



A meeting of the Council will be held in the Civic Hall, Leeds on Wednesday, 14th November, 2018 at 1.15 pm

Members of the Council are invited to attend and transact the following business:

- 1 **Minutes of the last Meeting** 1 - 14

To approve the minutes of the Council Meeting held on 12th September 2018.

- 2 **Declarations of Interest**

To receive any declarations of interest from Members

- 3 **Communications**

To receive such communications as the Lord Mayor, the Leader, Members of the Executive Board or the Chief Executive consider appropriate.

- 4 **Deputations**

To receive deputations in accordance with Council Procedure Rule 10.

- 5 **Recommendations of the Executive Board - Safer Leeds
Community Safety Strategy (2018-2021)** 15 - 58

To consider the report of the Director Communities and Environment setting out recommendations from the Executive Board on 17th October 2018 to Full Council to approve the Safer Leeds Community Safety Strategy (2018-2021).

- 6 **Recommendations of the Executive Board - Gambling Act
2005 Statement of Licensing Policy** 59 - 134

To consider the report of the Director of Communities and Environment setting out recommendations from the Executive Board on 17th October 2018 to Full Council to approve the Gambling Act 2005 Statement of Licensing Policy 2019-2021 as the new policy to have effect from 31 January 2019.

7 **Recommendations of the Licensing Committee - Licensing Act 2003 Statement of Licensing Policy** 135 - 250

To consider the report of the Director of Communities and Environment setting out recommendations from the Licensing Committee on 2nd October 2018 to Full Council to approve the amended Licensing Policy as its Licensing Act 2003 Statement of Licensing Policy 2019-2023.

8 **Report on Appointments** 251 - 254

To consider the report of the City Solicitor on appointments.

9 **Report Plans Panels Annual Report** 255 - 268

To consider the report of the Chief Planning Officer presenting to Council the 2017-18 Plans Panels annual report.

10 **Questions**

To deal with questions in accordance with Council Procedure Rule 11.

11 **Minutes of the Health and Wellbeing Board and the Executive Board** 269 - 302

To receive the minutes in accordance with Council Procedure Rule 2.2(i).

12 **Report on Devolution** 303 - 324

To consider a report of the Chief Executive updating Members on matters relating to the progress of Devolution and matters regarding the Leeds City Region LEP and the West Yorkshire Combined Authority.

13 **White Paper Motion (in the name of Councillor Amanda Carter) - Managed Approach** 325 - 326

This Council notes the mounting objections to the Managed Approach in Holbeck and further notes growing evidence of resident and business dissatisfaction with this policy. This Council agrees with the concerns of the Member of Parliament for Leeds Central and believes it is time for the ruling administration to prove to residents and businesses that they can make the Managed Approach work, or suspend it.

**White Paper Motion (in the name of Councillor Coupar) -
Universal Credit**

This Council remains deeply concerned by the potentially devastating impact the full roll out of Universal Credit will have on vulnerable people and low income families in Leeds, despite the Chancellor's recent budget announcement.

Council is appalled by reports that Universal Credit:

- Exacerbates poverty and hardship, including child poverty
- Makes low income working families poorer
- Forces people to choose between food and rent
- Places people into debt because of delayed payments
- Leads to increased rent arrears for tenants in social housing
- Makes it harder for victims of domestic violence to leave abusive relationships
- Disadvantages non-IT literate people

Council notes that Universal Credit is likely to impact 85,000 people/families in Leeds when fully rolled out, with 10,000 affected in the first 12 months.

Council therefore calls on the Government to stop the roll out of Universal Credit without delay.

**White Paper Motion (not for debate) (in the name of
Councillor Blake) - International Holocaust Remembrance
Alliance**

This Council adopts the full IHRA working definition of antisemitism, including the 11 contemporary examples of antisemitism, as resolved in the May 2016 plenary session of the IHRA.

Tom Riordan
Chief Executive

Civic Hall
Leeds
LS1 1UR

Please note: this meeting may be filmed for live or subsequent broadcast via the City Council's website on the internet - at the start of the meeting the Lord Mayor will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding this, please contact the City Solicitor.

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the clerk.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.



Proceedings of the Meeting of the Leeds City Council held
Civic Hall, Leeds on Wednesday, 12th September, 2018

PRESENT: The Lord Mayor Councillor Graham Latty in the Chair.

WARD

ADEL & WHARFEDALE

Barry John Anderson
Caroline Anderson
Billy Flynn

ALWOODLEY

Dan Cohen
Neil Alan Buckley

ARDSLEY & ROBIN HOOD

Karen Renshaw
Ben Garner
Lisa Mulherin

ARMLEY

Alice Smart
James McKenna
Alison Natalie Kay Lowe

BEESTON & HOLBECK

Angela Gabriel
Gohar Almas
Andrew Scopes

BRAMLEY & STANNINGLEY

Kevin Ritchie
Caroline Gruen
Julie Heselwood

BURMANTOFTS & RICHMOND HILL

Ron Grahame
Asghar Khan
Denise Ragan

WARD

CALVERLEY & FARSLEY

Andrew Carter
Amanda Carter
Peter Carlill

CHAPEL ALLERTON

Eileen Taylor
Mohammed Rafique
Jane Dowson

CROSS GATES & WHINMOOR

Pauleen Grahame
Peter John Gruen
Jessica Lennox

FARNLEY & WORTLEY

Ann Blackburn
David Blackburn
Matt Gibson

GARFORTH & SWILLINGTON

Sarah Field
Suzanne McCormack

GIPTON & HAREHILLS

Salma Arif
Arif Hussain
Kamila Maqsood

GUISELEY & RAWDON

Graham Latty
Pat Latty
Paul John Spencer Wadsworth

HAREWOOD

Matthew James Robinson
Sam Firth
Ryan Stephenson

HEADINGLEY & HYDE PARK

Jonathon Pryor
Alison Garthwaite
Neil Walshaw

HORSFORTH

Dawn Collins
Jonathon Taylor
Jackie Shemilt

HUNSLET & RIVERSIDE

Elizabeth Nash

Paul Wray

KILLINGBECK & SEACROFT

Paul Drinkwater
David Jenkins
Katie Dye

KIPPAX & METHLEY

Mary Elizabeth Harland
James Lewis
Keith Ivor Wakefield

KIRKSTALL

Hannah Bithell
Fiona Elizabeth Venner
John Anthony Illingworth

LITTLE LONDON & WOODHOUSE

Kayleigh Brooks
Javaid Akhtar
Gerry Harper

MIDDLETON PARK

Judith Blake
Paul Anthony Truswell

MOORTOWN

Rebecca Charlwood
Sharon Hamilton
Mohammed Shahzad

MORLEY NORTH

Robert Gettings MBE JP
Andy Hutchison
Thomas Leadley

MORLEY SOUTH

Judith Elliott
Neil Dawson
Wyn Kidger

OTLEY & YEADON

Colin Campbell

Ryk Downes

PUDSEY

Simon Seary

Mark Harrison

Richard Alwyn Lewis

ROTHWELL

Barry Stewart Golton

Karen Bruce

ROUNDHAY

Eleanor Tunnicliffe

Angela Wenham

Jacob Goddard

TEMPLE NEWSAM

Debra Coupar

Helen Hayden

Michael Lyons

WEETWOOD

Jonathan Bentley

Christine Knight

James Gibson

WETHERBY

Norma Harrington

Alan James Lamb

Gerald Wilkinson

37 Announcements

- a) The Lord Mayor reminded those present that the meeting was to be webcast.
- b) The Lord Mayor informed Council that Councillor Lay would not be attending the Council meeting as it was his silver wedding anniversary.
- c) The Lord Mayor reported that at the recent in Bloom awards ceremony Leeds had achieved 8 golds as well as many awards across the City.
- d) The Lord Mayor congratulated Mr Ed Anderson on his recent appointment as Her Majesty's Lord Lieutenant of West Yorkshire.
- e) The Lord Mayor reminded Members that it was the 40th anniversary of St Gemma's Hospice and this would be his charity in his year of office.
- f) The Lord Mayor reported the recent death of Honorary Alderman Grenville Fletcher.

Council stood in silent tribute.

38 Minutes of the last Meeting

It was moved by Councillor Dowson, seconded by Councillor Cohen and

RESOLVED – That the minutes of the meeting held on 11th July 2018 be approved.

39 Declarations of Interest

There were no declarations of interests.

40 Communications

The Chief Executive informed Council that responses to 2 Council resolutions had been received from Jo Johnson MP, Minister of State and Minister for London in respect of the White Paper on Transport considered by Council in July and Caroline Dinenage MP, Minister of State for Care in respect of the White Paper on NHS Funding, also considered by Council in July.

The responses had previously been circulated to all Members of Council.

In accordance with Council Procedure Rule 2.2 (d) Councillor Andrew Carter made a communication to Council in respect of the recent special urgency notice that was required in respect of a contract within the Children and Families Directorate, the Executive Member for Children and Families responded to the Communication.

41 Deputations

Four deputations were admitted to the meeting and addressed Council, as follows:-

- 1) Youth Council regarding transport in the City.
- 2) The tribe Youth Group regarding recycling in the City.
- 3) Pavements are for people asking for footpaths to be kept clear of obstructions.
- 4) West Park Residents regarding the Lawnswood & Otley Old Road Scheme.

RESOLVED – That the subject matter in respect of deputation 1 be referred to the Director of City Development and Director of Children and Families for consideration in consultation with the relevant Executive Member, that the subject matter in respect

of deputation 2 be referred to the Directors of Children & Families, Resources & Housing and Communities & Environment for consideration in consultation with the relevant Executive Member and that the subject matter in respect of deputations 3 and 4 be referred to the Director of City Development for consideration in consultation with the relevant Executive Member.

42 Report on Scrutiny at Leeds City Council - Annual Report 2017/18

It was moved by Councillor J Lewis, seconded by Councillor Dowson and

RESOLVED – That the report of the City Solicitor presenting the Scrutiny Boards Annual Report to Council prepared in accordance with Article 6 of the Constitution be received and noted.

43 Report - Community Committee Annual Report

It was moved by Councillor Coupar, seconded by Councillor Dowson and

RESOLVED – That the report of the Director of Communities & Environment presenting to Council the Community Committees' Annual report for 2017/18 be received and that the work now being progressed to further improve the effectiveness, community engagement role and improvement work of Community Committees be noted.

44 Questions

Q1 Councillor Harrison to the Executive Member (Environment and Active Lifestyles):-

Does the Executive Member for Environment and Active Lifestyles agree with me that disposing of waste at household waste sites should be free of charge, and that this would help to reduce fly tipping and reduce the cost of cleaning up after people who may try to avoid charges?

The Executive Member (Environment and Active Lifestyles) replied.

Q2 Councillor J Bentley to the Executive Member (Regeneration, Transport and Planning):-

Is the Executive Member for Regeneration, Transport and Planning satisfied with the quality of the remedial surface dressing work that has recently been carried out on roads in north Leeds?

The Executive Member (Regeneration, Transport and Planning) replied.

Q3 Councillor Lowe to the Leader of Council:-

Please could the Leader of Council update members on Leeds response to the recent national debate about equalities?

The Leader of Council replied.

Q4 Councillor Hutchison to the Executive Member (Communities):-

Could the Executive Board Member for Housing confirm that she supports bringing council homes up to a decency standard across Leeds and specifically in Drighlington in the Morley North Ward and also confirm that the proposed works on the Kingsway Estate to replace rotten single glazed wooden windows and to introduce – in many cases for the first time – gas

central heating systems on the same estate – will be completed in the current financial year?

The Executive Member (Communities) replied.

Q5 Councillor Tunnicliffe to the Executive Member (Resources & Sustainability):-

Will the Executive Member please comment on the impact of the 2019/20 Business Rates Pilot Announcement?

The Executive Member (Resources & Sustainability) replied.

Q6 Councillor Buckley to the Executive Member (Regeneration, Transport and Planning):-

Given recent speculation about First Group's future, and the extent to which this administration relies on this company for much of its current and future transport strategy, what discussions has the Executive Member for Regeneration, Transport and Planning had with First and others about commitments and contingencies in the event that First is restructured?

The Executive Member (Regeneration, Transport and Planning) replied.

Q7 Councillor C Gruen to the Executive Member (Health, Wellbeing and Adults):-

Would the Executive Member like to comment on the recent Neighbourhood Networks grants?

The Executive Member (Health, Wellbeing and Adults) replied.

At the conclusion of question time, the following questions remained unanswered and it was noted that, under the provisions of Council Procedure Rule 11.6, written answers would be sent to each Member of Council:-

Q8 Councillor Leadley to the Executive Member (Regeneration, Transport and Planning):-

Q9 Councillor Heselwood to the Executive Member (Learning, Skills and Employment):-

Q10 Councillor Flynn to the Executive Member (Children and Families):-

Q11 Councillor Hamilton to the Executive Member (Communities).

Q12 Councillor D Blackburn to the Executive Member (Environment and Active Lifestyles).

Q13 Councillor Venner to the Executive Member (Children and Families).

Q14 Councillor C Anderson to the Executive Member (Regeneration, Transport and Planning).

Q15 Councillor Illingworth to the Executive Member (Regeneration, Transport and Planning).

Q16 Councillor Harrington to the Executive Member (Regeneration, Transport and Planning).

- Q17 Councillor Robinson to the Executive Member (Environment and Active Lifestyles).
- Q18 Councillor B Anderson to the Executive Member (Regeneration, Transport and Planning).
- Q19 Councillor Stephenson to the Executive Member (Environment and Active Lifestyles).
- Q20 Councillor Robinson to the Leader of Council.
- Q21 Councillor Stephenson to the Leader of Council.
- Q22 Councillor Flynn to the Executive Member (Resources & Sustainability).
- Q23 Councillor Stephenson to the Leader of Council.
- Q24 Councillor Flynn to the Executive Member (Health, Wellbeing and Adults).
- Q25 Councillor Robinson to the Executive Member (Communities).
- Q26 Councillor Flynn to the Executive Member (Environment and Active Lifestyles).
- Q27 Councillor Robinson to the Executive Member (Communities).
- Q28 Councillor Robinson to the Executive Member (Regeneration, Transport and Planning).

