briggate	Late Night Refreshment	Sun to Thurs to 0400 / Fri & Sat to 0500. Mon to Weds 1000-0000. Thurs 1000-0100. Fri & Sat 1000-0200 & Sun 1200-2330	Asim Hanif (New)	YES	N/A	31/01/11	Granted (with police conditions)	CCTV, Nitenet and Doorstaff (Fri & Sat)	N/A	N/A
2	The George Hotel	Great George Street	Alcohol	Thurs 1000-0100. Fri & Sat 1000-0200 & Sun 1200-2330	Punch Taverns (Variation)	NO	Qualified Objection = extensive Crime Prevention Measures (CPM's) agreed.	N/A	N/A	N/A	N/A	N/A
3	Carluccio's	Greek Street	Alcohol	Every Day 0800-0000	Carluccio's Ltd. (New)	NO	Previously Quid Pro Quo (non-problematic) - new premises operation as a restaurant - extensive CPM's offered.	N/A	N/A	N/A	N/A	N/A
4	Three Legs of Man	The Headrow (East End)	Alcohol	Alcohol from 0800am every day (from 1000)	Punch Taverns (Variation)	YES	N/A	21/02/11	Granted	CIP - Primarily 'Night time Economy'!!	N/A	N/A
5	Cattle Grids Restaurant / (Stemna / Cafe Rouge)	Crown Street - Waterloo House	Alcohol	Every Day 1100-0200	Cattle Grid Restaurants (New)	YES	N/A	07/03/11	Granted	CIP did apply - but the style of operation and with conditions, this would not add to the problems!	N/A	N/A
6	Safari	Arches 28-34 Assembly Street	Alcohol	Mon to Thurs 1000-0300. Fri & Sat 1000-0600 & Sun 1200-0300	Graham Mackay & Kenneth Magambo (New)	YES	N/A	11/04/2011 (Adj from 21/03/2011)	Granted (with modifications)	Hours modified and 'themed restaurant' + CPM's imposed. Hours modified to Mon to Weds 1000-0130, Thurs 1000-0230, Fri & Sat 1000-0330 & Sun 1200-2330	N/A	N/A
7	Cocktail Lounge	1 Call Lane - (1st Floor)	Alcohol	Sun to Thurs 1000-0200 / Fri & Sat 1000-0330	BAW Ltd. (New)	NO	Extensive CPM's offered	N/A	N/A	N/A	N/A	N/A
8	The Belgrave (f. Leeds Cue Club)	Cross Belgrave Street	Alcohol	Every Day to 0400	Zetgeist Enterprises Ltd. (New)	NO	Premises previously a Snooker Club (non-problematic). New operator experienced in another part of the City and variation 'stocked up' with crime prevention measures as offered after	N/A	N/A	N/A	N/A	N/A
9	Massey's Booksellers (f. Walkabout)	67-83 Cookridge Street	Alcohol	Every Day to 0300	Interlain (Bars) Ltd. (New)	NO	Walkabout - sub-divided into 2 premises with NO increase in size; sufficient CPM's agreed	N/A	N/A	N/A	N/A	N/A
10	Agiasio	18 Great George Street	Alcohol	Every Day 1000-2330	Elizabeth Cottam (New)	NO	High quality wine bar operation re-located from the Corn Exchange with sufficient CPM's.	N/A	N/A	N/A	N/A	N/A
11	Revolution	48 Call Lane	Alcohol	(Every Day 1100-0400)	Inventive Leisure Services Ltd. (Variation)	YES	N/A	22/08/11	Granted (with police conditions)	The extra 2nd floor was granted, but the capacity for the whole premises was not increased!	N/A	N/A
12	"Behind the Town Hair"	St. Georges House Great George Street	Alcohol	0730/0900 to 1830/( & 2230 Sat only)	Martin Santos-Merx (New)	NO	Day time cafe operation with ancillary alcohol, mainly wine and wine sampling and with conditions to reflect this!	N/A	N/A	N/A	N/A	N/A

COLOUR CODE & figures to 27/01/12	TOT = 32
Beige / Yellow	Premises in areas described in the current 2011-13 Statement of Licensing Policy at paragraph 7.16 - .....Recent crime statistics show three main hot spots for crime and disorder".
Salmon / Pink	Police representations raised - hearing - committee decision to grant (with & without modifications)
Orange	Police representations raised - hearing - committee - REFUSED
Dark Blue	Police representations raised - NO hearing - APPL. WITHDRAWN (due to Police representations)
Green	NO police representations raised (even in 2 cases of 'new' licence applications in 'hot spot areas')
Red	Police representations raised - Hearing still to take place / decision still to be made / further application to be made.
Purple	Appeal - lodged against the decision of the Licensing Authority - (Date given where known).

13	Old Steps	26 York Place	Alcohol	Mon to Weds 1100-0000, Thurs to Sat 1100-0200 & Sun 1200- 2230	Joint Individuals (Variation)	NO	Long established non-problematic premises well out of the City Centre hot spots and with sufficient CPW's offered	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10/02/12
14	Players	Albion Street - Unit 3 The Cube	Alcohol	Every Day 0300 (from 0200)	Bluecene Ltd. (Variation)	YES	N/A	19/09/11	REFUSED	N/A	N/A	N/A	N/A	N/A	10/02/12
15	Graze	43 Call Lane	Late Night Refreshment	Fri & Sat to 0330	Jennifer Albow (New)	YES	Premises in the quieter part of Call Lane - NOT considered part of the 'hot-spot' area - CPW's agreed!	N/A	N/A	N/A	WITHDRAWN 28/09/2011	N/A	N/A	N/A	N/A
16	Bad Apple Bar	7 Call Lane	Alcohol	Every Day 1100-0500	Nightstorm Ltd. (New)	NO	Premises already trading on ground floor and basement with experienced operators non-problematic - premises being split into 2 - 'new' premises operator also experienced in close by premises.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
17	Wax Bar	20 New Briggate (Ground Floor)	Alcohol	Every Day 1000-0400 (as existing)	Mark Young & Andrew James Turner (New / Existing)	NO	Premises not considered in an 'hot-spot' area - more than sufficient CPW's agreed to address the licensing objectives!	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Applications listed up to the Meeting (1) held with the Licensing Committee on 13/09/11</b>															
18	Dominos Pizza	3031 Kirkgate Leeds 2	Late Night Refreshment	Every Day 2300-0500	Yorkshire Pizza Ltd	NO	Premises not considered in an 'hot-spot' area - more than sufficient CPW's agreed to address the licensing objectives!	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
19	Jaldi Jaldi	44A Woodhouse Lane	Late Night Refreshment	Every Day 2300-0500	Jaldi Jaldi Ltd. (New)	YES	N/A	07/11/11	Granted (with modifications)	Hours modified to Friday & Saturday only and to 0300 and not 0500 + CPW's added as conditions incl. CCTV and to participate in Street Marshal Scheme and BACIL radio	N/A	N/A	N/A	N/A	N/A
20	Jaldi Jaldi	Neville Street - The Archway	Late Night Refreshment	Every Day 2300-0500	Jaldi Jaldi Ltd. (New)	NO	Premises not considered in an 'hot-spot' area - more than sufficient CPW's offered - BTP Premises!	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
21	Cocktail Bar	39 Call Lane	Alcohol	Sun to Weds 1100-0200 & Thurs to Sat 1100-0400	Alexander William Neil (New)	YES	N/A	05/12/11	REFUSED	N/A	N/A	N/A	N/A	???	N/A
22	KFC - Kentucky Fried Chicken	76-78 Merrion Street Merrion Centre	Late Night Refreshment	Sun to Thurs 2300-0200 & Fri & Sat 2300 0400	Chicken Cabins Ltd. (New)	YES	N/A	21/11/11	Granted (with additional conditions)	Granted with hours applied for - but conditions re full seating, CCTV, radio link (and 2 SIA door staff for all hours after 2300 offered by the applicant)	N/A	N/A	N/A	N/A	N/A
23	Café Rouge	1 Trinity Street Unit 2,36 (New Development)	Alcohol	Every Day 0900-0000	Café Rouge Restaurants Ltd. (New)	NO	An established non-problematic brand operating in Leeds for many years. Non-alcohol lic premises and away from the 'hot-spot' areas in the new Trinity development	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

24	KFC - Kentucky Fried Chicken	Leeds City Station - New Station Street	Late Night Refreshment	Every Day 2300-0200	Select Service Partner Ltd. (New)	YES (on behalf of BTP)	N/A	12/12/11	Granted (with additional conditions)	Originally licensed for alcohol to be surrendered and KFC operating other premises in Leeds City Centre convinced the committee, who added a condition that all seating would be removed at 0000 every night.	N/A	N/A	
25	Listee Bar / Nightclub	8 Church Walk	Alcohol	Sun 0000, Mon & Weds 0200, Tues 0230, Thurs & Sat 0300 & Sat 0400	Grace Musinga (New)	YES	N/A	N/A	N/A	N/A	WITHDRAWN 22/12/2011	N/A	
26	Beat Bar (f. T.C's)	66 Merion Street	Alcohol	24 Hours - Every Day	Gurnall & Ravinder Rathmore (New)	YES	N/A	03/01/12	REFUSED	N/A	N/A	N/A	
27	Tepanyaki Japanese Restaurant (operated since 1993)	Belgrave Hall - Belgrave Street	Alcohol	Sun to Thurs 0100 - Fri & Sat 0200	Yoko Banks (original licence holder) (New)	NO	Operating in the same way since 1993, a 'new' application was required only due to the fact that the applicant's partner died and an application for transfer was NOT made in time.	N/A	N/A	N/A	N/A	N/A	N/A
28	Rock Bar Ibiza	52 Call Lane	Alcohol	Every Day to 0400 (as existing)	Salina's Entertainment Ltd. (Variation)	YES	N/A	30/01/12	Granted	Application to reduce seating from 80 to 50 (no capacity increase) originally imposed by sub-committee due to HVDE CJP in 2009. Solicitor questioned if CJP actually applied on this occasion. Sub-committee were satisfied area would not be affected by grant, as to them this is not a large capacity venue.			
29	Brewdog	Crown Street - White Cloth Hall - Unit 2	Alcohol	Sun to Thurs 0000 - Fri & Sat 0100	Brewdog Bars Ltd. (New)	YES	N/A	06/02/12	??? - area identified as 'hot spot' 1.	???			
30	Carlucio's	413 Trinity Leeds (New Development)	Alcohol	Every Day 2300	Carlucio's Ltd. (New)	NO	Non 'alcohol led' premises and away from the 'hot-spot' areas in the new Trinity development	N/A	N/A	N/A		N/A	
31	Safran Restaurant	81 Kirkgate	Alcohol	Every Day 0200	Faramarz Emami	YES	N/A	06/02/12	???	???			
32	Hedley Verity	45-47 Woodhouse Lane	Alcohol	Every Day 0500 - (as existing)	JD Wetherspoons (Minor Variation)	YES	N/A	???	???	???			

27/01/12 - Applications up to submission of data for Meeting (2) with the Licensing Committee due 14/02/12

This page is intentionally left blank

## LICENSED PREMISES - TOP TEN CRIME HOTSPOTS IN POINTS MATRIX

Rolling Six Months Apr - Sep 2011	Rolling Six Months May - Oct 2011	Rolling Six Months Jun - Nov 2011
Oceana 125	Oceana 140	Oceana 134
Mezz 62	Tiger Tiger 61	Tiger Tiger 72
Tiger Tiger 60	McDonalds (35 Briggate) 51	McDonalds (35 Briggate) 49
Space 57	Yates (Woodhouse Lane) 46	Yates (Woodhouse Lane) 44
McDonalds (35 Briggate) 42	Space 41	Varsity 38
Yates (Woodhouse Lane) 38	Mission 39	Chilli White 37
Bar Risa 36	Varsity 38	Space 35
Mission 37	Chilli White 38	Mission 35
Varsity 35	Academy 33	Academy 35
Chilli White 32	Bar Risa 32	Bar Risa 33

Rolling Six Months Jul - Dec 2011	Rolling Six Months Aug 2011 - Jan 2012
Oceana 111	Oceana 95
Tiger Tiger 67	Tiger Tiger 66
Yates (Woodhouse Lane) 60	McDonalds (35 Briggate) 61
Mission 54	Yates (Woodhouse Lane) 54
Bar Risa 45	Mission 47
McDonalds (35 Briggate) 45	Hedley Verity 42
Chilli White 41	Chilli White 41
New Penny 39	Bar Risa 35
Academy 37	New Penny 34
Varsity/Hedley Verity 36	Academy/Space/Varsity 33

This page is intentionally left blank

## Report of the Head of Licensing and Registration

### Report to Licensing Committee

**Date:** 14th February 2012

**Subject:** Licensing Act 2003 Update (Jubilee, Live Music, EMROs, Late Night Levy)

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 checked="" type="checkbox"/> Yes <input 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. Major changes to the Licensing Act 2003 are expected in 2012. These include deregulation of regulated entertainment, the relaxing of the law relating to live music, a relaxation on licensing hours for the golden Jubilee and the introduction of early morning restriction orders and the late night levy.
2. This report provides an update to those changes and includes the consultation document issued by the Government on the Early Morning Restriction Orders and Late Night Levy.

### Recommendations

3. That Licensing Committee note the contents of the report in respect of the Golden Jubilee and Live Music Bill, and provides comments to inform the council's response to the consultation "Dealing with the problems of late night drinking".

## **1.0 Purpose of this report**

- 1.1 To advise Licensing Committee of some changes to the Licensing Act 2003 coming onto effect shortly and to request comments from Licensing Committee on the attached consultation "Dealing with the problems of late night drinking".

## **2.0 Background information**

- 2.1 2012 is a big year for the Licensing Act 2003. The Police Reform and Social Responsibility Act received Royal Assent in September 2011 and brought a number of changes to the Licensing Act 2003 which were designed to give power back to local communities and to make it easier for Licensing Authorities to deal with problem premises and the problems associated with late night drinking.
- 2.2 In addition musicians have been lobbying Government to make changes to the Licensing Act to make the performance of live music easier in public houses. This has culminated in the Live Music Bill, a Lords Bill which is currently passing through Government.
- 2.3 The Government has also recognised the Golden Jubilee as a time for celebration by relaxing the licensing hours on the Golden Jubilee weekend.

## **3.0 Main issues**

### **3.1 Licensing Act 2003 (Diamond Jubilee Licensing Hours) Order 2012**

- 3.2 In line with the relaxation last year for the Royal Wedding, the Government has issued an order which relaxes the licensing hours over the Diamond Jubilee weekend.
- 3.3 It extends the opening hours from 11pm to 1am of premises licensed for alcohol sales, for consumption on the premises only, that are already open until 11pm. It does not extend the opening hours of off licences or premises licensed for late night refreshment only, and cannot be used to sell alcohol for consumption off the premises. These hours will apply on Friday 1st and Saturday 2nd June.
- 3.4 Even though this extension is in place, people can still apply for temporary event notices to extend their hours further, or if they aren't currently open until 11pm for the sale of alcohol.

### **3.5 Live Music Bill**

- 3.6 The Live Music Bill is a Lords Bill which makes a number of fundamental changes to the Licensing Act 2003. In brief it removes the requirement for licensing for
  - Unamplified music between 8am and 11pm
  - Amplified music between 8am and 11pm to an audience for 200 people or less
  - Removes the effect of conditions that relate to live music unless the premises has been reviewed and a condition is placed on the licence which reverses this.



3.7 The Bill is currently at the very end of its journey through the Houses and by Licensing Committee may have received Royal Assent. The Act will need to be commenced, and this is likely to happen in April this year. A verbal update will be given at the meeting.

3.8 In addition to these changes, as discussed at the Licensing Committee in November, the Minister for Tourism and Heritage, John Penrose, is looking to deregulate other forms of entertainment. We are expecting an announcement regarding this in March or April.

3.9 **Government Consultation “Dealing with the problems of late night drinking”**

3.10 This consultation (attached), which runs until 10th April 2012, is about two measures in the Police Reform and Social Responsibility Act 2011 that will be implemented through regulations later in the year.

3.11 Early Morning Restriction Orders

3.12 This is an existing power that was not commenced but is instead being extended to allow Licensing Authorities to apply an order to a specific area where they consider that restricting the late night supply of alcohol is appropriate to promote the licensing objectives.

3.13 The Government suggests that some premises should be exempt from the EMRO, namely:

- Premises with overnight accommodation who, by a condition placed on their licence, are only able to sell alcohol to overnight guests.
- Theatres and cinemas who, by a condition placed on their licence, are only able to sell alcohol to ticket holders or participants in a production
- Community premises who have applied to remove the mandatory DPS requirement from their premises licence
- Casinos and bingo halls that operate a membership scheme.

3.14 EMROs would not apply to New Years Eve and the consultation asks if this is appropriate.

3.15 Late Night Levy

3.16 The levy will allow licensing authorities to raise a contribution from late opening alcohol retailers towards the policing costs generated by the late night economy. The levy will apply to all premises in the licensing authority’s area, although exemptions and discounts could be available but this is up to the discretion of the licensing authority.

3.17 Exemptions to the levy would include the same exemptions as at 3.13, but in addition would also include:

- Restaurants
- Community Amateur Sports Clubs
- Community Premises; and

- Country village pubs
- 3.18 The Government is also seeking views on exemptions for other premises such as:
- Business Improvement District participants
  - Member's clubs
  - One off late night authorisations for New Year's Eve
- 3.19 The Government is seeking views on affording a reduction of 10% for each scheme a premises is a member of, to a maximum of 30% for:
- Premises which benefit from Small Business Rate Relief
  - Premises involved with best practice schemes such as Best Bar None, Pub Watch, Community Alcohol Partnerships, Business Improvement Districts
  - Other local best-practice schemes
- 3.20 A maximum of 30% of the levy can be retained by the Licensing Authority to fund services which tackle alcohol-related crime and disorder, such as taxi marshalling and "booze buses".
- 3.21 The consultation document includes process maps which show the way that EMROs and the Late Night Levy would be implemented and administrated. The Government is not seeking views on these processes so it is expected that these process will be implemented when EMROs and the late night levy are commenced.
- 3.22 It is expected that both these mechanisms will be commenced in October 2012.

## **4.0 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Due to the nature of the Government consultation officers are seeking the views of Licensing Committee on these proposals. These views will be reflected in the Council's formal response. In addition a copy of the consultation has been provided to the City Centre Divisional Community Safety Partnership, NHS Leeds, West Yorkshire Police, and the Safer Leeds Executive for their information.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 The amendments to regulated entertainment has an impact on all sectors of society, as noise and disorder from regulated entertainment affects everyone.
- 4.2.2 The Government consultation will impact on businesses working within the Leeds district. If the Licensing Authority decides to impose an EMRO this may well impact on sectors of the society which work at night and may utilise licensed premises after work.

### **4.3 Council Policies and City Priorities**

- 4.3.1 The amendments to live music, EMROs and the Late Night Levy will all impact on the council's Statement of Licensing Policy.

#### **4.4 Resources and Value for Money**

- 4.4.1 The deregulation of live music, and the removal of conditions may lead to an increase in noise complaints to the Council. This would impact on the council's Health and Environmental Action Service as they are the first point of contact for noise complaints.
- 4.4.2 Early Morning Restriction Orders will restrict the opening hours of premises and this will impact on their business.
- 4.4.3 The Late Night Levy will impose a charge on premises which open during the night time economy. This could lead to a number of premises applying for a minor variation to reduce hours. The Government has stated that these variations should be free to the business holder, however there will be a cost to the council.

#### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 The response to the consultation has few legal implications. The consultation document is available on the internet and is open to all to comment.

#### **4.6 Risk Management**

- 4.6.1 Licensing Committee could chose not to comment on the consultation document and to instruct officers not to respond. There would be very little impact on the council. However doing so would remove the opportunity for the council to have a say in the way the Late Night Levy and EMROs are regulated.

### **5 Conclusions**

- 5.1 This reports presents three items for consideration by the Licensing Committee. The relaxation of licensing hours for the Golden Jubilee and the Live Music Bill are presented for discussion, but there is no action to take.
- 5.2 The Government's consultation "Dealing with the problems of late night drinking" is presented to Licensing Committee and officers request comments from members to inform the council's response to the consultation.

### **6 Recommendations**

- 6.1 That members note the contents of the report at 3.1 to 3.8
- 6.2 That members provide comments on the report at 3.9 onwards and the consultation questions included in the attached document and listed on page 17 of that document.

### **Appendices**

- 1. Dealing with the problems of late night drinking. A consultation on secondary legislation for the late night levy and early morning restriction orders.

This page is intentionally left blank

**DEALING WITH THE  
PROBLEMS OF LATE  
NIGHT DRINKING**  
A CONSULTATION  
ON SECONDARY  
LEGISLATION FOR  
THE LATE NIGHT LEVY  
AND EARLY MORNING  
RESTRICTION ORDERS



Home Office

# CONTENTS

Ministerial Foreward.....	3
1. Introduction.....	4
2. About this consultation.....	5
Part I - EMROs.....	8
3. Process.....	8
4. Exemptions.....	8
Part II - The late night levy .....	10
5. Process.....	10
6. Exemptions and reductions to the levy.....	10
7. Licensing authority levy revenue.....	14
Additional sections.....	15
8. Impact Assessment.....	15
9. About You.....	15
10. Confidentiality and Disclaimer.....	15
11. Checklist .....	17
Annex A - EMRO process map .....	19
Annex B - Late night levy process maps.....	20

# MINISTERIAL FOREWARD



I believe that problems in the night-time economy should be addressed locally. The Government is committed to ensuring that the police and local authorities are given the right tools to address the alcohol-related problems in their area, whilst promoting a vibrant night-time economy to benefit business and the community that they serve. The late night levy and the extension of Early Morning Restriction Orders (“EMROs”) will enable local authorities to achieve this. If local communities are concerned about premises that are open into the early hours of the morning and causing problems, then they should be able to respond flexibly. The majority (64%) of all violence occurs in the evening or at night and one-fifth of all violent incidents take place in or around a pub or club. By extending EMROs so that they can be applied from midnight, local authorities will have an additional tool to address problem areas in the night time economy.