45 Minutes of the Health and Wellbeing Board and the Executive Board

It was moved by Councillor Blake, seconded by Councillor Dowson that the minutes be received in accordance with Council Procedure Rule 2.2(i).

RESOLVED – That the minutes be received in accordance with Council Procedure Rule 2.2(i).

Council Procedure Rule 4, providing for the winding up of business, was applied prior to all notified comments on the minutes having been debated.

At the conclusion of this item Council adjourned from 16.20 to 16.50.

46 Report on Devolution

It was moved by Councillor Blake, seconded by Councillor J Lewis and

RESOLVED – That the report of the Chief Executive updating Members on matters in respect of devolution be received.

47 White Paper Motion (in the name of Councillor Cohen) - Education Standards

It was moved by Councillor Cohen, seconded by Councillor Lamb that this Council believes that schools, teachers and pupils in Leeds are working hard to improve outcomes, and wishes to congratulate everyone who succeeded in their exams this year. However Council believes that there is a fundamental lack of ambition from the Council at a strategic level that is continuing to fail many young learners.

At Key Stage 2 the percentage of pupils in Leeds reaching the expected standard in reading, writing and maths has improved, but the pace of change is painfully slow,

leaving Leeds still lagging behind national averages across many groups and measures.

Vulnerable learners in Leeds fare worse than their peers nationally. The attainment gap at Early Years between disadvantaged pupils in Leeds and non-disadvantaged pupils nationally was 26 percentage points in 2016 and 2017, whilst at Key Stage 2 the gap was even worse. SEN pupils in Leeds performed less well than SEN pupils nationally across all categories in 2016-17.

Council acknowledges the challenges involved in improving performance, but believes that for too long this administration has neglected the education side of children's services. A Council aiming to be the best in the UK should be looking to exceed, not merely reach, national averages, yet a report card of the administration's efforts over the last 8 years would surely read "must try harder".

This Council therefore calls on the Director of Children and Families to bring a report to Executive Board setting out the steps necessary to make urgent and sustained improvement to education standards at all levels in the city.

An amendment was moved by Councillor Golton, seconded by Councillor Downes

To amend the motion by:

Inserting an additional paragraph, after "must try harder" at the end of paragraph four, to read:

"This Council is dismayed that despite being urged strongly to do so voluntarily at Executive Bards in April 2017 and June 2018 in discussions on successive Annual Standards Reports, this administration has offered no policy initiatives to halt its worsening performance"

The amended motion would then read:

"This Council believes that schools, teachers and pupils in Leeds are working hard to improve outcomes, and wishes to congratulate everyone who succeeded in their exams this year. However Council believes that there is a fundamental lack of ambition from the Council at a strategic level that is continuing to fail many young learners.

At Key Stage 2 the percentage of pupils in Leeds reaching the expected standard in reading, writing and maths has improved, but the pace of change is painfully slow, leaving Leeds still lagging behind national averages across many groups and measures.

Vulnerable learners in Leeds fare worse than their peers nationally. The attainment gap at Early Years between disadvantaged pupils in Leeds and non-disadvantaged pupils nationally was 26 percentage points in 2016 and 2017, whilst at Key Stage 2 the gap was even worse. SEN pupils in Leeds performed less well than SEN pupils nationally across all categories in 2016-17.

Council acknowledges the challenges involved in improving performance, but believes that for too long this administration has neglected the education side of children's services. A Council aiming to be the best in the UK should be looking to exceed, not merely reach, national averages, yet a report card of the administration's efforts over the last 8 years would surely read "must try harder".

This Council is dismayed that despite being urged strongly to do so voluntarily at Executive Boards in April 2017 and June 2018 in discussions on successive Annual Standards Reports, this administration has offered no policy initiatives to halt its worsening performance.

This Council therefore calls on the Director of Children and Families to bring a report to Executive Board setting out the steps necessary to make urgent and sustained improvement to education standards at all levels in the city.”

A second amendment was moved by Councillor Pryor, seconded by Councillor Heselwood

Delete all after “This Council...” and replace with:

“...wholeheartedly congratulates all pupils, teachers, staff and schools across Leeds on this years’ exam results. We understand how much work goes into achieving these results and the stress both pupils and teachers are under. We are delighted that results in Leeds are continuing to climb.

Council acknowledges the challenges involved in improving performance, and believes that although we are on the correct trajectory we must continue to work hard to not only close the gap with the national average, but to exceed it – making Leeds the best city to grow up in and giving every child in Leeds the best start in life.

Council further acknowledges the additional challenges facing our pupils and schools, including continued Government funding cuts, increased class sizes and teacher shortages.

Council condemns the many damaging decisions taken by Government but in particular both the continued austerity measures which have seen an increase in child poverty levels and the decision by Government to reduce funding for post-16 Special Educational Needs and Disabilities pupils.

Council therefore calls on Government to:

- Re-instate the Education Maintenance Allowance
- Properly fund Special Educational Needs and Disabilities education
- Adequately fund all schools
- Invest in the maintenance of school buildings
- Take urgent steps to reverse the teacher shortage
- Recognise the impact austerity measures are having on children and in particular in terms of attainment
- Urgently allocate funding to local authorities to enable them to support vulnerable children and families.
- Return powers to Local Authorities to open new schools to tackle the school places crisis.”

The amendment in the name of Councillor Golton was declared lost, the second amendment in the name of Councillor Pryor was carried and upon being put to the vote it was

RESOLVED – That this Council wholeheartedly congratulates all pupils, teachers, staff and schools across Leeds on this years’ exam results. We understand how much work goes into achieving these results and the stress both pupils and teachers are under. We are delighted that results in Leeds are continuing to climb.

Council acknowledges the challenges involved in improving performance, and believes that although we are on the correct trajectory we must continue to work hard to not only close the gap with the national average, but to exceed it – making Leeds the best city to grow up in and giving every child in Leeds the best start in life.

Council further acknowledges the additional challenges facing our pupils and schools, including continued Government funding cuts, increased class sizes and teacher shortages.

Council condemns the many damaging decisions taken by Government but in particular both the continued austerity measures which have seen an increase in child poverty levels and the decision by Government to reduce funding for post-16 Special Educational Needs and Disabilities pupils.

Council therefore calls on Government to:

- Re-instate the Education Maintenance Allowance
- Properly fund Special Educational Needs and Disabilities education
- Adequately fund all schools
- Invest in the maintenance of school buildings
- Take urgent steps to reverse the teacher shortage
- Recognise the impact austerity measures are having on children and in particular in terms of attainment
- Urgently allocate funding to local authorities to enable them to support vulnerable children and families.
- Return powers to Local Authorities to open new schools to tackle the school places crisis.”

48 White Paper Motion (in the name of Councillor A Blackburn) - Plastic Waste

It was moved by Councillor A Blackburn, seconded by Councillor Elliott that this Council notes with concern that according to recent research, eight million metric tonnes of plastic waste ends up in the world’s oceans each year, endangering marine life, and the Ellen MacArthur Foundation estimates that by 2050 the weight of plastic in the oceans will exceed that of fish. There is also a growing understanding of the risks posed to human health by toxic chemicals present in plastics.

This Council, therefore, resolves to:

1. Phase out the use of single use plastics by this Council and its supply chain by the end of 2019, and ensure that any single use plastics still in use because of existing contracts have a definite end date for their use.
2. End the sale and provision of single use plastic products, such as bottles, cups, cutlery, drinking straws and food containers, in council buildings.
3. Investigate the possibility of requiring pop-up food and drink vendors at Council events to avoid single use plastics as a condition of their contract.
4. Work with tenants and operators in commercial properties owned by this Council to support the phasing out of single use plastic cups, bottles, cutlery, straws and food containers.
5. Work with event organisers to create policy in which single use disposable plastic cups and glasses are replaced at all city events with reusable or

deposit scheme cups and glasses, and that single use plastic food containers are not provided.

6. Bring a report to the Executive Board within 6 months highlighting the progress made.

An amendment was moved by Councillor Wadsworth, seconded by Councillor Stephenson

Insert the following bullet point between 'are not provided' and 'Bring a report to':

'Investigate what more the Council can do to ensure it recycles more plastic and provides opportunities for businesses and the public to recycle plastic.'

Motion will read:

'This Council notes with concern that according to recent research, eight million metric tonnes of plastic waste ends up in the world's oceans each year, endangering marine life, and the Ellen MacArthur Foundation estimates that by 2050 the weight of plastic in the oceans will exceed that of fish. There is also a growing understanding of the risks posed to human health by toxic chemicals present in plastics.'

This Council, therefore, resolves to:

1. Phase out the use of single use plastics by this Council and its supply chain by the end of 2019, and ensure that any single use plastics still in use because of existing contracts have a definite end date for their use.
2. End the sale and provision of single use plastic products, such as bottles, cups, cutlery, drinking straws and food containers, in council buildings.
3. Investigate the possibility of requiring pop-up food and drink vendors at Council events to avoid single use plastics as a condition of their contract.
4. Work with tenants and operators in commercial properties owned by this Council to support the phasing out of single use plastic cups, bottles, cutlery, straws and food containers.
5. Work with event organisers to create policy in which single use disposable plastic cups and glasses are replaced at all city events with reusable or deposit scheme cups and glasses, and that single use plastic food containers are not provided.
6. Investigate what more the Council can do to ensure it recycles more plastic and provides opportunities for businesses and the public to recycle plastic.
7. Bring a report to the Executive Board within 6 months highlighting the progress made.

A second amendment was moved by Councillor J Bentley, seconded by Campbell

Insert a new bullet point 6 that reads:

- "6. Extend household waste recycling to include category 3 (PVC), category 5 (Polypropylene) and category 6 (polystyrene)"

The current bullet point 6 will become bullet point 7:

The last three bullet points will thus read:

5. Work with event organisers to create policy in which single use disposable plastic cups and glasses are replaced at all city events with reusable or deposit scheme cups and glasses, and that single use plastic food containers are not provided.
- 6 Extend household waste recycling to include category 3 (PVC), category 5 (Polypropylene) and category 6 (polystyrene)¹¹
- 7 Bring a report to the Executive Board within 6 months highlighting the progress made.

The amendment in the name of Councillor Wadsworth was carried, the amendment in the name of Councillor J Bentley was declared lost and upon being put to the vote it was

RESOLVED – That this Council notes with concern that according to recent research, eight million metric tonnes of plastic waste ends up in the world's oceans each year, endangering marine life, and the Ellen MacArthur Foundation estimates that by 2050 the weight of plastic in the oceans will exceed that of fish. There is also a growing understanding of the risks posed to human health by toxic chemicals present in plastics.

This Council, therefore, resolves to:

1. Phase out the use of single use plastics by this Council and its supply chain by the end of 2019, and ensure that any single use plastics still in use because of existing contracts have a definite end date for their use.
2. End the sale and provision of single use plastic products, such as bottles, cups, cutlery, drinking straws and food containers, in council buildings.
3. Investigate the possibility of requiring pop-up food and drink vendors at Council events to avoid single use plastics as a condition of their contract.
4. Work with tenants and operators in commercial properties owned by this Council to support the phasing out of single use plastic cups, bottles, cutlery, straws and food containers.
5. Work with event organisers to create policy in which single use disposable plastic cups and glasses are replaced at all city events with reusable or deposit scheme cups and glasses, and that single use plastic food containers are not provided.
6. Investigate what more the Council can do to ensure it recycles more plastic and provides opportunities for businesses and the public to recycle plastic.
7. Bring a report to the Executive Board within 6 months highlighting the progress made.

49 White Paper Motion (in the name of Councillor Blake) - Leeds Flood Alleviation Scheme

In accordance with the provisions of Council Procedure Rule 14.9 (a) leave of Council was given to Councillor Blake to alter the motion in her name by the inclusion of the amendment in the name of Councillor Andrew Carter.

The amended motion is set out below;

It was moved by Councillor Blake, seconded by Councillor Andrew Carter that this Council and everyone in Leeds remembers the devastating impact of the Storm Eva floods in Leeds over the Christmas period in 2015 and in particular the destruction caused to thousands of residential and business properties.

Council recalls commitments made at that time by Government Ministers to ensure delivery of Phase 2 of the Leeds Flood Alleviation scheme to prevent a repeat of the damage and misery caused by Storm Eva.

Council is therefore deeply concerned by a letter received from the Environment Agency rejecting the Council's proposed flood defence scheme and only offering to fund a lower cost scheme with a reduced level of protection that would not prevent a reoccurrence of the 2015 floods.

Council calls for the Secretary of State for the Environment, Food and Rural Affairs to meet Council representatives on an all-party basis as soon as possible to ensure sufficient Government funding is provided to deliver Phase 2 of the Leeds Flood Alleviation scheme in its entirety to a 1 in 200 year standard.

In accordance with the provisions of Council Procedure Rule 13.2(d) and 14.10 and with the consent of the seconder leave of Council was given to Councillor Andrew Carter to withdraw the amendment in his name.

An amendment was moved by Councillor Campbell, seconded by Councillor Downes;

To move an Amendment:

To include "in all areas of the City" at the end of the first paragraph and

To include "plus a commitment to fund an alleviation scheme in Otley to help" after "Leeds Flood Alleviation scheme" in paragraph two and

To include "along with Otley" after "Phase 2 of the Leeds" and replace "its" with "their" after "Flood Alleviation scheme in" in the fourth paragraph and

Remove "to a 1 in 200 year standard" at the end of the fourth paragraph.

The amended motion will then read:

"This Council and everyone in Leeds remembers the devastating impact of the Storm Eva floods in Leeds over the Christmas period in 2015 and in particular the destruction caused to thousands of residential and business properties, in all areas of the City.

Council recalls commitments made at that time by Government Ministers to ensure delivery of Phase 2 of the Leeds Flood Alleviation scheme, plus a commitment to fund an alleviation scheme in Otley, to help prevent a repeat of the damage and misery caused by Storm Eva.

Council is therefore deeply concerned by a letter received from the Environment Agency rejecting the Council's proposed flood defence scheme and only offering to fund a lower cost scheme with a reduced level of protection that would not prevent a reoccurrence of the 2015 floods.