Where there is a vibrant late night economy, with premises remaining open into the early hours, then the local authority should have the flexibility to charge for a contribution towards any additional policing that this generates. Tax payers should not simply be left to pick up this cost. People who enjoy a night out often visit a variety of premises and it is appropriate that the costs are shared between these businesses.

This consultation seeks views on the details of the regulations that will implement these policies. In particular, it asks for views on what categories of premises should enjoy exemptions and reductions under both measures. For example, I do not wish to unfairly penalise premises which are not part of the wider late night economy. These include, for example, hotels and B&Bs which serve only to guests, and the consultation therefore proposes these as one of the categories of exemption from both measures.

I would very much welcome views on these and other proposals on how the late night levy and EMROs will be implemented. Overall, our intention is that both measures will empower local communities to act to achieve a more viable night time economy.

A handwritten signature in black ink, appearing to read 'Henley', written in a cursive style.

**Lord Henley**

Minister of State for Crime Prevention and Antisocial Behaviour Reduction

# 1. INTRODUCTION

- 1.01 This consultation is about two measures in the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) that will be implemented through regulations: Early Morning Restriction Orders (“EMROs”) and the late night levy (“the levy”).
- 1.02 Alcohol-related crime and disorder is a serious problem for many of our communities. The promised “café-culture” from later drinking hours has not materialised. In 2010/11, almost one million violent crimes were alcohol-related and almost half of surveyed violent crime victims believed the offender to be under the influence of alcohol. The police are fighting an expensive battle against alcohol-related crime and disorder. The Coalition Programme for Government recognised these problems and contained a set of commitments to tackle alcohol misuse, especially late at night. The necessary changes to primary legislation have been made through the 2011 Act.
- 1.03 EMROs will help licensing authorities to address specific problems caused by the late night supply of alcohol in their areas. An EMRO is a power introduced by the previous Government (which has not yet been commenced) which, under existing provisions, would enable licensing authorities to restrict the sale of alcohol in the whole or a part of their areas between 3am and 6am on all or some days. The 2011 Act amends existing provisions to allow EMROs to be applied more flexibly between midnight and 6am. Licensing authorities will be able to make an EMRO in relation to problem areas if they have evidence that the order is appropriate for the promotion of the licensing objectives. However, we believe that some types of premises should not be subject to an EMRO. Section 4 of this consultation considers exemptions to the EMRO power that will apply to all EMROs.
- 1.04 The levy will allow licensing authorities to raise a contribution from late-opening alcohol retailers towards policing the late night economy. It will be a local power that licensing authorities can choose whether to adopt for their areas. The licensing authority will also choose the period during which the levy applies, between midnight and 6am on each night. Non-exempt premises licensed to supply alcohol in this period will be required to pay the levy.
- 1.05 Licensing authorities will decide whether any (and, if so, which) of the categories of exemptions and reductions will apply to the levy. Section 6 of this consultation considers the available categories of premises to which exemptions and reductions will apply. The government is also keen to promote local and business-led initiatives. Many businesses successfully work together in schemes like Best Bar None, Business Improvement Districts (BIDs) and Community Alcohol Partnerships. Authorities and business communities might wish to consider these schemes as possible alternatives or complements to EMROs or the levy. Section 6 also considers this issue.
- 1.06 To inform this consultation, working groups and meetings were held with representatives from the police, the licensed trade, best-practice schemes, licensing authorities and the hospitality industry.
- 1.07 A consultation-stage Impact Assessment is attached to this consultation. This will be updated following the consultation if necessary.



## 2. ABOUT THIS CONSULTATION

### Scope of the consultation

<b>Topic of this consultation:</b>	<p>This consultation seeks views on certain aspects of EMROs and the late night levy.</p> <p><b>EMROs</b></p> <ul style="list-style-type: none"><li>• Process of adopting an EMRO.</li><li>• Categories of business which will be exempt from any EMRO.</li></ul> <p><b>Late night levy</b></p> <ul style="list-style-type: none"><li>• Process of adopting the levy.</li><li>• Categories of business which individual licensing authorities may choose to exempt from, or afford a reduction in relation to, the late night levy.</li><li>• The kinds of services a licensing authority may fund with the 30% of net levy receipts it may retain from the net levy revenue.</li></ul>
<b>Scope of this consultation:</b>	<p>Regulations will be made under powers in the 2011 Act and Licensing Act 2003 in relation to the late night levy and EMROs. The Government intends to commence both powers, but would like to hear views on the above and on the impact assessment before preparing the regulations.</p>
<b>Geographical scope:</b>	<p>England and Wales</p>
<b>Impact assessment (IA):</b>	<p>A consultation stage IA is included with the consultation document. A small firm impact test is included</p>

## Basic Information

<b>To:</b>	We are keen to hear from everyone who will be affected by the two measures, including; members of the public to whom alcohol is supplied; those affected by alcohol-related crime; those that own or work in pubs, clubs, supermarkets and shops; best practice scheme representatives; criminal justice agencies; licensing authorities; and trade associations representing those who sell alcohol.
<b>Duration:</b>	The consultation runs for 12 weeks from 17th January to 10th April.
<b>Enquiries:</b>	<b>Alcohol.Consultation@homeoffice.gsi.gov.uk</b>
<b>How to respond:</b>	Information on how to respond to this consultation can be found on the Home Office Website at <a href="http://www.homeoffice.gov.uk/about-us/consultations">http://www.homeoffice.gov.uk/about-us/consultations</a> . Responses can be submitted online through the Home Office website or by post by sending responses to:  Home Office Drugs and Alcohol Unit 4th Floor Fry Building 2 Marsham Street London, SW1P 4DF
<b>Additional ways to become involved:</b>	Please contact the Home Office (as above) if you require information in any other format, such as Braille, large font or audio. The Department is obliged to offer, and provide on request, these formats under the Equality Act 2010.
<b>After the consultation:</b>	Responses will be analysed and a 'Response to Consultation' document will be published. This will explain the Government's final policy intentions. All responses will be treated as public, unless stated otherwise.

## Background

<b>Getting to this stage:</b>	The two powers were consulted on as part of the ‘Rebalancing the Licensing Act’ consultation (Summer 2010) and introduced in the Police Reform and Social Responsibility Act (September 2011).
<b>Previous engagement:</b>	The government has already consulted a number of key partners prior to publishing this consultation. As well as engagement as part of the ‘Rebalancing the Licensing Act’ consultation, officials have held pre-consultation working groups with stakeholders from the on and off trade; police and local authorities; best practice schemes and the voluntary sector.

# PART 1 EARLY MORNING RESTRICTION ORDERS

## 3. PROCESS

3.01 The 2011 Act allows an EMRO to be applied by licensing authorities flexibly between midnight and 6am to restrict the sale of alcohol. Licensing authorities can apply these orders to areas where they consider that restricting the late night supply of alcohol is appropriate to promote the licensing objectives. Before this power is commenced, regulations must be made.

3.02 The regulations will prescribe details of the process for making an EMRO and the kinds of premises that will be exempt from an EMRO. Consultation respondents are asked to consider the proposed process map in Annex A.

### CONSULTATION QUESTION 1:

**Do you think that the proposed processes for Early Morning Restriction Orders include sufficient consultation with those likely to be affected by an EMRO?**

- Yes
- No
- Don't know

If no, please explain what else is needed

## 4. EXEMPTIONS TO EMROS

4.01 EMROs are designed to address recurring problems with alcohol-related crime and disorder in specific areas. The licensing authority will be able to decide during which hours the EMRO will apply, whether it is applied every day or on particular days; whether it will run for a limited or unlimited period; and whether it will apply to whole or part of the licensing authority's area. In each case, the decision will be based on what is appropriate for the promotion of the licensing objectives<sup>1</sup>. There are some types of premises

<sup>1</sup> Licensing objectives are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

which should not be subject to an EMRO, wherever it is applied. Some businesses, wherever they may be located, do not contribute to alcohol-related crime and disorder. For example, a hotel may only serve alcohol to its guests who are staying overnight. As such, the 2011 Act enables the Secretary of State to make regulations which prescribe exemptions to an EMRO by reference to particular kinds of premises or particular days.

4.02 Many licences have additional authorisations on New Year's Eve to stay open later than usual. The government proposes that EMROs will not apply between midnight on 31st December and 6am on 1st January of each year.

### CONSULTATION QUESTION 2:

**The government proposes that EMROs will not apply (i.e. will not restrict alcohol sales) between midnight on 31st December and 6am on 1st January of each year. Do you think that EMROs should apply on New Year's Eve?**

- Yes – the EMRO should apply on New Year's Eve
- No – the EMRO should not apply on New Year's Eve
- Neither agree nor disagree
- Don't know

Please give reasons for your answer

4.03 Local discretion in setting the EMRO area is paramount, and the intention is to have only a few nationally prescribed exemptions. Some premises may need to vary their licence (to, for example, add a condition via the minor variations process) before an exemption is applicable to them.

4.04 EMROS will operate to restrict alcohol sales even when a Temporary Event Notice (TEN) is otherwise in effect. Section 172 of the Licensing Act 2003 enables the Secretary of State to make a licensing hours order to relax licensing hours on special occasions. Primary legislation includes

provision that, unless the licensing hours order provides otherwise, the EMRO will not be effective to prevent alcohol sales in a period to which the extended hours order applies.

relevant period will be members or their guests; or those who stay overnight; or those who attend for a performance. We also propose that there is an exemption for community premises which have demonstrated that they do not need a Designated Premises Supervisor (DPS). We propose that the following exemptions will apply to every EMRO:

4.05 The proposed exemptions cover some types of premises where the only customers during the

Name	Definition
<b>Premises with overnight accommodation</b>	Premises at which the sale of alcohol is subject to a condition to the effect that, between midnight and 6am, such sales can only be made to residents for consumption on the premises. This will not exempt hotels and guest houses that serve alcohol to members of the public who are not staying overnight at the premises.
<b>Theatres and cinemas</b>	Premises at which the sale of alcohol is subject to a condition to the effect that, between midnight and 6am, such sales can only be made to ticket holders or participants in the production for consumption on the premises, when there is otherwise no access to the general public.
<b>Community premises</b>	Those premises that have successfully applied to remove the mandatory DPS requirement.
<b>Casinos and bingo halls with a membership scheme</b>	Premises licensed to provide these facilities for gambling under the Gambling Act 2005 with a membership scheme in operation between midnight and 6am.

**CONSULTATION QUESTION 3:**

**Do you agree or disagree that the categories of premises above should be exempt from EMROs?**

- Agree – these categories of premises should be exempt from EMROs
- Disagree – these categories of premises should not be exempt from EMROs
- Neither agree nor disagree
- Don't know

Please give reasons for your answer, specifying any exemptions that you disagree with

**CONSULTATION QUESTION 4:**

**Do you have any other suggestions on the types of premises that should be considered for an exemption from EMROs?**

- Yes
- No
- Don't know

If yes, please specify which other types of premises and give reasons.