Council calls for the Secretary of State for the Environment, Food and Rural Affairs to meet Council representatives as soon as possible to ensure sufficient Government funding is provided to deliver Phase 2 of the Leeds, along with the Otley, Flood Alleviation scheme in their entirety."

The amendment in the name of Councillor Campbell were declared lost and upon being put to the vote it was

RESOLVED – That this Council and everyone in Leeds remembers the devastating impact of the Storm Eva floods in Leeds over the Christmas period in 2015 and in particular the destruction caused to thousands of residential and business properties.

Council recalls commitments made at that time by Government Ministers to ensure delivery of Phase 2 of the Leeds Flood Alleviation scheme to prevent a repeat of the damage and misery caused by Storm Eva.

Council is therefore deeply concerned by a letter received from the Environment Agency rejecting the Council's proposed flood defence scheme and only offering to fund a lower cost scheme with a reduced level of protection that would not prevent a reoccurrence of the 2015 floods.

Council calls for the Secretary of State for the Environment, Food and Rural Affairs to meet Council representatives on an all-party basis as soon as possible to ensure sufficient Government funding is provided to deliver Phase 2 of the Leeds Flood Alleviation scheme in its entirety to a 1 in 200 year standard.

Council rose at 7.12 pm

Report of Report of the Director of Environment and Communities

Report to Council

Date: 14th November 2018

Subject: Submission of the Safer Leeds Community Safety Strategy (2018-2021)

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. Safer Leeds Executive (SLE), the city’s Community Safety Partnership, has a statutory requirement to prepare and implement a local Crime and Disorder Reduction Plan, referred to locally as the Safer Leeds Community Safety Strategy. The strategy also forms part of the council’s budget and policy framework, and requires approval by Full Council. *(The strategy document is included as Appendix I).*

2. Safer Leeds has an overarching outcome that the Partnership seeks to achieve, this being: *People in Leeds are safe and feel safe in their homes, in the streets and the places they go.* For the new Community Safety Strategy (2018-21); a short, public-facing document, SLE have agreed the following shared priorities that the partnership will concentrate on over the term of the strategy:
 - Keeping people safe from harm (victim)
 - Preventing and reducing offending (offender)
 - Creating safer, stronger communities (location)

3. The shared priorities of **‘victim, offender and location’** denotes both a universal and targeted approach to addressing community safety matters, regardless of the issue, with a recognition that to achieve the desired outcomes the emphasis has to be on **‘People and Place’**.

4. The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007, prescribes each Local Government Area to prepare an annual strategic assessment, to assist the strategy group to review and revise the local partnership plan. On the **17th January 2018**, SLE members considered the annual Joint Strategic Assessment (JSA) which includes both quantitative and qualitative information and data across a range of community safety and linked factors, to determine a final “risk score” assessment. From this intelligence product, a number of reoccurring themes and issues were identified, these fed into workshop with SLE members to consider strategic priorities and help shape a new strategy.
5. Throughout this process the Community Safety Strategy has been developed in conjunction with representatives of all the ‘Responsible Authorities’ and ‘Cooperating Bodies’ of SLE, including representatives from the Leeds Health and Wellbeing Board, Leeds Safeguarding Children Partnership and Leeds Adults Safeguarding Board. At subsequent SLE meetings (**28th March, 6th June and 19th July**) and as part of the SLE Review, further discussions and feedback on the draft strategy was obtained.
6. On **25th July 2018**, the Council’s Leadership Team received the draft strategy for consideration and approval for this to be considered by the relevant Scrutiny Board, prior to submission to the Executive Board.
7. On the **26th July 2018**, the Environment, Housing and Communities Scrutiny Board considered the draft Community Safety Strategy. Formal feedback was received in their Statement for the Executive Board on the **3rd October 2018** and amendments to the strategy were made accordingly. (*This report is included as Appendix II*). The strategy was also discussed and cleared by the Community Safety Champions on **10th October 2018**. The recommendations and inclusions were documented in the Executive Board report.
8. On the **5th September**, the Health and Wellbeing Board also considered the draft strategy and included a focus on increasing connectivity between Boards.
9. On the **17th October**, the Executive Board recommended that Council approves the submission. (*This report is included as Appendix III*).
10. During the consultation phase it was clear that stakeholders acknowledged the mature partnership that already exists, the areas that require further development and the links to numerous cross cutting agendas and work with other Boards. In particular stakeholders welcomed the:
 - increased focus on the acute safeguarding issues relating to victims, offenders and locations regardless of crime type
 - greater emphasis on ‘People and Place’ with a focus on early intervention and prevention around the ‘Think Family/ Work Family’ approach as part of local problem solving, and
 - the sense and commitment to continually improve both policy and practice, in order to achieve better outcomes for individuals, families and communities

Recommendations

11. Council is invited to:
 - i. Approve the submission of the Safer Leeds ‘Community Safety Strategy’.

1. Purpose of this report

1.1. The purpose of this report is to seek Council approval of the Safer Leeds Community Safety Strategy (2018-2021).

1.1 The **Partnership's Shared Priorities** over the term of the strategy will be:

- Keeping people safe from harm (victim)
- Preventing and reducing offending (offender)
- Creating safer, stronger communities (location)

With a focus on:

- ❖ Anti-social behaviours and criminal exploitation
- ❖ Crime and disorder related to drugs, alcohol and mental health
- ❖ Hate crime and community tensions
- ❖ Safeguarding including domestic violence and abuse, sexual violence and abuse, forced marriage and honour based abuse and modern slavery abuse
- ❖ Serious and organised crime

1.2 In addition, Safer Leeds will work with and support other partnership boards and delivery groups on the following issues:

- Community cohesion
- Pupil/ Student Safety
- Safer Travel/ Road Safety/ Vehicular anti-social behaviour
- Other relevant Safeguarding issues pertinent to crime and disorder

2. Background information

2.1. 2018 marks 20 years since the 1998 Crime and Disorder Act, in which (Section 5 of the Act) community safety partnerships were established, then known as 'crime and disorder reduction partnerships' in England. Over this time, Leeds has maintained its strong commitment to an alliance of organisations and partnership arrangements to generate a number of strategies and policies, implement a range of actions and interventions all relating to addressing concerns around crime and disorder, drug misuse and offending, within the partnership area.

2.2. Of note, the Police Reform and Social Responsibility Act 2011 replaced Police Authorities with Police and Crime Commissioners (PCCs), and introduced Police and Crime Panels (PCPs) to scrutinise the decisions and actions of the PCCs and assist them in carrying out their functions. Local community safety strategies are required to have due regard to the objectives set out in the Police and Crime Plan for the wider police area. The first West Yorkshire Police and Crime Plan 2013-2018 was published in March 2013, and was subsequently updated in 2014 and currently the Police and Crime Plan for 2016-21 is in operation. The Leeds 'Community Safety Strategy' reflects and supports the West Yorkshire Plan.

2.3. Leeds City Council continues to provide strong political and officer lead strategic leadership to Safer Leeds, recognising its place and function, in fulfilling its duties and responsibilities to Leeds, and working with partners in addressing these complex issues.

3. Main issues

- 3.1. Like other cities, Leeds faces significant challenges and pressures that have an impact on community safety at an individual, family and community level. To tackle existing, new and emerging risks, threats and harms, the collective focus on meeting increasing demands and preventing future victimisation and offending; is and remains central. The shared priorities of **'victim, offender and location'** are strongly connected as one impacts on the other directly and indirectly. They also denote both a universal and targeted approach to addressing community safety issues, with a recognition that to achieve the desired outcomes, there has to be a greater emphasis on both **'People and Place'**.
- 3.2. **Keeping people safe from harm (victim)** ~ we want all people who live, work and socialise in Leeds to be safe and feel safe. This priority is at the heart of the work that all partner agencies do. The increases in demand for services relating to crime and wider anti-social behaviour issues can cause considerable distress to people, can be damaging and can escalate into more serious behaviours. People who come into contact with services may have multiple and/ or complex needs so having a person-centred approach and improving our collective response is fundamental. This is about:
- ❖ Protecting people who are victims of crime or at risk of being victimised and safeguarding the most vulnerable from harm
 - ❖ Preventing people from being victims and/ or being exploited
 - ❖ Promoting feelings of safety and confidence in policing and community safety, building resilience for individuals, families and communities
- 3.3. **Preventing and reducing offending (offender)** ~ we want people who commit crime and anti-social behaviour to change their negative behaviour. This priority is fundamental to keeping people safe and is central to the work of services working for and linked to the criminal justice system. Offending takes many forms from anti-social behaviour, acquisitive crime, through to violence and organised crime. For those causing harm, there are and should be appropriate consequences including custodial sentences, offender management programmes and supervision in the community. People who offend, reoffend or who are at risk of first time offending do so for a host of different reasons but it's their behaviour that has a direct impact on their victims, their families and communities, and ultimately themselves. This is about:
- ❖ Preventing acts of anti-social and criminal behaviour, using a Think Family/ Work Family approach
 - ❖ Problem solving justice, across services and with individuals, families and communities
 - ❖ Intervening early to reduce escalation of offending
 - ❖ Rehabilitating offenders to build public confidence
- 3.4. **Creating safer, stronger communities (location)** ~ we want Leeds to be a compassionate and caring city with a strong economy, which tackles poverty and reduces inequalities. This priority is central to the city's vision of being welcoming, fair, sustainable, ambitious, creative, safe and fun for all. Within the growing demands of crime and disorder there is a requirement to focus resources in the right place at the right time. Having a place-based approach that is still centred on people, be that a geographical locality or a community of interest, regardless of the issue. This is about:

- Building resilient communities, supporting those in most need as well as ensuring all people are empowered to help themselves
 - Strong local leadership, increasing community conversations to resolve problems and conflict locally, raising aspirations, creating better links to social and economic opportunities
 - Protecting the places where people live, socialise, travel to or work from, creating safer and cleaner streets
 - Promoting feelings of safety and confidence in policing and community safety
- 3.5. The Safer Leeds Community Safety Strategy provides all partners with an opportunity to 'refocus' on some critical challenges; of which 3 are highlighted here:
- **Problem Solving** ~ requires a breakthrough in prevention, early intervention and vulnerability at an individual, family and community level
 - **Acute Safeguarding Risks** ~ diverse & complex issues requires transformation in service delivery models
 - **Invest to Save** ~ addressing sources of demand through partnership activity and community led policing, that builds trust & confidence
- 3.6. Safer Leeds will continue to look to improve current core services and work with other Boards, partnerships and/ or bodies on programmes and projects that help the city move closer to the desired outcome. The strategy also sets out high level intent and as with all strategies it's about the delivery of those intentions. The SLE were keen in this strategy to have ascribed actions (additionality) that named leads would commit to taking forward this year.
- 3.7. To support the implementation of the strategy, work is in progress on a developing a refreshed partnership architecture and reconfigured operational delivery model, to take forward the new strategy. This is outlined in the Executive Board report (appendix III) and includes:
- ❖ Safer Leeds Executive Review
 - Refreshed terms of reference ~ including membership from partners previously not on SLE
 - New Governance and Accountability arrangements ~ including the establishment of Operational Delivery Boards and Placed Based Boards
 - Revised Information Sharing Protocol and refocus on Performance and Outcomes
 - Consultation and engagement on the Strategy with the development of a Communications and Engagement Plan
 - A commitment to continually review the allocation of Safer Communities Funding, via the OPCC, to support the priorities within the strategy.
- 3.8. The Executive Board report summarises the key consultation issues raised which have been incorporated into the Safer Leeds Community Safety Strategy.

4. Corporate Considerations

4.1. Consultation and Engagement

- 4.1.1. The SLE has a statutory requirement to produce an annual Joint Strategic Assessment (JSA) to assess the scale and nature of crime and disorder in the city and to identify medium to long term issues affecting community safety. The JSA includes analysis of a range of both quantitative and qualitative data from across the partnership. It identified a number of reoccurring themes and this information and intelligence has therefore been used to inform delivery plans that underpin the overarching Strategy.
- 4.1.2. Evidence from public consultation via the Office of the Crime and Commissioner and intelligence collated from residents accessing services delivered by Community Safety, such as the Leeds Anti-Social Behaviour Team, have been used to inform the contents of the strategy along with a range of Outcomes Based Accountability sessions held with operational professionals and service users during 2016 and 2017.
- 4.1.3. Partners and representatives from a range of stakeholders (Leeds City Council; West Yorkshire Police; West Yorkshire Fire and Rescue Service; National Probation Trust; Leeds Clinical Commissioning Group, the Voluntary and Community Sector, West Yorkshire Community Rehabilitation Company; HM Prison Service, Leeds Children's Trust Board; Leeds Health and Wellbeing Board, Leeds Safeguarding Adults Board; Leeds Safeguarding Children Board and the Scrutiny Board (Environment, Housing and Communities) have helped shape and contributed to the new Safer Leeds Community Safety Strategy).

4.2. Equality and Diversity / Cohesion and Integration

- 4.2.1. Equality has been an integral part of the preparation of the Safer Leeds Community Safety. Due regard has been given to the equality characteristics and an equality screening has been prepared and was considered by Executive Board. Equality Impact Assessment screenings have and will be undertaken at key stages of the implementation of strategy
- 4.2.2. A key aim of the strategy is to work closely with a range of communities of interest, and in particular to improve all forms of hate crime reporting and domestic violence and abuse related incidents both of which are under reported. The Equality, Diversity, Cohesion and Integration Screening document (Appendix IV) is attached to this report.

4.3. Council Policies and Best Council Plan

- 4.3.1. The Safer Leeds Community Safety Strategy links directly to the Council's ambition of a Strong Economy and a Compassionate City, with an emphasis on People and Place and will contribute both directly and indirectly to all the Best City Priorities, including the Best Council Plan 2018/19 – 2020/21 priority, 'Safe, Strong Communities' and the Inclusive Growth Strategy which, alongside the Health and Wellbeing Strategy city strategies supports the Best Council Plan.
- 4.3.2. The partnership also plays a key role in monitoring community tensions and promoting community cohesion, by supporting communities and tackling poverty.

4.4. Resources and Value for Money

4.4.1. Leeds City Council invests through its core functions to the community safety agenda across all Directorates, contributing funding directly and indirectly to service provision and delivery, on this cross cutting agenda. It is estimated that the actual spend, for 2018/19, equates to £8.5m investment. A high level breakdown is provided here:

Expenditure by Service Area	£000s
LASBT	2,902
Leedswatch	3,188
Partnership	663
PCSOs	635
Safeguarding	605
Community Safety Fund/ Grant Funding	490
Total	8,483

4.4.2. Since coming to Office in November 2012, the West Yorkshire Police and Crime Commissioner has provided funding to Safer Leeds on an annual basis to support the partnership's priorities. For 2018/19, the confirmed local allocation being £1,275,959 of which £464,892 is specifically for the Community Safety Fund element, to deliver a range of community safety related activity to support the Safer Leeds Strategy.

4.4.3. Accountability for the delivery of these funds, sits with the SLE though Leeds City Council, who seek to ensure value for money and excellence in service delivery. Financial and performance reporting occurs on a quarterly basis.

4.5. Legal Implications, Access to Information, and Call-In

4.5.1. This report does not contain any exempt or confidential information. The report is ineligible for Call In, as the Executive and Decision Making Procedure Rules state: 'The power to call in decisions does not extend to decisions made in accordance with the Budget and Policy Framework Procedure Rules'. This is one such decision. In line with the Budget & Policy Framework Procedure Rules, the matter has been considered by the relevant Scrutiny Board.

4.6. Risk Management

4.6.1. National changes to government legislation and prioritisation will bring both challenges and opportunities for the city. SLE will continue to explore additional funding opportunities where this adds value to its local priorities as part of ongoing committed to support programmes of change through an 'invest to save' approach.

4.6.2. There are significant risks associated with budget reductions beyond the current financial year. Work will take place with partners to better understand what the implications and risks associated with budget reductions on the partnerships endeavours are to deliver against it shared priorities. Also, further negotiations will take place with regards to the Community Safety Fund for 2019/20 to ensure where possible, funding is aligned to local priorities set out in the strategy.

5. Conclusions

- 5.1. The Safer Leeds Community Safety Strategy (2018-2021) sets out the city's intent to reduce crime and disorder and deliver the partnerships ambition to be "the best city in the UK with the best community safety partnership and services"
- A city that is inclusive and safe for all
 - A compassionate city that protects and safeguards the vulnerable and
 - A city that challenges and seeks to change behaviours that negatively impact people in their homes, on the streets and the places they go

6. Recommendations

- 6.1. Council is invited to:
- i. Approve the submission of the Safer Leeds 'Community Safety Strategy'.

7. Background documents¹

- 7.1. None

8. Appendices

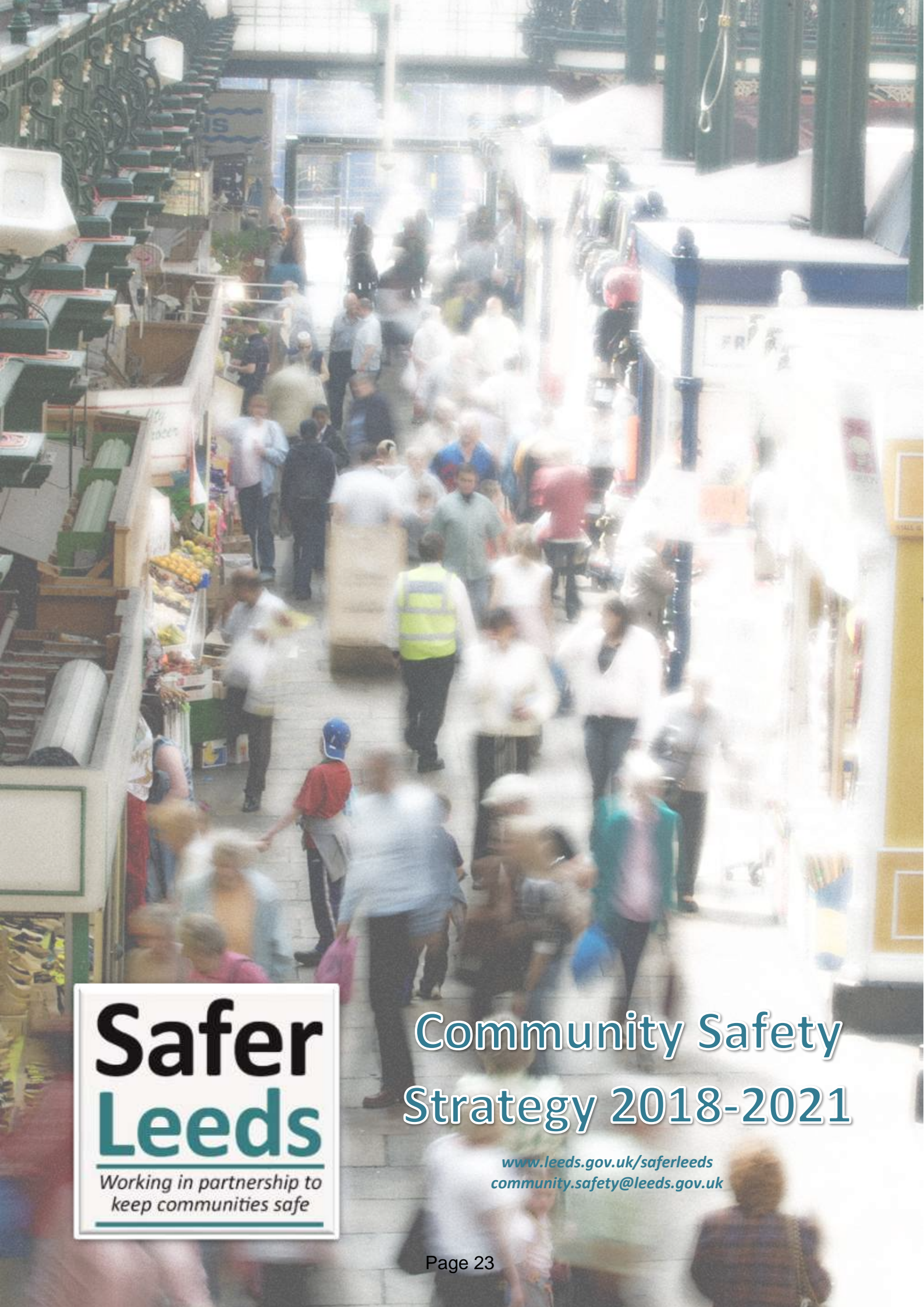
I ~ Safer Leeds Community Safety Strategy (2018-2021)

II ~ Environment, Housing and Communities Scrutiny Board Statement (3rd October 2018)

III ~ Covering Report to Executive Board (17th October 2018)

IV ~ Equality, Diversity, Cohesion and Integration Screening Document

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



Safer Leeds

Working in partnership to
keep communities safe

Community Safety Strategy 2018-2021

www.leeds.gov.uk/saferleeds
community.safety@leeds.gov.uk

About Leeds

Leeds is a growing city with a population estimated at 781,700 (ONS 2016), an increase of around 50,000 in the last decade. However, it is the shift in the make-up of our population at local levels that is most striking. There have been rapid demographic changes during this time, particularly in some of our most deprived communities which are the fastest growing and with the youngest age profile.

This population increase reflects the success of the Leeds economy, both within the city and in neighbouring localities. Leeds has seen the fastest private sector jobs growth of any UK city in recent years and has the largest concentration of financial and professional services and digital jobs in any city in the UK outside London. We also have one of the highest rates of business start-ups and scale-ups in the country. Leeds is a major hub for health innovation, data analytics, innovative manufacturing and knowledge-intensive jobs: for example, the University of Leeds spins out more listed companies than any other UK university, and the city experiences a “brain gain” with more undergraduates and graduates moving into the city than leaving.

Leeds is now a top five UK tourism destination, attracting over 26 million visitors a year, and was ranked fifth by the Lonely Planet in its list of the best places to visit in Europe in 2017, with the city’s urban regeneration efforts and flourishing cultural scene highlighted.

However not everyone is benefiting fully from this economic success. There remain significant issues of poverty and deprivation in the city. Low pay is an increasing problem, with people caught in a trap of low pay and low skills, with limited opportunities for career progression. Our education and skills system does not work for everyone, and we need to continue to make progress in improving our schools so that they are equipping young people with the learning, attributes and awareness of opportunities they will need to succeed in work.

Looking forward, overall the prospects for economic growth in Leeds remain robust, supported by the city’s skilled workforce, the growth and innovation of its firms and universities, and the progress being made with infrastructure. However, we will only fulfil this potential for growth if we sustain the progress we are making, and by taking action on areas where we could perform better. This includes tackling poverty, improving health and wellbeing, supporting greater resilience across the city, boosting housing growth and regeneration, continuing to define and express our culture, increasing productivity, attracting and retaining a skilled workforce, and enhancing transport and infrastructure.

(Source: Leeds City Council, Best Council Plan 2018-2021: Tackling poverty and reducing inequalities, Feb 2018).

NB: The current ONS updated population, 2017 mid-year estimates, indicates that the Leeds population has now grown to 784,800.

CONTENTS

Foreword	2
Ambition	3
Critical Themes & Issues	4
Shared Priorities (2018-21).....	5
➤ Keeping people safe from harm	6
➤ Preventing and reducing offending	7
➤ Creating safer, stronger communities.....	8
Key Deliverables ~ I (Year 1)	9
Key Deliverables ~ II (Year 1)	10
Governance	11
Plan on a page	12

FOREWORD

Welcome to our new ***Safer Leeds Community Safety Strategy (2018-21)*** which sets out our intent and what we will collectively focus on over the next three years.

After sustained periods of crime reductions both nationally and locally, crime levels have started to increase. In Leeds, we have seen total recorded crime rise in the last three years. In 2017, there were 95,011 crimes, an increase of 11.7% on the previous year. The reasons for these increases are not straight forward...yes there have been changes in how crimes are recorded but also real positive changes in the way victims are supported and encouraged to report crimes as well as improvements in recording practice. At the same time however, the nature and type of crime has also changed; cyber related crime has become more prevalent and there are a multitude of platforms that are now used to facilitate, exploit and groom vulnerable people.

Like other cities we face significant challenges and pressures. In Leeds, to tackle existing, new and emerging risks, threats and harms, we must have a collective emphasis on meeting the needs and demands of people in this dynamic city, as well as preventing future victimisation and offending; ensuring we make every contact count.

Everyone has the right to live in a safe, clean and tolerant society and everyone has a responsibility to behave in a way that respects this right. As a

collective we should never be complacent as there is always room for improvement.

The need to deliver results more efficiently and cost effectively, with clear accountability, across services and agencies is key. As a partnership, we have examples of integration and co-location, but we need to continue to be ambitious and take risks to maximise all opportunities, to review and refresh where needed, and apply lessons learnt.

Knowing what success looks like is critical, as is strong leadership and accountability at every level of delivery, and this has to be clear and visible. As such, Safer Leeds Executive has undertaken a review, in terms of governance, accountability and functionality, in order to make it 'fit for purpose' and support the delivery of this strategy.

Moving forward, Safer Leeds have agreed three partnership shared priorities:

1 Keeping people safe from harm	(Victim)
2 Preventing & reducing offending	(Offender)
3 Creating Safer, stronger communities	(Location)

The shared priorities of '***victim, offender and location***' are strongly connected as one impacts on the other both directly and indirectly. They also denote both a universal and targeted approach to addressing community safety issues, regardless of issue, with a recognition that to achieve the desired outcomes the emphasis has to be on '***People and Place***'.

Finally, we would like to thank all staff and volunteers across the partnership for your continued commitment and passion to serve the people and communities of Leeds. We strongly believe we are better when we work together.

We are therefore pleased to introduce the Safer Leeds Community Safety Strategy and ask you to consider your offer in supporting and securing better outcomes for Leeds.

Kind regards

Councillor Debra Coupar

Deputy Leader of Leeds City Council and
Executive Board member for Communities

James Rogers

Director of Communities & Environment (LCC) &
Chair of Safer Leeds

AMBITION

Safer Leeds is the city's statutory Community Safety Partnership, responsible for tackling crime, disorder and substance misuse.

Our Ambition

To be the best city in the UK with the best community safety partnership and services:

- *A city that is inclusive and safe for all*
- *A compassionate city that protects and safeguards the vulnerable*
- *A city that challenges and seeks to change behaviours that negatively impact on safer and cleaner streets.*

Our Outcome

⇒ *People in Leeds are safe and feel safe in their homes, in the streets, and the places they go.*

Accountability

The Safer Leeds Executive has a statutory requirement to:

- Establish information sharing arrangements
- Produce an annual Joint Strategic Assessment
- Prepare and implement a Plan
- Produce a strategy to reduce reoffending
- Be responsible for establishing Domestic Homicide Reviews and applying learning
- Be responsible for establishing anti-social behaviour reviews and applying learning
- Regular engagement and consultation with the community

Recognising that no single agency can address these complex risks, threats and harms alone, the following are committed to working collectively through the Safer Leeds Executive in line with agreed terms of reference and information sharing protocols.

Responsible Authorities

Leeds City Council; West Yorkshire Police; West Yorkshire Fire and Rescue Service; National Probation Trust and Leeds Clinical Commissioning Group

Co-operating Bodies

Voluntary & Community Sector, West Yorkshire Community Rehabilitation Company; HM Prison Service, Leeds Children's Trust Board; Leeds Health and Wellbeing Board, Leeds Safeguarding

Adults Board and Leeds Safeguarding Children Partnership.

Safer Leeds aims to serve all members of its communities, giving due regard to implications for different groups to ensure people are not excluded or disadvantaged because of Age, Disability, Gender, Race, Religion and Belief, or Sexual Orientation.

Record of achievements

Leeds is proud of its strong record of partnership working, which was embedded as part of the Crime and Disorder Act (1998) and subsequent legal enhancements.