# PART 2 THE LATE NIGHT LEVY

## 5. PROCESS

- 5.01 The levy will allow licensing authorities to raise a contribution from late opening alcohol retailers towards the policing costs generated by the late night economy. The levy will apply to all premises (on and off-trade), throughout the licensing authority's area, which are authorised to sell or supply alcohol in the time period set by the licensing authority. This can be any time between midnight and 6am. Section 172 of the Licensing Act 2003 permits the Secretary of State to make a licensing hours order to relax licensing hours on special occasions. The Government intends to ensure that this will not result in some premises inadvertently becoming liable to pay the late night levy. The levy will not apply to TENs. The 2011 Act makes provision for the Government to prepare draft regulations before the levy scheme is commenced.
- 5.02 Regulations will prescribe details of the process for adopting the late night levy. Consultation respondents are asked to consider the proposed process maps in Annex B.
- 5.03 Prior to making a decision to implement the levy, it is intended that the licensing authority will have discussions with the Police and Crime Commissioner (PCC) and local police to decide whether it is appropriate to introduce the levy in its area. If so, the licensing authority must formally consult the PCC, the police, licence holders and others about its decision to introduce the levy. The consultation should ask whether it needs to apply any exemptions or discounts to the levy and how it will apportion net levy revenue between the police and licensing authority. The licensing authority will have the final decision in all of these areas.

## CONSULTATION QUESTION 5:

**Do you think that there should be an option for local residents/ community groups to recommend the implementation of the levy in their area?**

- Yes
- No
- Don't know

If yes, do you have any suggestions on how this process should operate?

## 6. EXEMPTIONS AND REDUCTIONS TO THE LEVY

- 6.01 There are some types of premises which licensing authorities may consider should not make a contribution towards late night police costs through the late night levy. To enable local discretion, the levy will allow licensing authorities to select exemptions or reductions that they consider should apply in their area. It is proposed that the following types of business are available as exemptions for licensing authorities to adopt:

Name	Definition
<b>Premises with overnight accommodation</b>	Premises at which the sale of alcohol is subject to a condition to the effect that, between midnight and 6am, such sales can only be made to residents for consumption on the premises. This will not exempt hotels and guest houses that serve alcohol to members of the public who are not staying overnight at the premises.
<b>Restaurants</b>	<p>Premises that have condition(s) on their licence that have the effect of making clear their status as restaurants run on a permanent, more formal basis. These could, for example, include conditions which require that, between midnight and 6am:</p> <ul style="list-style-type: none"> <li>(i) customers are shown to their table;</li> <li>(ii) food is provided in the form of substantial table meals that are served and consumed at the table;</li> <li>(iii) premises primarily serve meals to those eating on them, and</li> <li>(iv) alcohol is not be supplied to, or consumed on the premises by, any person other than those who are taking substantial table meals and where the consumption of alcohol by such persons is ancillary to taking such meals.</li> </ul>
<b>Theatres and cinemas</b>	Premises at which the sale of alcohol is subject to a condition to the effect that, between midnight and 6am, such sales can only be made to ticket holders or participants in the production for consumption on the premises, when there is otherwise no access to the general public.
<b>Casinos Bingo Halls</b>	Premises licensed to provide facilities for gambling under the Gambling Act 2005 with a membership scheme in operation between midnight and 6am.
<b>Community Amateur Sports Clubs (CASCs)</b>	Those premises that have a relief from business rates by virtue of being a CASC (definition found in Schedule 18 of the Finance Act 2002.)
<b>Community premises</b>	Those premises that have successfully applied for the removal of the mandatory DPS requirement.
<b>Country village pubs</b>	Premises within designated rural settlements with a population of less than 3,000 (as appear in the qualifications for rural rate relief).
<b>Country village pubs</b>	Premises within designated rural settlements with a population of less than 3,000 (as appear in the qualifications for rural rate relief).



## CONSULTATION QUESTION 6:

**Do you agree or disagree that licensing authorities should be able to exempt these premises from the levy?**

Agree  
Disagree

Please give reasons for your answer, specifying any exemptions that you disagree with

### **Business Improvement Districts**

6.02 Business Improvement Districts (BIDs, established under the Local Government Act 2003) are a defined area within which businesses pay a fee in order to fund improvements within their boundaries and can prove valuable to business communities. An increasing number of late night or licensed trade BIDs are being established. Some of these schemes may fulfil the purpose of the levy, by raising contributions towards late night services, without the need for local authority intervention. These schemes should be actively encouraged. It is proposed that licensing authorities are able to grant an exemption to those paying a levy as part of a BID where the authority is satisfied that the aims meet a satisfactory crime and disorder focus.

## CONSULTATION QUESTION 7:

**Do you agree or disagree that licensing authorities should be able to exempt Business Improvement Districts from the late night levy?**

Agree – licensing authorities should be able to exempt Business Improvements Districts  
Disagree – licensing authorities should not be able to exempt Business Improvement Districts  
Neither agree nor disagree  
Don't know

### **Members' clubs**

6.03 Many private members' clubs operate under 'Club Premises Certificates' (CPCs). Alcohol cannot generally be supplied under a CPC for profit or to the general public. Some licensing authorities may consider that private member's clubs in their area should not make a contribution to late night enforcement costs. Should clubs be exempt from the late night levy, the police revenue in the average licensing authority area from the levy will be reduced by approximately 10%.

## CONSULTATION QUESTION 8:

**Do you think that premises operating under a club premises certificate should be exempt from the late night levy?**

Yes  
No  
Don't know

Please give reasons for your answer

### **Small Business Rate Relief**

6.04 Small Business Rate Relief offers business ratepayers that meet certain criteria the opportunity to receive reductions on their rates bills. The criteria vary slightly in England and Wales but, in general, businesses are typically eligible if they occupy only one property and their rateable value is below a certain level. This may apply, for example, to small local pubs.

## CONSULTATION QUESTION 9:

**What are your views on affording a reduction from the late night levy to businesses that receive small business rate relief?**

Please give reasons for your answer



## New Year's Eve

- 6.05 Some premises may have a one-off late night authorisation on their licence to celebrate the New Year. On the one hand, it could be argued that the ability to host one-off special occasions will not be hindered by the late night levy. Before the levy begins in any area, premises will be able to make a free minor variation to their licence to reduce their hours. On special occasions, they may use a TEN to authorise the sale of alcohol.
- 6.06 On the other hand, an exemption for those premises whose only late night authorisation is for New Year will benefit many premises.

## CONSULTATION QUESTION 10:

### Do you agree or disagree that there should be an exemption for New Year's Eve?

- Agree – there should be an exemption for New Year's Eve
- Disagree - there should not be an exemption for New Year's Eve
- Neither agree nor disagree
- Don't know

### Reductions for best practice schemes

- 6.07 Licensing authorities may also wish to use the late night levy to promote and support participation in other business-led best practice schemes. These schemes encourage businesses to join together to address some of the negative effects of selling alcohol. The following schemes are recommended as available reduction categories:

Members of a locally accredited <b>Best Bar None</b> scheme
Members of a locally accredited <b>Pubwatch, Clubwatch or Shopwatch</b> scheme.  The discount can only apply to one of the above three schemes. Criteria to be an applicable pubwatch scheme:
<ul style="list-style-type: none"> <li>• The local authority is satisfied that the scheme has clear aims and objectives which are subject to a formal statement of intent or a constitution and that it has demonstrated that its members are actively working to reduce crime and disorder.</li> <li>• Membership is open to all licensed premises within the geographic area.</li> <li>• The scheme has a Chair person and/or Coordinator who is responsible for maintaining verifiable records of membership.</li> </ul>
Those premises which pay an annual <b>individual</b> contribution to a <b>Community Alcohol Partnership</b> in their area. This definition does not include subsidiaries of companies that pay a contribution on a national level.
Premises that pay a levy in a <b>Business Improvement District</b> (established under the Local Government Act 2003) where the authority is satisfied that the aims meet a satisfactory crime and disorder focus

#### CONSULTATION QUESTION 11:

**Do you agree or disagree that licensing authorities should be able to ask for a reduced levy payment from these businesses?**

- Agree
- Disagree
- Neither agree nor disagree
- Don't know

#### **Other local best-practice schemes**

6.08 The best practice schemes referred to in Question 11 are locally accredited schemes that are part of a national network. It has been suggested that some schemes have been created locally without any national accreditation. Groups of businesses may join together and fund late night services or address specific community problems. Regulations could grant licensing authorities the power to give discounts to schemes that they recognise as effective. Schemes would have to meet readily recognised and measurable benchmarks in order to be capable of qualifying for a discount.

#### CONSULTATION QUESTION 12:

**Do you have any suggestions for benchmarks that can be applied to grassroots schemes to ensure members are actively working to reduce crime and disorder?**

6.09 We propose that there is a 10% discount to the levy for every relevant best practice scheme (up to a maximum of 30%). This is in recognition that many businesses are members of multiple schemes.

#### CONSULTATION QUESTION 13:

**Do you agree or disagree with this set-up of cumulative discounts?**

- Agree
- Disagree
- Neither agree nor disagree
- Don't know

6.10 There may be other types of premises that should not be required to contribute fully towards the levy, for example, community-run pubs or others with an established community and social character.

#### CONSULTATION QUESTION 14:

**Should there be scope for further exemptions and reductions from the late night levy?**

- Yes
- No

If yes, please state what you think these should be and how this type of premises should be defined.

### **7. LICENSING AUTHORITY LEVY REVENUE**

7.01 There are many different types of local authority-funded services which make the late night economy a more welcoming place to do business. Some examples include taxi marshals, late night town wardens and street cleaning services. The licensing authority can retain up to 30% of the net levy revenue to fund other activities besides policing. This section considers whether there should be any restrictions on how authorities spend this money.

#### CONSULTATION QUESTION 15:

**What activities do you think licensing authorities should be able to fund with their retained proportion?**

#### **Restrictions on funded activities**

7.02 It is intended that the proportion of net levy revenue retained by licensing authorities (a

maximum of 30%) is used to fund services which tackle alcohol-related crime and disorder, such as taxi marshalling and ‘booze buses’ that provide assistance to those who otherwise might become victims or offenders. This would not extend to the wider management of the night time economy. For example, it would include the clean-up of the after-effects of alcohol-related crime and disorder, such as broken glass and public urination, but not general clean-up activities, such as the collection of waste from outside fast food restaurants

#### CONSULTATION QUESTION 16:

**What restrictions do you think there should be on the types of services that licensing authorities will be able to fund?**

Please state whether you think the types of services should be limited to preventing and tackling alcohol related crime and disorder; or should extend to both preventing and tackling alcohol related crime and disorder and management of night time economy?

### 8. IMPACT ASSESSMENT

8.01 An Impact Assessment for late night levy secondary legislation is attached. Consultation respondents are encouraged to comment on this document.