Reassurance

85% of people feel safe in their neighbourhoods

Source: 'Your View' OPCC

People
Places
Partnerships

Think Family/ Work Family ~ All practitioners across Adult's, Children's and Safer services, in line with protocols, are required to identify, consider and appropriately respond to the safeguarding needs of all family members. People rarely live in isolation so the approach promotes practitioners to "Think Family" by considering the needs of the whole family regardless of whether it is an adult or child that they are working with. Practitioners are also supported to "Work Family" by communicating with others working with different family members and coordinating efforts for the best outcomes for the whole family.

CRITICAL THEMES & ISSUES

A number of reoccurring **themes and issues** were identified when combining results from consultation with the annual Joint Strategic Assessment, these are summarised below:

- ➔ **Violent Crime:** on-street violence and knife/gun crime; online harassment and abuse; alcohol related violence.
- ➔ **Sexual Crime:** sexual violence and abuse; registered sex offenders.
- ➔ **Domestic Violence and Abuse:** high levels of reported repeat domestic abuse; threats of escalation and increased violence; risks and vulnerabilities among families often linked to vulnerable children, substance misuse, financial pressures and housing conditions.
- ➔ **Vulnerability and Exploitation:** coercive sexual and criminal exploitation; organised exploitation/ trafficking; street users; missing persons; high levels of demand impacting on services and responses.
- ➔ **Serious and Organised Crime:** organised crime groups; street gangs; stolen goods markets; perpetrators operating across different offence types; fluid and flexible offending patterns; use of violence and intimidation to maintain control of individuals and/ or areas.
- ➔ **Offending Behaviours:** re-offending; ingrained behaviours exacerbated by mental health and substance misuse; prolific offenders linked to various crimes; new or changing offending patterns; youth and “upcoming” offenders.
- ➔ **Community Tensions:** radicalisation and extremism; hate crime; youth related nuisance; neighbourhood ASB; varying levels of tolerance and willingness to report
- ➔ **Community Crime:** social and environmental impact on communities and feelings of safety; prolific levels in some localities; opportunistic stealing; lack of victim empathy; impacts of acquisitive crime on residents and businesses.
- ➔ **Illegal Drugs:** cannabis production and supply; new and emerging substances (NPS); Class A drug use; open drug markets, related crime and disorder; health impacts and deaths

It is clear that:

- ❖ These complex issues interrelate and interlink with wider social and economic determinants
- ❖ All have ‘Victim-Offender-Location’ basis and
- ❖ All provide clarity for defining outcomes and measuring progress

These findings have helped shape the partnerships priorities for Leeds; will inform the development of delivery plans and the commissioning of activity.



SHARED PRIORITIES (2018-21)

Safer Leeds has agreed the following shared priorities for the next three years (2018-21):

**1 Keeping people safe from harm
(Victim)**

**2 Preventing & reducing offending
(Offender)**

**3 Creating Safer, stronger communities
(Location)**

Focussing on the following:

- ➔ Anti-social behaviours and criminal exploitation
- ➔ Crime and disorder related to drugs, alcohol and mental health
- ➔ Hate crime and community tensions
- ➔ Safeguarding including domestic violence and abuse, sexual violence and abuse, forced marriage and honour based abuse and modern slavery
- ➔ Serious and organised crime

In addition, Safer Leeds will work with and support other partnership boards and delivery groups on the following issues:

- Community cohesion ~ including extremism and radicalisation
- Pupil/ Student Safety
- Safer Travel/ Road Safety/ Vehicular anti-social behaviour
- Other relevant Safeguarding issues pertinent to crime and disorder

We will consider opportunities to:

- ❖ Take action at a local level
- ❖ Support victims and witnesses
- ❖ Protect those with complex needs
- ❖ Support individuals to change damaging or risky behaviours
- ❖ Engage and involve people, to influence and shape response



Shared Priority I:
Keeping people safe from harm
(Victim)

What does this mean?

We want all people who live, work and socialise in Leeds to be safe and feel safe.

This priority is at the heart of the work that all partner agencies do. The increases in demand for services relating to crime and wider anti-social behaviour issues can cause considerable distress to people, can be damaging and can escalate into more serious behaviours. People who come into contact with services may have multiple and complex needs so having a person-centred approach and improving our collective response is fundamental.

It is about:

- ❖ Protecting people who are victims of crime or at risk of being victimised and safeguarding the most vulnerable from harm
- ❖ Preventing people from being victims and/ or being exploited
- ❖ Promoting feelings of safety and confidence in policing and community safety, building resilience for individuals, families and communities

During the next 3 years we will work collectively to:

- ✓ *Deliver effective services, which are well informed (insight gained from integrated intelligence and voice of the service user), that are person-centred with an emphasis on earlier identification, help and intervention*
- ✓ *Raise awareness of associated risks and threats to victims/ potential victims, giving people increased confidence to report, ensuring the provision of services supports victims to cope and/ or recover*
- ✓ *Train front line workers from different services to help them identify those people most at risk from harm, recognising actual signs and potential signs, so allowing earlier interventions to put in place*
- ✓ *Utilise restorative approaches with offenders so they understand the human impact of their crimes and to help victims to recover*
- ✓ *Improve our collective response to ASB and hate crime by working with communities, supporting victims, challenging prejudice, and sharing best practice*
- ✓ *Support and Implement a range of programmes to reduce rough sleeping and begging, addressing needs by listening to the voice of service users*
- ✓ *Increase the support available for victims of Modern Slavery and Trafficking through the provisions of advocates to provide direct support, enhancing pathways and capacity, and increase intelligence to re-trafficking and repeat victimisation*

**Shared Priority II:
Preventing & reducing offending
(Offender)**

What does this mean?

We want people who commit crime and anti-social behaviour to change their negative behaviour.

This priority is fundamental to keeping people safe and is central to the work of services working for and linked to the criminal justice system. Offending takes many forms from anti-social behaviour, acquisitive crime, through to violence and organised crime. For those causing harm, there are and should be appropriate consequences including custodial sentences, offender management programmes and supervision in the community. People who offend, reoffend or who are at risk of first time offending do so for a host of different reasons but it's their behaviour that has a direct impact on their victims, their families and communities, and ultimately themselves.

It is about:

- ❖ Preventing acts of anti-social and criminal behaviour, using a Think Family/ Work Family approach
- ❖ Problem solving justice, across services and with individuals, families and communities
- ❖ Intervening early to reduce escalation of offending
- ❖ Rehabilitating offenders to build public confidence

During the next 3 years we will work collectively to:

- ✓ *Improve understanding of the drivers and motivators for offending and re-offending behaviour, acting on prohibitors for desistance and obstacles preventing offenders to move on in their lives, by working across children and adult offender management services*
- ✓ *Resolve anti-social behaviour at the earliest opportunity and to prevent escalation and reduce the impact of such behaviour on individuals, families and communities*
- ✓ *Continue to support and enhance liaison and diversion schemes to ensure people who end up in custody are given help and support to reduce their offending behaviour*
- ✓ *Commission a flexible and intelligence led Integrated Offender Management (IOM) intensive support service, responding to the changing landscape of criminal justice; directing and coordinating partnership resources through IOM arrangements*
- ✓ *Reduce the number of first time entrants into the criminal justice system, utilising existing pathways and exploring new ways of preventing and diverting young people*
- ✓ *Reduce the number of Black, Asian and Minority Ethnic (BAME) individuals entering the criminal justice system, improving their treatment and outcomes*
- ✓ *Reduce the number of women entering the criminal justice system using a problem-solving approach to address their offending behaviour and rebuild their lives*
- ✓ *Direct and coordinate partnership initiatives through the Reducing Offending Board in respect of key themes including, drug and alcohol misuse, mental health and accommodation*

Shared Priority III:
Creating safer, stronger communities
(Location)

What does this mean?

We want Leeds to be a compassionate and caring city with a strong economy, which tackles poverty and reduces inequalities.

This priority is fundamental to the city's vision of being welcoming, fair, sustainable, ambitious, creative and fun for all. Within the growing demands of crime and disorder there is a requirement to focus resources in the right place and the right time. Having a place-based approach that is still centred on people, be that a geographical locality or a community of interest, regardless of the issue.

It is about:

- ❖ Building resilient communities, supporting those in most need as well as ensuring all people are empowered to help themselves
- ❖ Strong local leadership, increasing community conversations to resolve problems and conflict locally, raising aspirations, creating better links to social and economic opportunities
- ❖ Protecting the places where people live, socialise, travel to or work from, creating safer and cleaner streets
- ❖ Promoting feelings of safety and confidence in policing and community safety

During the next 3 years we will work collectively to:

- ✓ *Enhance the partnership operational delivery models; adopting a place-based approach which is centred on people and incorporates integrated intelligence to provide insight to problem solving and enables increased early intervention and prevention activity*
- ✓ *Continue to utilise designing out crime principles to make places and premises less vulnerable to crime and develop sustainable local solutions to protect public spaces*
- ✓ *Work with communities to break down barriers that exist to prevent, identify and report crime that may be hidden because of fear and/ or intimidation giving them a voice to help shape and continue to solutions*
- ✓ *Raise awareness of existing, new and or emerging risks or issues through active awareness programmes and campaigns*
- ✓ *Improve services by engaging with people, communities of interest and businesses to understand their perceptions and experience of policing, community safety and criminal justice system*
- ✓ *Seek further opportunities aimed at keeping people safe as part of the day, evening and night time economy plans*
- ✓ *Listen to and work with people with lived experience to shape and improve service response*

KEY DELIVERABLES ~ I (YEAR 1)

Safer Leeds will continue to **improve current core services** but we will also focus on programmes and projects that help us move closer to our desired outcome; **additional** partnership deliverables here include:

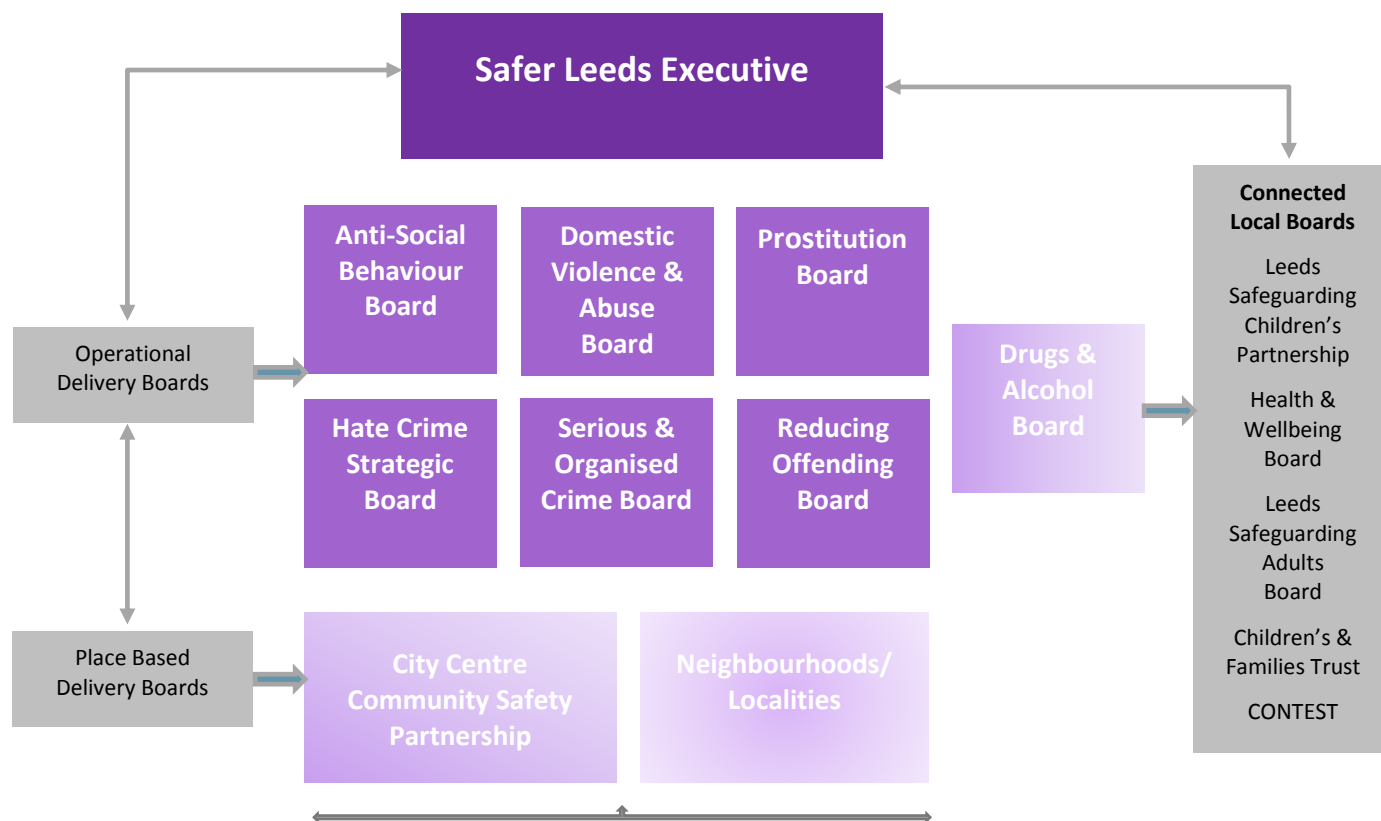
Focus on Innovation & Activity Victim, Offender, Location	Ascribed Primary Lead
Anti-social behaviours and criminal exploitation	
<ul style="list-style-type: none"> ➤ Undertake a review of the Leeds Anti-Social Behaviour Service to ensure our response effectively meets the changing demands of ASB within the city and communities 	LCC Community Safety
<ul style="list-style-type: none"> ➤ Strengthen links and support the Leeds Safer Road Steering Group, educating schools, sharing knowledge and risk recognition/management initiatives 	WY Fire & Rescue
<ul style="list-style-type: none"> ➤ Develop a blended approach to CCTV surveillance by progressing modernisation projects across Leeds 	LCC Community Safety
<ul style="list-style-type: none"> ➤ Introduce situational crime prevention programmes in tower blocks such as a concierge system to address ASB and reassurance tenants 	LCC Housing
<ul style="list-style-type: none"> ➤ Utilisation of regulative and enforcements powers as part of joint operations 	LCC & WYP Licensing
<ul style="list-style-type: none"> ➤ Promote meaningful alternatives to 'gangs' through education, training and employment and mentoring opportunities as well as developing diversion activities for young people 	WYP & LCC Communities
<ul style="list-style-type: none"> ➤ Work with communities around improving road safety, reducing road casualty, enforcement of speed limits and vehicular related anti-social behaviour 	WYP Com.Safety Champions
Hate crime and community tensions	
<ul style="list-style-type: none"> ➤ Explore opportunities to increase and strengthen hate crime reporting centres in a range of community based settings, educational establishments and businesses 	LCC & VCS
<ul style="list-style-type: none"> ➤ Undertake tailored and targeted campaigns with identified communities of interest in conjunction with services, building previous work as part of the Hate Crime Awareness Week 	LCC Community Safety
<ul style="list-style-type: none"> ➤ Following the review, implement new processes and procedures for Hate Crime Multi-Agency Risk Assessment Conference (MARAC) 	LCC Community Safety
<ul style="list-style-type: none"> ➤ Community cohesion and tackling extremism (e.g. by working with the Communities Service to develop more cohesive and resilient communities, tackle all types of extremism and safeguard those most vulnerable to radicalisation) 	LCC Communities
Safeguarding	
<ul style="list-style-type: none"> ➤ Refresh our partnership Front Door Safeguarding Hub model, making best use of partnership resources, to provide more effective responses to victims and perpetrators of domestic violence and abuse 	LCC Community Safety and Children & Families
<ul style="list-style-type: none"> ➤ Implement a multi-agency action plan to develop our responses to honour based abuse, forced marriage and modern day slavery; focussing on raising awareness, developing clear pathways and protocols 	LCC Community Safety
<ul style="list-style-type: none"> ➤ Develop and test locality based responses to domestic violence working within the 6 LCC priority neighbourhoods 	LCC Community Safety
<ul style="list-style-type: none"> ➤ Undertake a pilot development programme to ensure that the profession of social work is as adept at working with victims as well as abusers, with individuals who are abusive in relationships 	LCC Adults & Health
<ul style="list-style-type: none"> ➤ Work with services to ensure victims of sexual violence and abuse are supported to help them cope and recover, work with police and partners to target offenders giving confidence victims confidence to report. 	VCS, WYP, OPCC, Safer Leeds