#### CONSULTATION QUESTION 17:

**If you have any comments on the Impact Assessment, please detail them here?**

#### CONSULTATION QUESTION 18:

**If you are responding on behalf of a licensing authority, how many premises do you expect will be affected by EMROs in your area?**

### 9. ABOUT YOU

9.01 Please indicate in what capacity you are responding to this consultation:

Licensing authority  
Member of the public  
Police officer  
Person involved in licensed trade/club premises  
Other please specify

**Police officers only: Which Police Force are you from?**

9.02 Licensed trade only: Please tick one of the following boxes which would best describe you/your organisation

Individual  
Members’ Clubs  
Micro company (1 – 9 employees)  
Small business (10-49 employees)  
Small – medium enterprise (50-249 employees)  
Large company (over 250 employees)

**Licensing officer only: Which Licensing Authority are you from?**

**Member of the public/Other only: Which Local Authority or London Borough are you from?**

### 10. CONFIDENTIALITY & DISCLAIMER

The information you send us may be passed to colleagues within the Home Office, the Government or related agencies. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 [FOIA], the Data Protection Act 1998 [DPA] and the Environmental Information Regulations 2004).

If you want other information that you provide to be treated as confidential, please be aware that, under

the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

## **GOVERNMENT CODE OF PRACTICE ON CONSULTATION**

The Consultation follows the Government's Code of Practice on Consultation the criteria for which are set out below:

### **Criterion 1 – When to consult**

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

### **Criterion 2 – Duration of consultation exercises**

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

### **Criterion 3 – Clarity of scope and impact**

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

### **Criterion 4 – Accessibility of consultation exercises**

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

### **Criterion 5 – The burden of consultation**

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

### **Criterion 6 – Responsiveness of consultation exercises**

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

### **Criterion 7 – Capacity to consult**

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

The full Code of Practice on Consultation is available at: <http://www.berr.gov.uk/whatwedo/bre/consultation-guidance/page44420.html>

## CONSULTATION CO-ORDINATOR

If you have a complaint or comment about the Home Office's approach to consultation, you should contact the Home Office consultation co-ordinator, Adam Mcardle. Please DO NOT send your response to this consultation to Adam Mcardle. The Co-ordinator works to promote best practice standards set by the Government's Code of Practice, advises policy teams on how to conduct consultations and investigates complaints made against the Home Office. He does not process your response to this consultation. The co-ordinator can be emailed at: [Adam.Mcardle2@homeoffice.gsi.gov.uk](mailto:Adam.Mcardle2@homeoffice.gsi.gov.uk) or alternatively you can write to him at:

Adam Mcardle, Consultation Coordinator  
Home Office  
Performance and Delivery Unit  
Better Regulation Team  
3rd Floor Seacole  
2 Marsham Street  
London  
SW1P 4DF

## 11. CHECKLIST

### CONSULTATION QUESTION 1:

**Do you think that the proposed processes for Early Morning Restriction Orders include sufficient consultation with those likely to be affected by an EMRO?**

### CONSULTATION QUESTION 2:

**The government proposes that EMROs will not apply (i.e. will not restrict alcohol sales) between midnight on 31st December and 6am on 1st January of each year. Do you think that EMROs should apply on New Year's Eve?**

### CONSULTATION QUESTION 3:

**Do you agree or disagree that the categories of premises above should be exempt from EMROs?**

### CONSULTATION QUESTION 4:

**Do you have any other suggestions on the types of premises that should be considered for an exemption from EMROs?**

### CONSULTATION QUESTION 5:

**Do you think that there should be an option for local residents/ community groups to recommend the implementation of the levy in their area?**

### CONSULTATION QUESTION 6:

**Do you agree or disagree that licensing authorities should be able to exempt these premises from the levy?**

### CONSULTATION QUESTION 7:

**Do you agree or disagree that licensing authorities should be able to exempt Business Improvement Districts from the late night levy?**

**CONSULTATION QUESTION 8:**

**Do you think that premises operating under a club premises certificate should be exempt from the late night levy?**

**CONSULTATION QUESTION 9:**

**What are your views on affording a reduction from the late night levy to businesses that receive small business rate relief?**

**CONSULTATION QUESTION 10:**

**Do you agree or disagree that there should be an exemption for New Year's Eve?**

**CONSULTATION QUESTION 11:**

**Do you agree or disagree that licensing authorities should be able to ask for a reduced levy payment from these businesses?**

**CONSULTATION QUESTION 12:**

**Do you have any suggestions for benchmarks that can be applied to grassroots schemes to ensure members are actively working to reduce crime and disorder?**

**CONSULTATION QUESTION 13:**

**Do you agree or disagree with this set-up of cumulative discounts?**

**CONSULTATION QUESTION 14:**

**Should there be scope for further exemptions and reductions from the late night levy?**

**CONSULTATION QUESTION 15:**

**What activities do you think licensing authorities should be able to fund with their retained proportion?**

**CONSULTATION QUESTION 16:**

**What restrictions do you think there should be on the types of services that licensing authorities will be able to fund?**

**CONSULTATION QUESTION 17:**

**What restrictions do you think there should be on the types of services that licensing authorities will be able to fund?**

**CONSULTATION QUESTION 18:**

**If you have any comments on the Impact Assessment, please detail them here?**

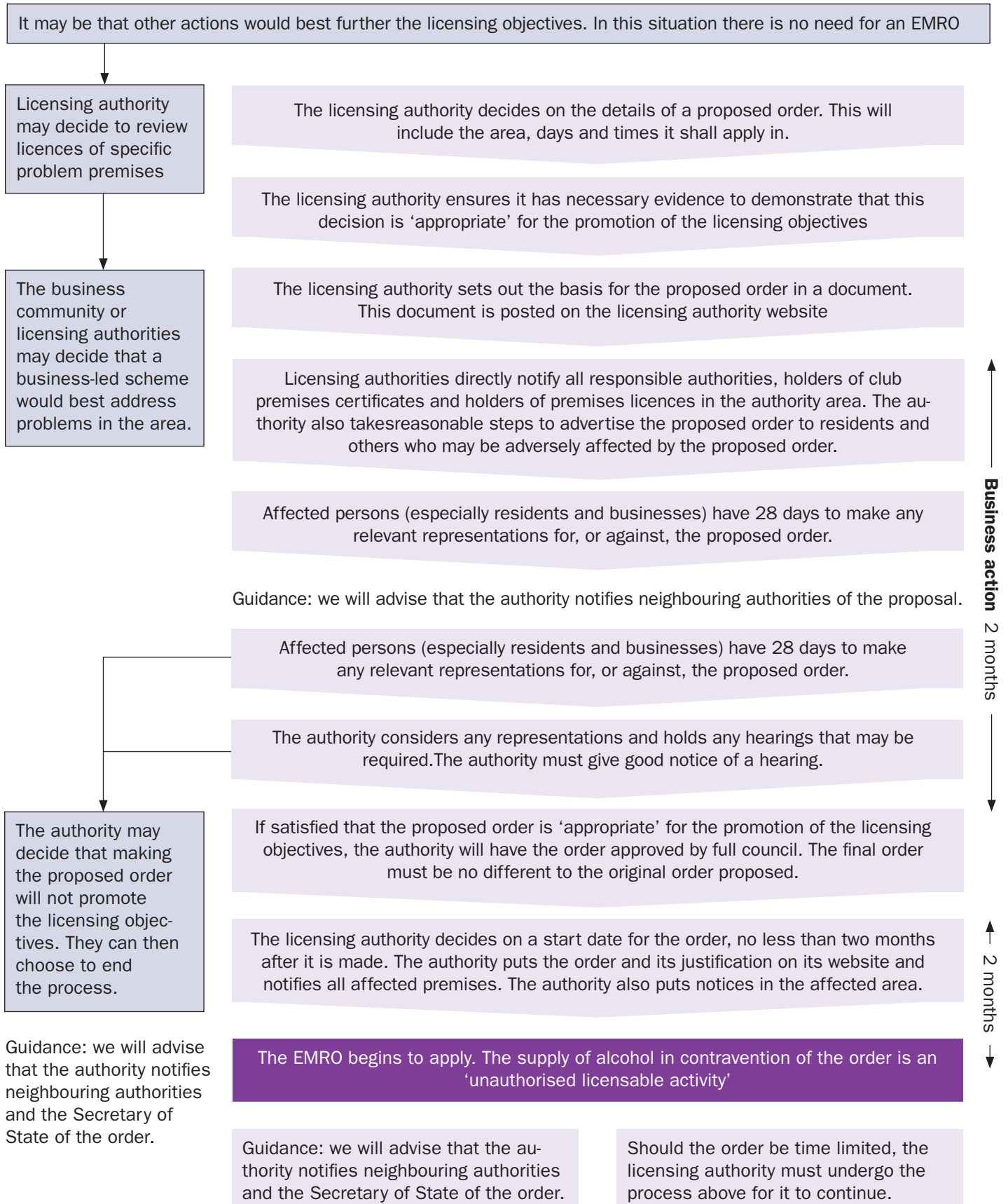
**CONSULTATION QUESTION 19:**

**If you are responding on behalf of a licensing authority, how many premises do you expect will be affected by EMROs in your area?**



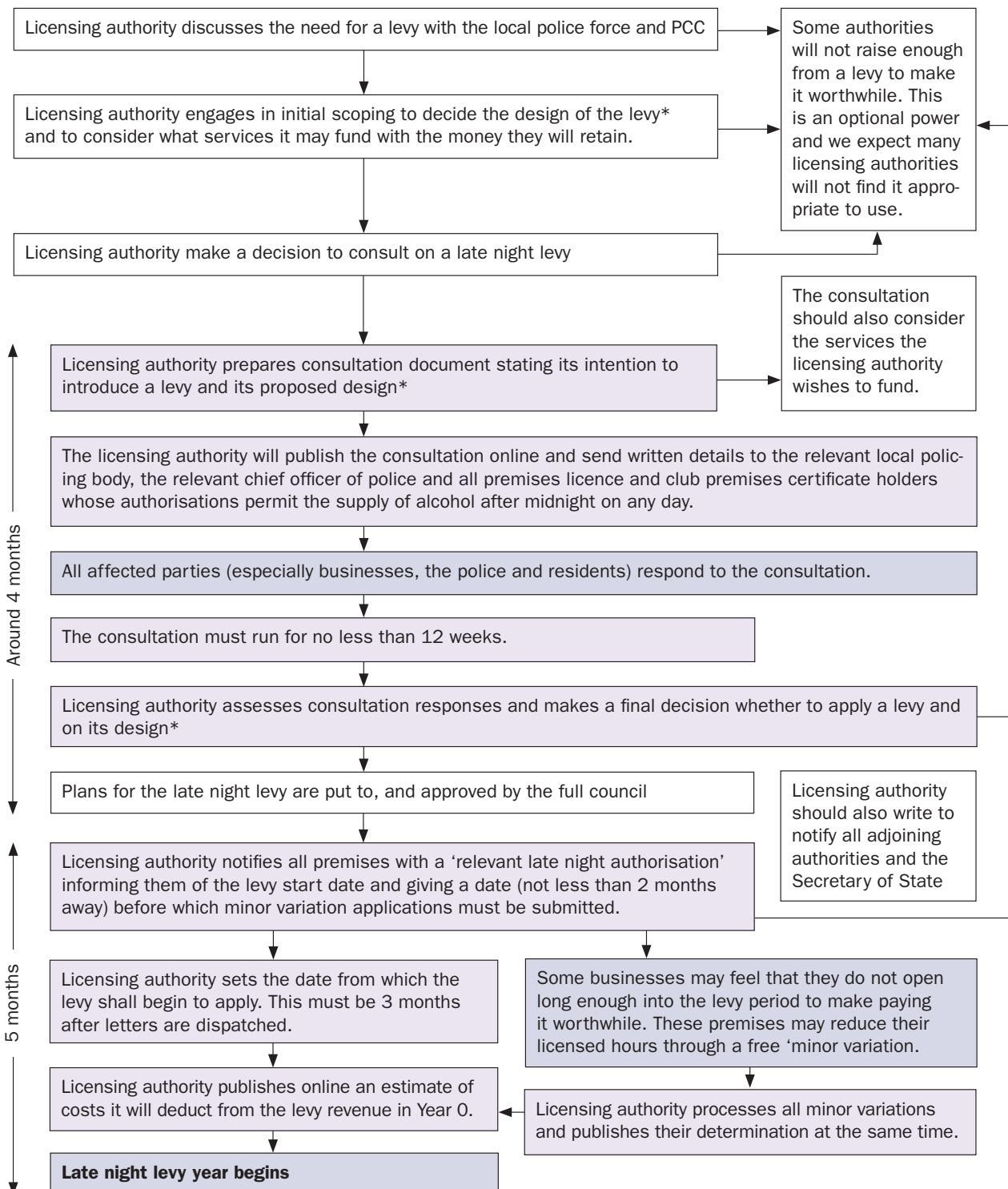
# ANNEX A - EMRO PROCESS MAP

A situation arises where there is need to restrict the late night supply of alcohol in a particular area. The licensing authority can decide, possibly at the suggestion of the public or the PCC, to make an EMRO.



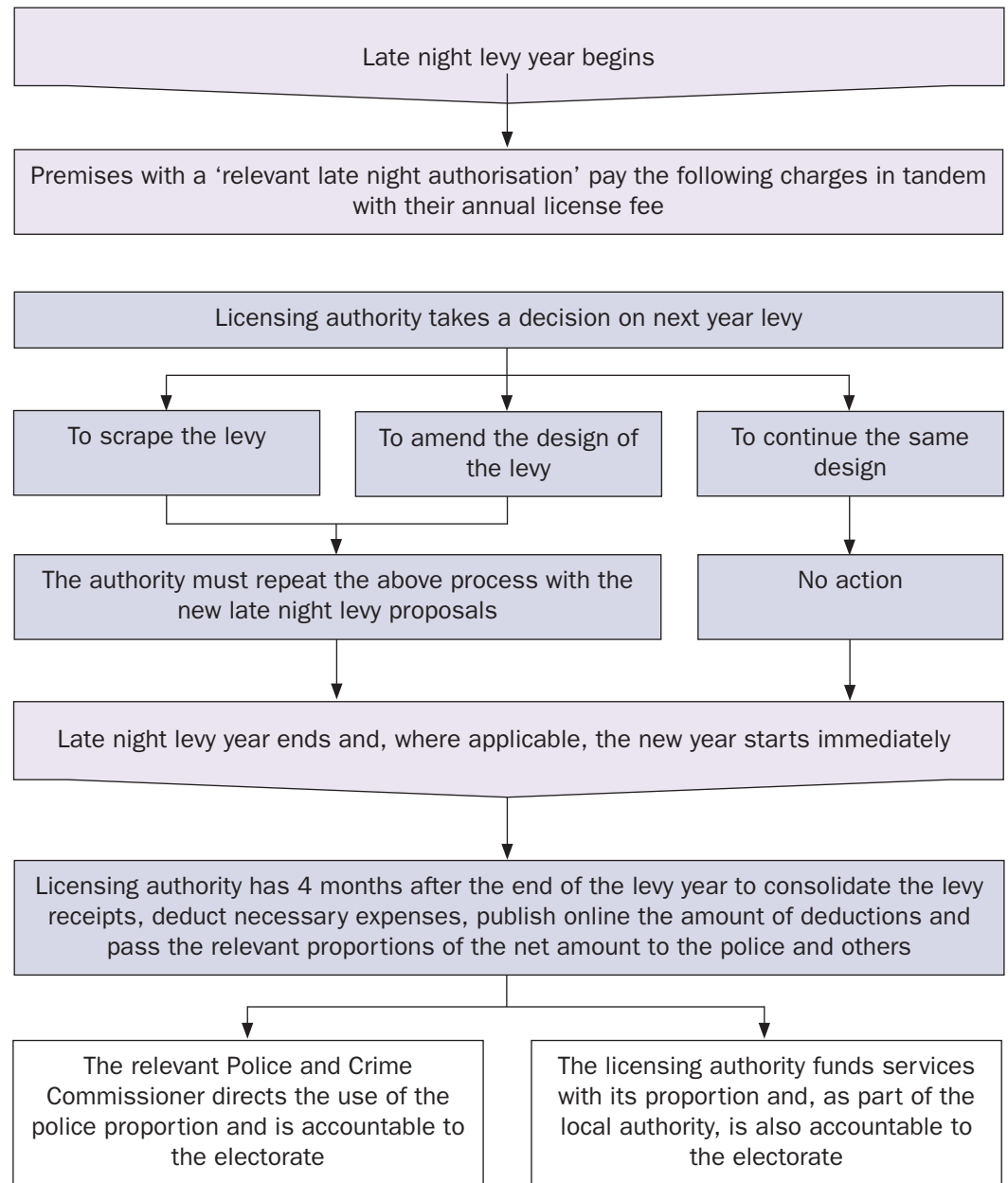
# ANNEX B - LATE NIGHT LEVY PROCESS MAPS - (Part I - Introduction)

Essential processes which will be deductible from levy revenue	<p><b>'late night supply period'</b>- This is the time period where the levy applies. The licensing authority chooses this period but it must be within the window of midnight and 6am.</p> <p><b>'relevant late night authorisation'</b>- a licence or certificate which permits the supply of alcohol within the 'late night supply period'</p>
Key stages for business	<p><b>*The levy design</b> - is the licensing authority's choice of the 'late night supply period', any exemptions or reductions that apply and the proportion of the revenue (after administrative costs are deducted) which the licensing authority wishes to keep to fund other activities (max 30%).</p>





# ANNEX B - LATE NIGHT LEVY PROCESS MAPS CONTINUED - (Part II - Levy year)





Home Office

ISBN: 978-1-84987-615-5

Published by the Home Office © Crown Copyright 2012

To view online visit:

<http://www.homeoffice.gov.uk/about-us/consultations/late-night-drinking>



**Report author: Stephen Holder**  
**0113 247 4095**

**Report of the Head of Licensing and Registration**

**Report to the Licensing Committee**

**Date: 14<sup>th</sup> February 2012**

**Subject: Notification of the Receipt of the first draft Event Management Plan for the Leeds Festival Event to be held at Bramham Park between Friday 24 August and Sunday 26 August 2012**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):      Wetherby and Harewood		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**Summary of main issues**

- 1.0    The Leeds Festival is an annual event held within the grounds of Bramham Park on August Bank Holiday Weekend, held under the authorisation of a premises licence issued under the Licensing Act 2003.
  
- 2.0    This report provides Members with a summary of changes to be made to the 2012 event.

**Recommendations**

- 3.0    Members are requested to note the summary of changes to the 2012 event and to note that a further report will be brought back before the Licensing Committee in July or August 2012 to inform Members of the final arrangements and agency comments.

## **1.0 Purpose of this Report**

- 1.1 To advise Members of the arrangements for the 2012 Leeds Festival to be held at Bramham Park between the 24<sup>th</sup> and 26<sup>th</sup> August 2012.
- 1.2 To assist Members and the Responsible Authorities, the promoter, Mr Melvin Benn of Festival Republic Limited has provided a schedule of changes to be made to the 2012 event. A copy of the same may be found at Appendix A of this report.
- 1.3 Mr. Benn will be in attendance at the meeting to present the schedule and to provide further information as required.

## **2.0 History of Premises**

- 2.1 The premises licence for the Leeds Festival was considered and approved by the members of the Licensing Committee on the 28 April 2006.
- 2.2 The licence is held for Bramham Park and allows the Festival to take place every August Bank Holiday.
- 2.3 Members resolved to grant the application as requested and accepted the applicants offer to include the following additional three conditions:
  - 1) There shall be an Event Management Plan which incorporates the operating schedule submitted to the Licensing Authority at least 6 months prior to the Festival each year.
  - 2) The Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the Festival.
  - 3) The Premises Licence Holder shall comply with the terms and requirements of the Event Management Plan each year.
- 2.4 In addition the Committee reserved the right to determine how the final amended Event Management Plan for the Festival should be agreed with the facility for the final plan to be agreed by the Committee or officers under delegated authority.
- 2.5 A variation application to increase the capacity of the site from 69,999 to 89,999, to be gradually implemented at an additional 5,000 capacity each year was made in December 2010. The application received no representations from Responsible Authorities or Interested Parties and was deemed granted on the 10 January 2011.
- 2.6 The variation was reported to Members at the Licensing Committee meeting on the 15 February 2011 where it was confirmed that the 5,000 a year increase would be agreed with the responsible authorities on an annual basis and become part of the Event Management Plan, which in turn would be considered by the Licensing Committee prior to the start of the event. Members agreed to note the report.
- 2.7 Members considered the final Event Management Plan for the 2011 Festival at their meeting on the 16 August 2011 and resolved that delegated authority be

given to the Head of Licensing and registration to approve the Event Management Plan and for any minor amendments prior to the start of the event.

2.8 The 2011 Festival was authorized with a capacity limit of 74,999 persons, although the Festival did not reach full capacity over the duration of the weekend.

2.9 On the 15 November 2011 members of the Licensing Committee received a de-brief report on the Festival and resolved to note the report.

### **3.0 Main Issues**

3.1 The draft Event Management Plan for the 2012 Event was received by the Licensing Authority and Responsible Authorities on the 26 January 2012. As in previous years a summary of changes from the 2011 event was circulated to members of the Licensing Committee and ward members of the constituencies surrounding the event site.

3.2 Members attention is drawn to the capacity of the site, proposed at 79,999 this being 10,000 increase since 2010. Whilst the additional 5,000 capacity in 2011 was not actually tested, consultation with the responsible authorities suggests that there would be no objection to the proposed capacity provided that the site facilities and supporting infrastructures were adequate to support this.