KEY DELIVERABLES ~ II (YEAR 1)

Focus on Innovation & Activity Victim, Offender, Location	Ascribed Primary Lead
Impact of drugs, alcohol and mental health	
➔ Publish and implement a new drug and alcohol strategy for the city; including developing our partnership information sharing capability to better understand and respond to emerging threats and harms	LCC Adults & Health
➔ Develop new ways of working to respond better to 'street based' drug use and reduce impact on services and public perceptions	LCC Adults & Health
➔ Develop new approaches to address problems associated with excessive 'street drinking' and exploring the potential for alcohol recovery centres and other initiatives to protect individuals and reduce demand places on emergency services	LCC Adults & Health
➔ Ensure mental health professionals support the police and provide better response to people in distress and who need assistance	WYP Safer Leeds Partnership & CCG
Serious and organised crime	
➔ Strengthen existing and new partnership arrangements to improve the gathering of information and intelligence on known organised crime groups; introducing partnership network analysis to provide insight and inform response	WYP & Safer Leeds
➔ Implement new operational approaches to tackle organised crime groups, utilising a combination relentless disruption techniques; taking criminal, civil and regulative action	WYP & Safer Leeds
➔ Devise and introduce creative ways to support and build community resilience, in collaboration with trusted partners, the voluntary and community sector and community leaders; in line with agreed communications and engagement plans	WYP Safer Leeds
Place-Based Operational Delivery	
➔ Further develop locality based community safety approaches, in line with the principles of neighbourhood policing	WYP Safer Leeds Partnership
➔ Deliver 'Safe and Well' visits to vulnerable members of the community and develop targeted mentor schemes	WY Fire & Rescue
➔ Implement a universal offer and targeted programmes following the review of the Safer Schools Partnership	WYP Safer Leeds Partnership
➔ Pilot a new systems change programmes via an 'Early Help/ Early Intervention Hub' linking identification of children and young people at risk and offer practical support to families to change behaviours and achieve better outcomes	LCC Children & Families
➔ Continue to co-ordinate and develop responses to reduce the impact and harm of street based sex work; including developing a better evidence base to monitor issues and measure effectiveness of interventions	WYP Safer Leeds Partnership
➔ Undertake a review of the city centre CSP, with an emphasis on people, places and premises to support community safety and linked service/ partnership delivery ~ linking work to the city centre vision and our spaces strategy	LCC Community Safety
➔ Establish a dedicated multi-agency Street Support Team (Phase I) working with the VCS, statutory services and the business sector to support and reduce the number of street users and address associated street activity	LCC Community Safety Safer Leeds
➔ Work with service users through effective 'in-reach work' for those who may be homeless, in need and/ or at risk of reoffending to ensure appropriate housing provision is assigned and 'wrap around' services are available and accessible be to meet presenting needs	VCS, CRC, YOS, Prison Service & Hospitals, LCC

GOVERNANCE

To support and manage the delivery of this strategy, Safer Leeds Executive has undertaken a review and refreshed its governance and accountability arrangements including: a) detailing the membership, function and roles of the Executive as described in a new terms of reference b) agreed its operational and placed-based delivery boards and c) outlined its connection with other significant local boards.



Safer Leeds Executive, consists of officers from the 'Responsible Authorities' and 'Co-operating Bodies', and includes political representation from the Lead member for Community Safety and co-opted local representation from the West Yorkshire Police Crime Panel.

Operational Delivery Boards, are chaired by a member of Executive reporting on progress, risks or threats as part of their duties. Below these there are sub groups and/ or where appropriate Task and Finish Groups.

Place Based Delivery Boards, are chaired by a member of Executive or assigned to a Lead Supporting Officer, reporting on progress, risks or threats as part of their duties.

Steering/ Task & Finish Groups, this includes multi-agency groups working on Honour Based Violence & Abuse/ Forced Marriage; Modern Day Slavery and Human Trafficking. Plus time limited groups working on communication and engagement campaigns.

Connected/ Significant Boards, play a significant role in contributing to Safer Leeds shared priorities and at least one person from the Executive is a member of these Boards, to ensure synergy, at a strategic and operational level.

In addition, this strategy links to other strategic plans, priorities and other Boards, including alignment to and contributing directly to West Yorkshire's Police and Crime Plan.

Community Safety Champions, these are elected members, assigned at a community committee, who 'champion' the work of Safer Leeds through their activity with local people in their constituency and with local service providers.

Funding

The work of Safer Leeds is primarily funded by mainstream resources of each organisation and work 'in-kind' and other grants where bids for additional funding are secured. The Police and Crime Commissioner allocates supplementary funding on an annual basis.

How will we measure progress?

Outcome

People in Leeds are safe and feel safe in their homes, in the streets, and the places they go.

Our Shared Priorities

1

Keeping People Safe from Harm (Victim)

2

Preventing & Reducing Offending (Offender)

3

Creating Safer, Stronger Communities (Location)

What we will do?

Ambition

To be the best city in the UK with the best community safety partnership and services

Undertake a Review of the Leeds Anti-Social Behaviour Service

- Refresh our partnership Front Door Safeguarding Hub model
- Increase and strengthen hate crime reporting centres
- Develop and test locality based responses to domestic violence and abuse

Reduce the number of first time entrants into the criminal justice system

- Commission a flexible and intelligence led Integrated Offender Management intensive support service
- Implement new operational approaches to tackle organised crime groups
- Publish and implement a new drug and alcohol strategy

Implement a universal offer and targeted programmes following the review of the Safer Schools Partnership

- Establish a dedicated multi-agency Street Support Team
- Devise and introduce creative ways to support and build community resilience
- Pilot a new systems change programme via an 'Early Help/ Early Intervention Hub'

Our Focus

People & Place

- Anti-social behaviours & criminal exploitation
- Crime and disorder related to drugs, alcohol and mental health
- Hate crime and community tensions
- Safeguarding Inc. domestic violence & abuse, forced marriage & honour based abuse and modern slavery
- Serious & organised crime

How will we do it?

Our Approaches ~ Based on People & Places

Integrated Intelligence & Identification

Early Intervention & Prevention

Education, Engagement & Enforcement

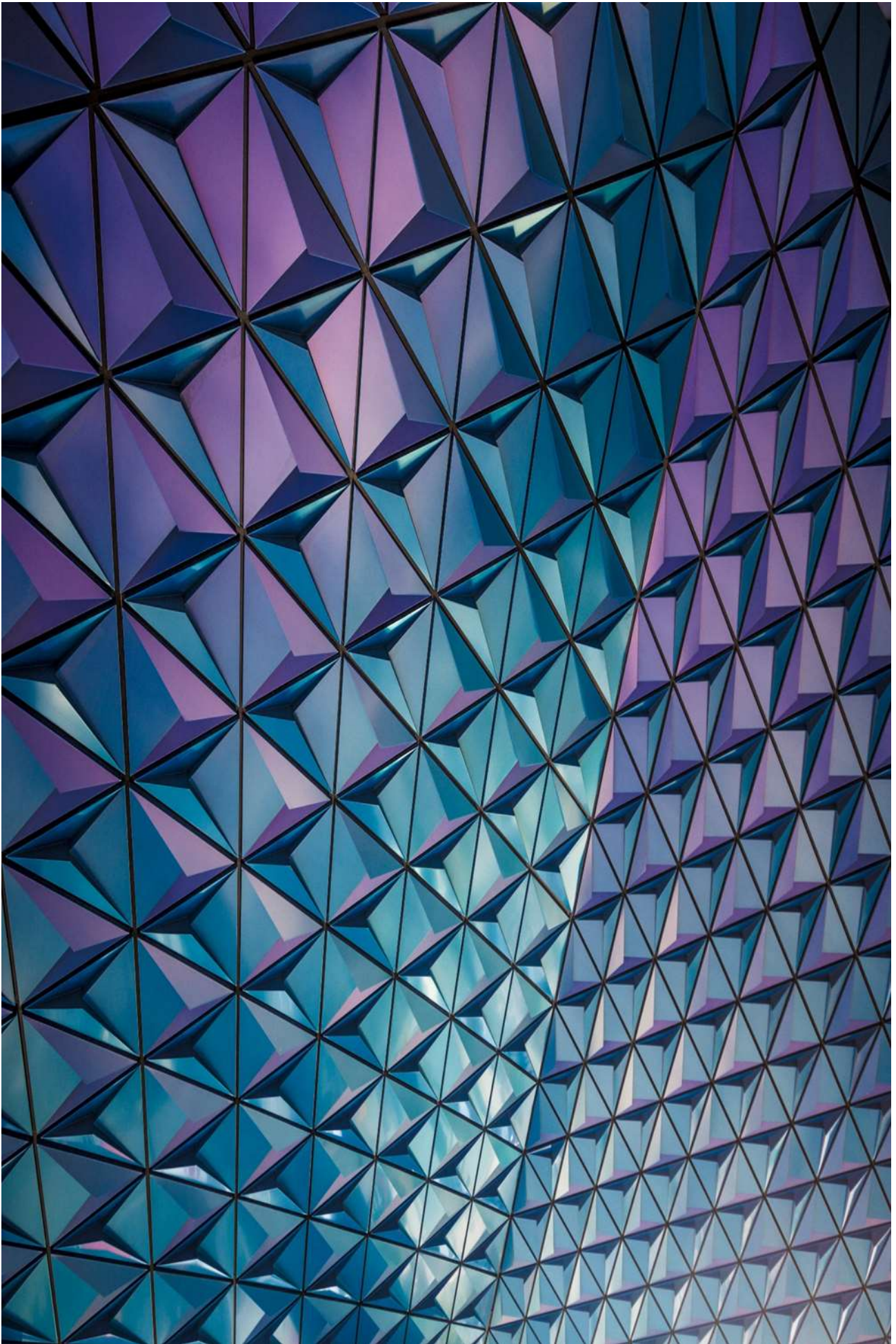
Building Community Resilience & Public Confidence

Key

Indicators

- People feel safe in their local area
- Public satisfaction & confidence
- Volume of total recorded crime
- Reported anti-social behaviour/ nuisance
- Number of hate related incidents
- Number of self-reported domestic violence and abuse incidents
- Volume of violent and sexual offences recorded
- Drug/ Alcohol related
- Re-Offending

Think Family/ Work Family





Leeds
CITY COUNCIL

scrutiny



**Environment, Housing
and Communities**

Scrutiny Statement Safer Leeds Community Safety Strategy 2018-2021



leeds.gov.uk/scrutiny



@ScrutinyLeeds



Safer Leeds – Community Safety Strategy 2018- 2021

Introduction

1. There is a requirement, in accordance with the Constitution of Leeds City Council for the Scrutiny of the development of key policies which form part of the Council's Budget and Policy Framework. The Safer Leeds Community Safety Strategy 2018 - 2021 was considered by the Scrutiny Board (Environment, Housing and Communities) on the 26 of July 2018.
2. The purpose of this report is to inform the Executive Board of the deliberations and conclusions of the Scrutiny Board in order to meet constitutional requirements and support the decision making process of the Executive Board.

Evidence and Information Considered

3. The Director of Environment and Communities submitted a report to the Scrutiny Board which outlined the reason for the strategy review, the funding arrangements to support the delivery of Safer Leeds partnership priorities and the level of consultation and engagement in shaping the draft strategy under consideration.
4. The draft Safer Leeds Community Safety Strategy 2018 – 2021 was appended to the report along with the Equality, Diversity, Cohesion and Integration Screening report dated the 2nd of July 2018.
5. The following representatives were in attendance to participate in debate, provide information and to respond to Members questions and comments.

- James Rogers - Director of Communities and Environment
- Paul Money – Chief Officer, Safer Leeds
- Councillor D Coupar, Executive Member for Communities

6. We were advised that the revised draft strategy is not intended to be prescriptive and limiting. This would enable the various Boards established, to better support the Safer Leeds Executive by responding to emerging issues through their workteams.

Deliberations and Conclusions

Road Safety and Vehicular Anti-Social Behaviour

7. When considering the draft strategy we highlighted the strength of concern expressed across our communities regarding road casualty reduction, the enforcement of speed limits and vehicular related anti-social behaviour on our estates.
8. Following discussion we are satisfied that structures and partnerships are in place to strengthen the necessary focus on these issues, through the Anti-Social Behaviour Board and the links between West Yorkshire Police, Neighbourhood Policing Teams and the Safer Leeds Partnership.
9. Whilst accepting that the draft strategy is not intended to be prescriptive, we consider that the priority for combatting speeding and reckless driving, including the anti-social use of vehicles, such as



Safer Leeds – Community Safety Strategy 2018- 2021

quad and off-road bikes, should have greater prominence within the draft strategy. We also expressed the importance of clearly communicating this priority to those responsible for providing support directly within our communities, particularly the highly valued Neighbourhood Policing Teams.

10. We welcomed the suggestion from the Executive Board Member for Communities, to progress this priority on a local level through the Community Committee, Community Safety Champions.

Operational Delivery Boards.

11. We identified that the strategy does not identify or provide a link to information which defines the responsibilities of each Operational Delivery Board, or their specific objectives with regard to delivering outcomes and priorities for the Safer Leeds Executive. We therefore concluded that this clarification would be beneficial for all interested parties.

Early Education and Pupil Safety

12. We highlighted the importance of education at an early age to prevent offending, with particular emphasis on sexual harassment reduction through education. We were reassured that ongoing work is being undertaken with Children and Families Services, Leeds Safeguarding Children's Partnership and directly with schools, on a number of safeguarding areas including reducing sexual harassment. We consider that there is scope for the strategy to reflect early prevention through the partnership

arrangements that exist to educate and support children and young people.

Recommendation

The Executive Board is recommended to note the deliberations and conclusions of the Scrutiny Board (Environment, Housing and Communities) when considering the Safer Leeds Community Safety Strategy 2018-2021.

**Scrutiny Board (Environment, Housing and Communities)
Statement for the Executive Board – Safer Leeds Community Safety Strategy
3 October 2018**



www.scrutiny.unit@leeds.gov.uk
www.twitter.com/scrutinyleeds

Report of Report of the Director of Environment and Communities

Report to Executive Board

Date: 17th October 2018

Subject: Safer Leeds Community Safety Strategy (2018-2021)

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. As the city's Community Safety Partnership, the Safer Leeds Executive (SLE) has a statutory requirement to prepare and implement a local Crime and Disorder Reduction Strategy, referred to locally as the Safer Leeds 'Community Safety Strategy' (appendix I).
2. There is a requirement, in accordance with the Constitution of Leeds City Council, for key strategies identified in the Council's Budget and Policy Framework to be made available for Scrutiny, before they are agreed by full Council. Consultation has taken place with the Scrutiny Board (Environment, Housing and Communities) and feedback (appendix II) has been incorporated into the strategy.
3. Of note, following the introduction of Police and Crime Commissioners in November 2012, local Crime and Disorder Reduction Strategies are required to have regard to the objectives set out in the Police and Crime Plan for the wider police area. The first West Yorkshire Police and Crime Plan 2013-2018 was published in March 2013, and was subsequently updated in 2014 and currently the Police and Crime Plan for 2016-21 is in operation.
4. Safer Leeds has an overarching outcome that the Partnership seeks to achieve this being: People in Leeds are safe and feel safe in their homes, in the streets and the places they go. For the new community safety strategy (2018-21) the SLE have agreed the following shared priorities that the partnership will concentrate on over the term of the strategy:

- ❖ Keeping people safe from harm (victim)
 - ❖ Preventing and reducing offending (offender)
 - ❖ Creating safer, stronger communities (location)
5. The partnership's shared priorities of '**victim, offender and location**' denotes both a universal and targeted approach to addressing community safety issues, regardless of the issue, with a recognition that to achieve the desired outcomes the emphasis has to be on '**People and Place**'.

Recommendations

Executive Board is recommended to:

- Formally endorse the Safer Leeds 'Community Safety Strategy' for 2018-21 as submitted, and refer the Strategy to full Council with a recommendation that it is formally adopted by the Council.

1. Purpose of this report

1.1 This report sets out the high level ambitions and intentions of the partnership over the next 3 years as outlined in the Safer Leeds 'Community Safety Strategy' (2018-21) for formal approval. In addition, the strategy reflects the outcomes of consultation exercise with other partnership Boards and the deliberations by the Scrutiny Board (Environment, Housing and Communities).

1.2 The overarching outcome that the Partnership seeks to achieve:

- People in Leeds are safe and feel safe in their homes, in the streets and the places they go.

The **Partnership's Shared Priorities** over the term of the strategy will be:

- ❖ Keeping people safe from harm (victim)
- ❖ Preventing and reducing offending (offender)
- ❖ Creating safer, stronger communities (location)

With a focus on:

- Anti-social behaviours and criminal exploitation
- Crime and disorder related to drugs, alcohol and mental health
- Hate crime and community tensions
- Safeguarding including domestic violence and abuse, sexual violence and abuse, forced marriage and honour based abuse and modern slavery abuse
- Serious and organised crime

1.3 In addition, Safer Leeds will work with and support other partnership boards and delivery groups on the following issues:

- ⇒ Community cohesion
- ⇒ Pupil/ Student Safety
- ⇒ Safer Travel/ Road Safety/ Vehicular anti-social behaviour
- ⇒ Other relevant Safeguarding issues pertinent to crime and disorder

1.4 The partnership's shared priorities of '**victim, offender and location**' denotes both a universal and targeted approach to addressing community safety issues, regardless of the issue, with a recognition that to achieve the desired outcomes the emphasis has to be on '**People and Place**'.

2. Background information

2.1 The Police Reform and Social Responsibility Act 2011 replaced Police Authorities with Police and Crime Commissioners (PCCs), and introduced Police and Crime Panels (PCPs) to scrutinise the decisions and actions of the PCCs and assist them in carrying out their functions.

2.2 In November 2016, Mark Burns-Williamson was re-elected as the West Yorkshire Police and Crime Commissioner and will hold office to May 2021. He published his five year Police and Crime Plan in March 2016.

2.3 Community Safety Partnerships have a statutory requirement to prepare and implement a local Crime and Disorder Reduction Strategy every 3 years. In doing so, these local strategies are expected to have regard to the objectives set out in the Commissioner's Police and Crime Plan.

- 2.4 Safer Leeds is a long standing partnership body with statutory representation from Leeds City Council; West Yorkshire Police; West Yorkshire Fire and Rescue Service; National Probation Trust; Leeds Clinical Commissioning Group and is augmented by representatives from the Voluntary & Community Sector, West Yorkshire Community Rehabilitation Company; HM Prison Service, Leeds Children's Trust Board; Leeds Health and Wellbeing Board, Leeds Safeguarding Adults Board and Leeds Safeguarding Children Partnership.
- 2.5 SLE has a statutory requirement to:
- Establish information sharing arrangements
 - Produce an annual Joint Strategic Assessment
 - Prepare and implement a Plan
 - Produce a strategy to reduce reoffending
 - Be responsible for establishing Domestic Homicide Reviews and applying learning
 - Be responsible for establishing anti-social behaviour reviews and applying learning
 - Regular engagement and consultation with the community
- 2.6 Over recent years, the partnership has focused much of its efforts on reducing domestic burglary, which was significantly higher in Leeds than in other comparable cities and has significant public concern. The partnership has successfully delivered against this ambition to date. Although burglary remains an issue, the volume and prevalence of domestic burglary has been significantly reduced, from a peak of over 16,000 to around 5,000 a year.
- 2.7 In the last 4 years the partnership has also focussed its attention on Domestic Violence and Abuse, linked in with the Councils breakthrough project. Of note, innovation programmes include the Front Door Safeguarding Hub, notifications to schools, roll out Routine Enquiries (at GP practices) and the extension and increased take-up of the organisational and service Quality Mark have been progressed, developed and sustained.
- 2.8 Over the past 2 years there has been an increased 'shift' towards the Safeguarding agenda, with a particular emphasis on reducing repeat domestic violence/abuse incidents for victims, protecting vulnerable children and adults from exploitation and improving support and access to service for victims as well as interventions for offenders to support a change a behaviour. There is a recognition that more needs to be done in localities of concern and within communities of interest on these agendas.
- 2.9 After sustained periods of crime reductions both nationally and locally, crime levels have started to increase. In Leeds, we have seen total recorded crime rise in the last three years. In 2017, there were 95,011 crimes, an increase of 11.7% on the previous year. The reasons for these increases are not straight forward. There have been changes in how crimes are recorded but also real positive changes in the way victims are supported, encouraged to report crimes as well as improvements in recording practice. At the same time the nature and type of crime has also changed; cyber related crime has become more prevalent and there are a multitude of platforms that are now used to facilitate, exploit and groom vulnerable people.

3. Main Issues

- 3.1 Like other cities, Leeds faces significant challenges and pressures. To tackle existing, new and emerging risks, threats and harms, there must be a collective emphasis on meeting the needs and demands of people in this dynamic city, as well as preventing future victimisation and offending; ensuring we make every contact count.
- 3.2 Everyone has the right to live in a safe, clean and tolerant society and everyone has a responsibility to behave in a way that respects this right. As a collective we should never be complacent as there is always room for improvement.
- 3.3 The need to deliver results more efficiently and cost effectively, with clear accountability, across services and agencies is key. As a partnership, there are examples of integration and co-location, but also a recognition of the need to continue to be ambitious and take risks to maximise all opportunities, to review and refresh where needed, and apply lessons learnt to day to day practice. The Safer Leeds 'Community Safety Strategy' provides all partners with an opportunity to 'refocus' on some critical challenges; of which 3 are highlighted here:
- Problem Solving ~ requires a breakthrough in prevention, early intervention and vulnerability at an individual, family and community level
 - Acute Safeguarding Risks ~ diverse & complex issues requires transformation in service delivery models
 - Invest to Save ~ addressing sources of demand through partnership activity and community led policing, that builds trust & confidence

4. Safer Leeds Review ~ Main issues

- 4.1 During January and March 2018, a review of Safer Leeds Executive was conducted with the intention of putting in place refreshed arrangements that:
- Detail the membership, function and roles of the Board
 - Formalise the governance and accountability framework of the Board
 - Enable the Board to delivery on its business requirements and
 - Manage the delivery of the new Safer Leeds Strategy (2018/21)
- 4.2 In March 2018, SLE considered the findings of the review, sanctioned the change proposals and recommendations and is now working on progressing on its implementation. During the consultation phase it was clear that stakeholders acknowledge the mature partnership that already exists and how they could take SLE onto its next phase of development. Throughout the consultation there was a real sense of commitment to work together to address community safety issues. There was a clear enthusiasm and passion to continually improve both policy and practice in order to achieve better outcomes for individuals, families and communities. Of significance to this report the following were agreed:
- Refreshed terms of reference ~ including membership from partners previously not on SLE
 - New Governance and Accountability arrangements ~ including the establishment of Operational Delivery Boards and Placed Based Boards
 - Revised Information Sharing Protocol and refocus on Performance and Outcomes and
 - The development of a Communications and Engagement Plan

- 4.3 The new governance arrangements will ensure work across the shared priorities and community safety issues are managed more effectively, with clear lines of accountability and opportunities to escalate risk. The 'Operational Delivery Boards' and 'Placed Based Boards' will be chaired by a member of the SLE who be responsible for developing, implementing and reporting back on progress of plans.
- 4.4 In the strategy, for each of the shared priorities is a high level narrative with a set of intentions (direction of travel) for the next 3 years. The key deliverables have ascribed actions that named lead organisations/ agencies or bodies have made a commitment to taking forward this year. This does not include core services and/ or current provision but focuses on the 'additionality' that partnership working brings, in terms of activity and innovation. Each ascribed primary lead will be held accountable to SLE on implementation of these actions.

5. Consultation Feedback ~ Main issues

- 5.1 The strategy has been developed in conjunction with representatives of all the 'Responsible Authorities' and 'Cooperating Bodies' of SLE, including representatives from the Leeds Health and Wellbeing Board, Leeds Safeguarding Children Partnership and Leeds Adults Safeguarding Board. Following consultation with the Scrutiny Board (Environment, Housing and Communities) the strategy also reflects their considerations and feedback.
- 5.2 Stakeholders were advised that the new strategy is not intended to be prescriptive and limiting in terms of delivery but to enable the SLE to respond to emerging issues through work streams and to enable more effective working with and across other Boards on cross cutting agendas.
- 5.3 During the consultation phase it was clear that stakeholders acknowledged the mature partnership that already exists, the areas that require further development and the links to numerous cross cutting agendas and work with other Boards. In particular stakeholders welcomed:
- An increased focus on the safeguarding agenda issues relating to victims, offenders and locations regardless of crime type, with a sense and commitment to continually improve both policy and practice, in order to achieve better outcomes for individuals, families and communities.
 - An increased focus on early intervention and prevention particular around the 'Think Family/ Work Family' approach as part of local problem solving; including early years and prevention models, recognising that for this to be sustainable there has to be an emphasis on working with communities within priority neighbourhoods across all sectors.
- 5.4 The strategy sets out high level intent and as with all strategies it's about the delivery of those intentions. The SLE were keen in this strategy to have ascribed actions (additionality) that named lead organisations/ agencies or bodies would commit to taking forward this year, above existing core provision.