3.3 The first multi agency meeting will be held on the 1 March 2012 and continue on a bi-monthly basis until the event.

### **4.0 Corporate Considerations**

#### **4.1 Consultation and Engagement**

4.1.1 The application for a premises licence considered in 2006 underwent the full 28 day consultation process including a newspaper advertisement and public notices displayed around the site for the required 28 days notice period and full liaison with both the Ward Members and responsible authorities. Mr. Benn continues to consult with community representatives through the Parish Councils and local residents on all aspects of the impact of the event.

#### **4.2 Equality and Diversity/Cohesion and Integration**

4.2.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

#### **4.3 Council Policies and City Priorities**

4.3.1 The application was granted in 2006 with regard to the Council's Licensing Act 2003 Statement of Licensing Policy, and the event will operate in accordance with the licensing objectives as set out in the current Statement of Licensing Policy 2011 – 2013.

#### **4.4 Resources and Value for Money**

- 4.4.1 There are no resource implications to the licensing authority. The premises licence is subject to an annual maintenance fee as prescribed under the Licensing Act 2003.

#### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 There are no legal implications known to the Council.

#### **4.6 Risk Management**

- 4.6.1 Preparation for the event is subject to a number of multi-agency meetings.
- 4.6.2 Any matters arising during the planning of the 2012 event having an implication on the premises licence and objectives of the Licensing Act will be brought back before the Licensing Committee.

#### **5.0 Conclusions**

- 5.1 This report presents the summary of changes to the Leeds Festival 2012 Event Management Plan in accordance with the Promoter's plans to identify and carry out improvements to the event year on year and to accommodate the increase of capacity to the site.

#### **6.0 Recommendations**

- 5.2 Members are requested to note the summary of changes to the 2012 event and to note that a further report will be brought back before the Licensing Committee in July or August 2012 to inform Members of the final arrangements and agency comments.

#### **7.0 Appendices**

- 7.1 Appendix A is the summary of changes from the 2011 Event Management Plan to the 2012 Event Management Plan

#### **8.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy 2011 - 2013

**Summary of changes Leeds Festival 2012 version 1 submitted January 2012 (from v2 Leeds Festival 2011 submitted August 2011)**

Please note:

- The Event Management Plan for 2012 has been written for a capacity of 75,000 including guests ie the same capacity as 2011.
- At the point at which ticket sales for 2012 indicate that we will be able to sell to a capacity of 79,999 (which is the capacity approved via our variation application for 2012), then the Event Management Plan will be resubmitted with elements of the plan increased to accommodate the additional numbers to the Multi Agency forum for discussion.
- Where appendices are not noted below, there are no changes from 2011 versions.

Changes throughout the documentation

- Changes of date.
- Changes of tense.
- Telephone numbers to be confirmed.
- Throughout the documents an attempt has been made to make terminology more consistent and definitions clearer.

Event Management Plan

- The Operating Schedule that is referenced in Section 1 of the Event Management Plan is now Version 6. Version 6 was submitted to Leeds City Council on 11<sup>th</sup> November 2011 and updated the previous Version 5 Operating Schedule with the changes approved as part of 2 variations in 2008 (late night entertainment) and 2011 (capacity) and the minor variation submitted in February 2011.
- The Multi Agency Table Top exercise has been scheduled for 16<sup>th</sup> August 2012.
- Funfair rides for 2012 are to be confirmed.

Appendices

Appendix 8 and 11

- These appendices have now merged with Appendix 92 Fire Risk Assessment.

Appendix 15 Tent Exit Calculations

- These have been overhauled by The Event Safety Shop.

Appendix 17 Major Incident Plan

- Throughout this document there has been a general attempt to tidy up and strengthen some definitions and be clearer about the transfer of authority to West Yorkshire Police in the event of a Major Incident.
- An additional statement has been added for clarification which states "It should be noted that this is the Major Incident plan written by Leeds Festival and therefore it sits alongside but does not replace separate Major Incident plans that will exist for the Emergency Services and other members of the Multi Agency forum. As the Leeds Festival Major Incident Plan it is circulated and agreed with the Emergency Services and the Multi Agency forum and outlines the roles, responsibilities and procedures which are specific to a Major Incident at Leeds Festival."
- Additional clarification has been added to state "It is also important to note that what may be a Major Incident for eg the Ambulance Service due to, by way of an example, needing to treat a large number of people who may or may not be connected with Leeds Festival and resulting resourcing issues, that does not necessarily make it a Major Incident for Leeds Festival".
- An additional statement has been added about the difference between emergencies onsite and emergencies offsite as well as a definition of onsite vs offsite; - offsite is defined as areas outside the licensed site where the Premises Licence Holder has no jurisdiction such as the public highway. A distinction has been made that in some

cases, an emergency onsite may be able to be dealt with by the onsite teams under the control of the Premises Licence Holder without direct response from the Emergency Services.

- An additional definition of a contingency plan has been added that states that they are written in relation to a specific predicted event occurring such as the need to stop the music playing or water contamination. They are therefore different from the Major Incident Plan which rather sets out the procedures for the command, control and co-ordination of onsite resources and liaison with the Emergency Services and other agencies in the event of a Major Incident.
- Clarification has been added that during a Major Incident, the scene may be restricted to the area surrounding the incident, rather than relating to the whole of the site. Hence any transfer of authority from the Premises Licence Holder to West Yorkshire Police in the event of a Major Incident may be limited to a specific area of the site, rather than the entire site.
- Festival Control is now defined as either the Licensing Office or the Production Office depending on the nature of the Major Incident rather than only the Production Office. The following statements have been added "Festival Control will normally be the Licensing Office, located next to Security Control. The Premises Licence Holder's assistants are normally based there. During a Major Incident, the Premises Licence Holder and / or his assistants would relocate to the Major Incident Liaison Centre inside Security Control. In some circumstances depending on the nature of the incident, Festival Control may be defined as the Production Office. The Premises Licence Holder and Site Manager are normally based there. However in most Major Incident situations, the Production Office would continue with the normal operational running of the event or support to the Major Incident while the Licensing Office would remain focused on the Major Incident response in conjunction with Security Control and Silver Control".
- Clarification has been added that in the event of a Major Incident (or emergency) affecting only one part of the festival site, while the rest of the festival is ongoing, the Licensing Office and part of Security Control will normally take on the role of liaison and response to the Major Incident (or emergency) while the Production Office will continue with the normal operations. Key staff such as the Site Manager, Event Safety Co-ordinator and the assistants to the Premises Licence Holder will split their responsibilities up to make sure that there is still the ability to run the normal operations of the unaffected parts of the festival and site.
- An additional role now defined for Leeds Festival in the event of a Major Incident is to plan and distribute any onsite messages or information to be given to the public in conjunction with West Yorkshire Police.
- Additional statements have been added about the circulation and briefing of the Major Incident plan to key personnel and agencies and the fact that all staff will be briefed as to how to raise the alarm and who to report to in the case of a Major Incident.
- Fire procedures have been merged into one section detailing the Mr Ash / Mr England procedures. Previously they were split into 2 sections, one dealing with the arena, and the other the campsites / car parks but the procedures are the same in all areas onsite.
- A statement has been added that should the Major Incident Liaison Centre become unavailable or unusable the contingency locations would be at Bramham Park Main House where there are landlines and office space or at the Production Office area depending on the nature and location of the Major Incident.
- Brief statements have been added about the response to a communications failure which would be to move to another form of communication and to communicate this to the Emergency Services / relevant agencies.
- Statements have been added on the need to brief relevant staff on their role in the event of a crime investigation.
- An additional statement has been added that in the event of press and media queries received in relation to the Major Incident, Leeds Festival would aim for strong liaison and consultation and wherever possible, a joint response with the Emergency Services and other relevant agencies.



- A section for airwaves contact details has been added to the Emergency Contact sheet in Appendix 17.a although whether these airwaves numbers / call signs can be distributed in advance is subject to further discussion with West Yorkshire Police.
- A new appendix has been added – a sample transfer of authority form in the case of a Major Incident.
- Former Appendix 17.e.4 has not been included as it is a document written by Leeds City Council and therefore while it should still be circulated, it should perhaps not be part of the EMP given that it is not a Leeds Festival document. It is also understood that it is currently subject to review.

#### Appendix 19.a Crowd Management Procedures

- Additional statements have been added about the use of LED signage at Radio 1 and at the main arena entrance / exit as an aid to crowd management.

#### Appendix 22 Security Report

- It is proposed that onsite Multi Agency Meetings will take place at the following dates/times:-
  - 5pm Thursday 23rd August 2012
  - 5pm Friday 24<sup>th</sup> August 2012
  - 12.15am Saturday 25<sup>th</sup> August 2012 (egress meeting)
  - 5pm Saturday 25<sup>th</sup> August 2012
  - 5pm Sunday 26<sup>th</sup> August 2012
- Key staff from the relevant security contractors will take part in evidential recovery and awareness training run by the Security Co-ordinator in conjunction with West Yorkshire Police.
- It will be a condition of contract with all security companies supplying SIA staff, that they have the relevant SIA qualification for the SIA role that they are undertaking onsite.

#### Appendix 25 Security Procedures

- Additional statements have been added to clarify that all SIA badged staff must have their SIA badge with them when on duty at the festival and displayed openly on the upper part of their body.
- The crime scene aide memoir supplied by West Yorkshire Police has been inserted into this document for ease of reference. It is not a new aide memoir but has previously been circulated under separate cover.
- New appendices 25.a to 25.e have been added: - Eviction Procedures, Eviction Policy, Eviction Form, Eviction Letter and Eviction of Juveniles Policy. These have been previously available under separate cover but are now included for ease of reference.

#### Appendix 37 Traffic Management Plan

- The predicted figures for weekend cars, drop offs and day cars in 2012 have been amended to reflect the counts taken in 2011.
- The maximum number of coaches and shuttle buses in any one hour period on the Wednesday, Thursday and Monday has been updated based on actual figures from 2011.
- There will be some adjustments to the shuttle bus timetables to reflect the pattern of peak demand from 2011 namely:
  - An additional service will run from York on the Wednesday
  - There will be an hourly service through the night on Friday and Saturday night from site to Leeds from 1am until the morning service starts
  - The start time on Thursday from Leeds Coach Station will be revised to 8am
  - The Sunday night service from Leeds to site will finish at 8pm, rather than 10pm.
- The previous Bimbo Farm location for a traffic spotter has been moved to the Dog's Trust on the A64 instead.
- A new VMS board will be installed at Seacroft roundabout with a message to try and dissuade non festival traffic from using the A64 eastbound on Monday.
- New additional signs for 2012 compared to 2011:-

- Further signage is still required for the coach routing.
- Give way signage to be installed at Red Gates 2 and 2A on egress.
- Additional signage to be installed for the drop off / pick up route at the end of West Woods Road.
- Further alternative route signage to be installed for the ring road for HGV's to direct them via Cross Gates to Jct 46 of the M1.
- New coning for 2012 compared to 2011:-
  - A coned sterile area will be installed from the Fox and Grapes to Red Gate 1 on the Thursday to better control cars who ignore the one way system and travel down the A64 in the wrong direction.
  - Solid coning will be installed at Mangrill Lane and the layby opposite the Fox and Grapes public house to help prevent u turns.
  - A stack of cones will be left at Wattle Syke roundabout for contingency use there and in order to enable the police to control the roundabout better.
  - No waiting cones will be installed in the vicinity of Red Gates 1, 2, 2A, 3 and Brown Gate to dissuade people from picking up at the gates.
- In the area at Red Gate 1 inside the drop off field, a line of fencing will be installed to prevent pedestrians from gathering at Red Gate 1 to be picked up.
- An effort will be made to strengthen the briefing of traffic marshals, particularly at Brown Gate.
- During the changeover periods for the one way system installation and decommissioning, the motorbike spotter will be deployed to redirect any vehicles that have got temporarily "lost" in the change of system.
- An application for the use of temporary traffic lights at the Tenter Hill junction and for egress at some of the gates will be presented to Leeds City Council for consideration.
- The temporary CCTV (if installed) at Potterton Lane opposite Red Gate 1 will have some taper coning or signage to comply with Chapter 8.
- The Wattle Syke camera took a while to work properly in 2011 and it may be that moving from the T mobile signal at that location would help (if installed).
- In 2011 a ramp was built inside the red car park for the temporary VMS at Red Gate 2 and this will also be requested for Red Gate 1 in 2012.
- The journey time from Killingbeck will be taken into account in terms of the start times for West Yorkshire Police Traffic to ensure adequate coverage, particularly first thing on the Thursday.
- The length of time it takes the roadsweeper to dump and return to the roads for 2012 will be reviewed and a minimum response / turnaround time will be made part of the contract.

#### Appendix 37.a Traffic Management Plan Sample Press Release

- The press release for non festival goes now warns additionally of heavy volumes of traffic on the A64 eastbound on Monday and suggests the use of alternative routes during the morning and lunchtime period.

#### Appendix 37.e Traffic Management Plan Temporary VMS Schedule

- This has been updated to reflect the final positioning in 2011 and 2 new sites at Seacroft roundabout have been added subject to agreement with the relevant agencies

#### Appendix 37.g Traffic Management Plan Temporary CCTV Schedule

- This has been updated to reflect the final positioning in 2011 though remains subject to agreement for the use of the temporary CCTV for 2012

#### Appendix 37h.4 and 37h.5 Traffic Management Plan Coach Timetables

- The coach timetables for National Express and See Coaches have been provided from 2011 for reference for the moment and the 2012 timetables will be supplied in v2 of the Event Management Plan in August 2012.

#### Appendix 37.j Traffic Management Plan Manual of Agreed Tactics

- A junction number that was previously incorrect has been amended.

#### Appendix 51.a Water Safety Plan

- Statements have been added to confirm that the infrastructure and management of the water supply including water storage tanks will be installed, maintained and managed in accordance with BS8551:2011.
- Wicked Water are likely to be the onsite water contractor for 2012 but this is currently subject to contract. Should they not be appointed, the experience and biographical details of any replacement contractor will be included in the Water Safety Plan.
- Roles have been adjusted so that the Sampling Manager will now take responsibility for the water safety log including getting information from the onsite water contractor, lab results and results of chlorine tests as well as overseeing the sampling.
- The Sampling Manager will be line managed by the Water Safety Manager.
- Some personnel are to be confirmed.
- Water management and liaison structure chart inserted.
- The Water Safety Manager will audit the commissioning of the bladder tanks and the superchlorination of the system, including the bladder tanks.
- Yorkshire Water are continuing to test the mains water over the winter of 2011 and spring of 2012 post flushing for iron, manganese and turbidity and the results will be included in the Water Safety Plan.
- Should the testing for iron in 2012 be at the same sort of level as in 2011, then once again Yorkshire Water will be contacted for advice along with DaRo UV systems to confirm that the levels will not prevent the UV filters from working effectively.
- Leeds City Council's iron results for 2011 have been inserted for reference.
- It is very likely that the tanker supply will be from Wincanton Water. Should the contract not be signed with Wincanton Water, then the new contractors' details will be inserted in the Water Safety Plan and the procedures and methods used will be to at least the same standard as those outlined in the current draft of the Water Safety Plan.
- HPA Food, Water and Environmental Microbiology Network are relocating from Bridle Path to a new address in York
- Water sampling points to be easily identifiable onsite.
- The Water Safety Manager will conduct a daily audit and monitoring of the installed systems onsite and will notify Wicked Water of any issues such as leaks and note the same in the Water Safety Log.
- The installation of the water points and water infrastructure will be designed to prevent poor drainage or standing water wherever possible and the load in of the water infrastructure will be overseen and audited by the Water Safety Manager.
- Should there be an issue with stagnancy in the water system identified prior to the festival in 2012, trickle drains will be implemented.
- Some cloudy water was seen in 2011 and this was likely to have been due to air from the high pressure pumps. The Water Safety Manager will monitor this and investigate it at the time if present in 2012.
- Any work done to connecting supply points or altering spur points after superchlorination and the installation and sampling of the complete ring main will be supervised by a blue card holder in order to ensure that working methods do not compromise the integrity of the supply.
- Chlorine readings will be taken prior to nightfall 3 times per day.
- Chlorine testing will be carried out in accordance with the Drinking Water Inspectorate Guidance on calibration and AQC for residual chlorine measurements
- An additional column has been added into the daily sample / chlorine logs to include the water points served by the sample location for ease of reference.

#### Appendix 73 Noise Management Plan

- David Leversedge remains the Bronze Noise Consultant but he now works for a new company - Aria Acoustics.
- Noise at work monitoring has been removed from the duties of the noise consultant at the stages as this is covered by a separate team of noise at work monitors.

- The Site Manager and noise consultant will continue to explore the best position and orientation for Relentless for it to minimise the risk of public nuisance offsite should the Relentless Tent be confirmed again for 2012.
- The configuration of the sound system in the Relentless Tent will be designed in order to minimise the risk of public nuisance offsite.
- The Site Manager and noise consultant will continue to explore the design for the Piccadilly Party system to minimise the risk of public nuisance offsite.

#### Appendix 87 Main Stage Pit Barrier Drawing

- This drawing has been amended to show the “nipple thrust” configuration of the Main Stage barrier used in 2011 and being retained for 2012.

#### Appendix 92 Fire Risk Assessment

- A risk assessment for the use of portacabins as sleeping accommodation and a sample fire lane checklist have been added as appendices to the Fire Risk Assessment for ease of reference. These documents have previously been available but under separate cover.
- As new statement has been added to clarify that it will be a condition of contract with Midland Fire that they liaise with West Yorkshire Fire and Rescue as soon as is reasonably practicable with all information required for FDR1 forms etc if necessary from any such incidents that they attend.
- A new statement has been added which states that “it will be stressed to acts that any plans submitted for special effects to LCC and WYFRS must be accurate and specific to the performance at Leeds Festival, and that generic plans and risk assessments should not be submitted”,

#### Appendix 93 Noise at Work Risk Assessment

- Measurements taken during Leeds Festival 2011 have been added.

#### Appendix 94 Overall Risk Assessment

- Some minor amendments have been made to the terminology used in the risk assessment to ensure that it is consistent with terms used elsewhere in the Event Management Plan and appendices.
- The audience profile has been updated to include the results of a demographic survey completed in 2011.
- Statements about the failure of CCTV and the procedure in the event of a polyjohn overturning have been added into the overall risk assessment rather than being included as separate EMP appendices.
- A statement has been added that states “If Relentless return in 2012, then particular attention will be paid to make sure that their structural drawings and calculations are received in good time, that if the same structure from 2011 is returning that significant remedial works are taken to ensure that it is up to standard, and that once their calculations, drawings and method statements are agreed, that their structure is constructed as per the documentation submitted. Their structural calculations will be checked by a structural engineer and their structure will be closely supervised onsite by the Event Safety Co-ordinator”.

LICENSING COMMITTEE WORK PROGRAMME 2011/12- LAST UPDATED 31 Jan 2012 (hg)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Items Currently Unscheduled</b>			
<b>WYTSS</b>	Test purchasing and other measures tackling under age sales		B
<b>Regular Renewal of CRBs for Licence Holders</b>	Review, timetable to be agreed having regard to necessary public consultation	Des Broster	
<b>NVQ/VRQs for drivers</b>	Review ongoing arising from the Working Group	Des Broster	DP
<b>SEVs</b>	Training ongoing from January 2012. SEV applications to be considered w/c 11 June 2012		
<b>Casino</b>	Training ongoing from January 2012 Casino Stage 1 application process w/c 16 July 2012		
<b>City Centre Policing Update</b>	Discussion on city centre premises, licensing and policing (June/July 2012)	WYP	B
<b>TPHL Policy Review – ongoing review of the policies/conditions</b>	Timetable for the reviews was agreed Feb 11, the policies/conditions will return to Committee at the conclusion of the necessary consultation period (to include driver licences nationality & immigration status checks)	Des Broster (Sept 2011 – Jan 2012)	DP
<b>Planning &amp; Licensing</b>		S Holden/C Sanderson	B

Page 49

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
<b>Meeting date: 17 May 2011 - cancelled</b>			
<b>Meeting date: June 2011 – HELD.</b> Casino application pack/Annual Gov arrangements/procedure /appeals			
<b>Meeting date: 26 July 2011 – HELD</b> SEVS policy/HC Trade Forum constitution			
<b>Meeting date: 16 August 2011 – HELD</b> Leeds Festival EMP update			
<b>Meeting date: 13 September 2011 – HELD</b> WYP presentation, City Centre night time economy			
<b>Meeting date: 18 October 2011 – HELD</b> De-regulation of regulated ents, Casino Advisory Panel;			
<b>Meeting date: 15 November 2011 – HELD</b> Leeds Festival de-brief, Police reform Bill, TPHL operation matters, De-Regulation of ents.			

Agenda Item 10

**LICENSING COMMITTEE WORK PROGRAMME 2011/12- LAST UPDATED 31 Jan 2012 (hg)**

ITEM	DESCRIPTION	Officer	TYPE OF ITEM
<b>Meeting date: 20 December 2011 - CANCELLED</b>			
<b>Meeting date: 17 January 2012 – HELD – Large Casino application pack</b>			
<b>Meeting date: 14 February 2012</b>			
City Centre policing Update	Discussion on city centre premises, licensing and policing	WYP	B
Licensing Act 2003	Licensing Act Update – Jubilee, Live Music etc	Sue Holden	SC
Leeds Festival 2012	Report on outcome of 2011 and update on progress for the 2012 Festival	S Holder	B
<b>Meeting date: 14 March 2012</b>			
Appeals	Report on outcomes of recent appeal decisions	G Marshall	PM
Licensing statistics	Report on applications, determinations and outcomes	N Raper/J Mulcahy	B
<b>Meeting date: 10 April 2012</b>			
Leeds PCT	Final Alcohol Action Plan	Brenda Fullard	B
Transport & the night time economy	Workshop discussion on transport matters, strategy and impact on the night time economy	Andrew Hall	B
<b>Meeting date: 15 May 2012</b>			

Key:

RP – Review of existing policy

DP – Development of new policy

PM – Performance management

B – Briefings

SC – Statutory consultation