- 5.5 Areas that are now incorporated and/ or enhanced in the strategy following consultation and feedback include:
- Sexual violence and abuse
 - Road safety and vehicular anti-social behaviour
- 5.6 In relation to sexual violence and abuse this has now been named as an area that will have focus. This was incorporated within criminal exploitation and following feedback, it is recognised and rightly deserves to be made clearer. Sexual violence and abuse is any harmful sexual behaviour which is unwanted and takes place without consent or understanding. This type of crime can have a devastating effect on the person's health and wellbeing. As such, the strategy has been adjusted and as a partnership we will continue to work with the police and partners to target offenders, give victims the confidence to come forward and report these crimes, and make all forms of sexual abuse and violence unacceptable
- 5.7 On road safety, following discussion at the Scrutiny Board (Environment, Housing and Communities), the issues relating to wider community concern around improving road safety, reducing road casualty, enforcement of speed limits and vehicular related anti-social behaviour, was accepted. In line with new SLE governance structure, an Anti-Social Behaviour Operational Delivery Board will be established, this agenda will be included as an area of focus. Of note, the connections will be reflected in the Place Based Operational Boards delivery plans as they are developed and at a neighbourhood level through West Yorkshire Police, Neighbourhood Policing Teams and the Safer Leeds work. The Executive Board Member for Communities agreed to progress this issue as a priority, at a local level, through the Community Committees and via the Community Safety Champions.
- 5.8 The Scrutiny Board's (Environment, Housing and Communities) comment around identifying and/ or providing a link to information which defines the responsibilities of each Operational Delivery Board and their specific objectives has been taken on board and will be clarified as part of the new communications and engagement formwork as the Delivery Boards develop and/ or refocus their work stream.
- 5.9 With the development of the Safer Leeds Street Support Team, there are strong synergies with the Best City Centre Vision, Our Spaces Strategy and ongoing work to create a Child Friendly city centre. All show combined consideration for both People and Place, with new opportunities and proposals to create a placed based architecture. Connections have been made as part of the community safety strategy and dialogue will continue to ensure that work supports and compliments both strategic, operational and tactical responses.

6. Funding ~ From the West Yorkshire Police Crime Commissioner

- 6.1 Since coming to Office in November 2012, the West Yorkshire Police and Crime Commissioner has provided funding to Safer Leeds on an annual basis to support the partnership's priorities. For 2018/19 the confirmed local allocation being £1,275,959 of which £464,892 is specifically for the Community Safety Fund element.

6.2 Accountability for the delivery of the funds, sits with the SLE who seek to ensure value for money and excellence in service delivery. The table below outlines the proposed local funding allocation for 2018/2019. This will be reviewed in line with the new strategy for 2019/20.

Programme of activity	<u>Safer Leeds Priority</u>	Funding Allocation 2018/19
Community Safety - Safer Leeds	<u>Creating safer, stronger communities (location)</u> <ul style="list-style-type: none"> ▪ Supporting the Front Door Safeguarding Hub ▪ Delivery of a domestic violence campaign ▪ Delivery and dissemination of lessons learnt from the DHR reviews ▪ Support the prevention of nuisance and anti-social behaviour and Reduce the occurrence and impact of hate crime through the Leeds Anti-Social Behaviour Team (LASBT) ▪ Providing extra capacity to support intelligence products to inform the deployment of resources (via the Safer Leeds Intelligence Team) ▪ Mental Health additional provision ▪ Prevent domestic violence and abuse for those at risk ▪ Implement partnership referral processes and pathways and approaches to tackle domestic violence and abuse ▪ Enhanced security provision via Leedswatch (CCTV) 	464,892
DIP Drug and Alcohol Programme	<u>Keeping people safe from harm (victim)</u> <ul style="list-style-type: none"> ▪ Reduce the aggravating effects of alcohol and drugs on crime and ASB ▪ Support delivery of Integrated Offender Management 	£613,000
Youth Offending Service	<u>Preventing and reducing offending (offender)</u> <ul style="list-style-type: none"> ▪ Breaking cycles of offending ▪ Early identification and interventions for those at risk of becoming involved in criminality 	£198,067
	<u>Total</u>	£1,275,959

6.3 A breakdown of the planned expenditure for the Community Safety Fund can be viewed here:

Community Safety – Safer Leeds		
Front Door Safeguarding Hub		115,130
Publicity Campaign		10,000
DV Structure		94,000
WYP Analysts		36,500
Mental Health additionality support provision		38,000
50% Contribution to Inspector		36,548
Contribution to Drug and Alcohol Post		14,850
Additional CCTV provision		12,000
Contribution to Caring Dads secondment		21,000
LASBT		50,000
Locally determined priorities		36,864
Total		464,892

6.4 A clear outcome framework is in place to facilitate effective budget management and reporting to the Office of the Police Crime Commissioner.

- 6.5 In addition to the funding outlined above, the Police Crime Commissioner has also been running the West Yorkshire POCA (Proceeds of Crime Act) Community Safety Fund, which provides resources for predominately 3rd sector organisations community groups and partners to support delivery of the Police and Crime Plan. Applicants can apply for up to £5k as part of funding rounds. For more information see <https://www.westyorkshire-pcc.gov.uk/safer-communities-fund.aspx>

7. Corporate considerations

7.1 Consultation and engagement

- The SLE has a statutory requirement to produce an annual Joint Strategic Assessment (JSA) to assess the scale and nature of crime and disorder in the city and to identify medium to long term issues affecting community safety. The JSA includes analysis of a range of both quantitative and qualitative data from across the partnership. It identified a number of reoccurring themes and this information and intelligence has therefore been used to inform delivery plans that underpin the overarching Strategy.
- Evidence from public consultation via the Office of the Crime and Commissioner and intelligence collated from residents accessing services delivered by Community Safety, such as the Leeds Anti-Social Behaviour Team, have been used to inform the contents of the strategy along with a range of Outcomes Based Accountability sessions held with operational professionals and service users during 2016 and 2017.
- Partners and representatives from a range of stakeholders (Leeds City Council; West Yorkshire Police; West Yorkshire Fire and Rescue Service; National Probation Trust; Leeds Clinical Commissioning Group, the Voluntary and Community Sector, West Yorkshire Community Rehabilitation Company; HM Prison Service, Leeds Children's Trust Board; Leeds Health and Wellbeing Board, Leeds Safeguarding Adults Board; Leeds Safeguarding Children Board and the Scrutiny Board (Environment, Housing and Communities) have helped shape and contributed to the new Safer Leeds Community Safety Strategy).

7.2 Equality and diversity / cohesion and integration

- The Safer Leeds Community Safety Strategy (2018-21) makes reference to the Partnership's commitment to serve all members of its communities effectively and acknowledges that all of its actions and plans should give due regard to implications for different groups and sections of the community.
- A key aim of the strategy is to work closely with a range of communities of interest, and in particular to improve all forms of hate crime reporting and domestic violence and abuse related incidents both of which are under reported. The Equality, Diversity, Cohesion and Integration Screening document is attached to this report.

7.3 Council policies and best council plan

- The Safer Leeds Community Safety Strategy links directly to the Councils ambition of a Strong Economy and a Compassionate City, with an emphasis on People and Place and will contribute both directly and indirectly to all the Best City Priorities, including the Best Council Plan 2018/19 – 2020/21 priority, ‘Safe Strong Communities’ and the Inclusive Growth Strategy which, alongside the Health and Wellbeing Strategy city’ strategies supports the Best Council Plan
- The partnership also plays a key role in monitoring community tensions and promoting community cohesion, by supporting communities and tackling poverty.

7.4 Resources and value for money

- Since coming to Office in November 2012, the West Yorkshire Police and Crime Commissioner has provided funding to Safer Leeds on an annual basis to support the partnership's priorities. For 2018/19, the confirmed local allocation being £1,275,959 of which £464,892 is specifically for the Community Safety Fund element, to deliver a range of community safety related activity to support the Safer Leeds Strategy.
- Accountability for the delivery of these funds, sits with the SLE though Leeds City Council, who seek to ensure value for money and excellence in service delivery. Financial and performance reporting occurs on a quarterly basis.
- Leeds City Council invests through its core functions to the community safety agenda across all Directorates, contributing funding directly and indirectly to service provision and delivery, on this cross cutting agenda. It is estimated that the actual spend, for 2018/19, equates to £8.5m investment. A high level breakdown is provided here:

Expenditure by Service Area	£000s
LASBT	2,902
Leedswatch	3,188
Partnership	663
PCSOs	635
Safeguarding	605
Community Safety Fund/ Grant Funding	490
Total	8,483

7.5 Legal implications, access to information, and call-in

- This report does not contain any exempt or confidential information. The report is ineligible for Call In, as the Executive and Decision Making Procedure Rules state: ‘The power to call in decisions does not extend to decisions made in accordance with the Budget and Policy Framework Procedure Rules’. This is one such decision. In line with the Budget & Policy Framework Procedure Rules, the matter has been considered by the relevant Scrutiny Board.

7.6 Risk management

- National changes to government legislation and prioritisation will bring both challenges and opportunities for the city. SLE will continue to explore additional funding opportunities where this adds value to its local priorities as part of ongoing committed to support programmes of change through an 'invest to save' approach.
- There are significant risks associated with budget reductions beyond the current financial year. Work will take place with partners to better understand what the implications and risks associated with budget reductions on the partnerships endeavours are to deliver against it shared priorities. Also, further negotiations will take place with regards to the Community Safety Fund for 2019/20 to ensure where possible, funding is aligned to local priorities set out in the strategy.

8. Conclusions

- 8.1 The Safer Leeds Community Safety Strategy (2018-2021) sets out the city's approach to reduce crime and disorder and deliver the partnerships ambition to be "the best city in the UK with the best community safety partnership and services"
- A city that is inclusive and safe for all
 - A compassionate city that protects and safeguards the vulnerable
 - A city that challenges and seeks to change behaviours that negatively impact on safer and cleaner streets

9. Recommendations

Executive Board is recommended to:

- Formally endorse the Safer Leeds 'Community Safety Strategy' for 2018-21 as submitted, and refer the Strategy to full Council with a recommendation that it is formally adopted by the Council.

10. Background documents¹

10.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

This page is intentionally left blank

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Environment and Communities	Service area: Safer Leeds, Community Safety
Lead person: James Rogers, Director of Communities and Environment	Contact number: 0113 3788654

1. Title: Safer Leeds Strategy 2018-21
Is this a:
<input checked="" type="checkbox"/> Strategy / Policy <input type="checkbox"/> Service / Function <input type="checkbox"/> Other
If other, please specify

2. Please provide a brief description of what you are screening
<p>As the city’s Community Safety Partnership, the Safer Leeds Executive (SLE) has a statutory requirement to prepare and implement a local Crime and Disorder Reduction Strategy, referred to locally as the Safer Leeds ‘Community Safety Strategy’.</p> <p>The SLE considered the draft Community Safety Strategy 2018-21 at its meeting on the 6th June and will look to finalise on the 19th July, subject to any further consultation and feedback. Formerly, a ‘Safer Leeds Plan’ was developed on an annual basis and published in the first financial quarter of each year.</p> <p>This strategy also forms part of the council’s budget and policy framework, and will be submitted to full council.</p> <p>Following the introduction of Police and Crime Commissioners in November 2012, local Crime and Disorder Reduction Strategies are required to have regard to the objectives set out in the Police and Crime Plan for the wider police area. The first West Yorkshire Police and Crime Plan 2013-2018 was published in March 2013, and was subsequently</p>

updated in 2014 and currently the Police and Crime Plan for 2016-21 is in operation.

Safer Leeds has an overarching outcome that the Partnership seeks to achieve this being: People in Leeds are safe and feel safe in their homes, in the streets and the places they go. For the new community safety strategy (2018-21) the SLE have agreed the following shared priorities that the partnership will concentrate on over the term of the strategy:

The Partnership's shared priorities over the term of the strategy will be:

- ❖ Keeping people safe from harm (victim)
- ❖ Preventing and reducing offending (offender)
- ❖ Creating safer, stronger communities (location)

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		x
Have there been or likely to be any public concerns about the policy or proposal?		x
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	x	
Could the proposal affect our workforce or employment practices?	x	
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 	x	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

• **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

1. Equality, diversity and cohesion are embedded throughout the strategy

- The draft Safer Leeds Community Safety Strategy (2018-21) makes reference to the Safer Leeds Partnership's commitment to serve all members of its communities effectively and acknowledges that all of its actions and plans should give due regard to implications for different groups and sections of the community.
- A key aim of the strategy is to work closely with a range of communities of interest, and in particular to improve all forms of hate crime reporting and domestic violence and abuse related incidents both of which are under reported.

2. Equality related information and intelligence

- The SLE as a statutory requirement to produce an annual Joint Strategic Assessment (JSA) to assess the scale and nature of crime and disorder in the city and to identify medium to long term issues affecting community safety.
- The JSA includes analysis of both a range of quantitative and qualitative data from across the partnership. It identified a number of reoccurring themes and this information and intelligence has therefore been used to inform delivery plans that underpin the overarching Strategy.

3. Consultation and engagement

- Evidence from public consultation via the Office of the Crime and Commissioner and intelligence collated from residents accessing services delivered by Community Safety, such as the Leeds Anti-Social Behaviour Team, have been used to inform the contents of the strategy along with a range of Outcomes Based Accountability sessions held with operational professionals and service users during 2016 and 2017.
- Partners and representatives from a range of stakeholders (Leeds City Council; West Yorkshire Police; West Yorkshire Fire and Rescue Service; National Probation Trust and Leeds Clinical Commissioning Group, the Voluntary and Community Sector, West Yorkshire Community Rehabilitation Company; HM Prison Service, Leeds Children's Trust Board; Leeds Health and Wellbeing Board, Leeds Safeguarding Adults Board and Leeds Safeguarding Children Board) have helped shape and contributed to the new Safer Leeds Community Safety Strategy.

- **Key findings**

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

Positive impact

1. Equality diversity and cohesion is embedded throughout the strategy and incorporated within the priorities.

The Partnership's Shared Priorities over the term of the strategy will be:

- ❖ Keeping people safe from harm (victim)
- ❖ Preventing and reducing offending (offender)
- ❖ Creating safer, stronger communities (location)

With a focus on:

- Anti-social behaviours and criminal exploitation
- Crime and disorder related to drugs, alcohol and mental health
- Hate crime and community tensions
- Safeguarding including domestic violence and abuse, sexual violence and abuse, forced marriage and honour based abuse and modern slavery
- Serious and organised crime

2. A strong ethos of partnership working, collaboration, consultation and engagement will support this agenda.

Safer Leeds will work with and support other partnership boards and delivery groups on the following issues:

- Community cohesion
- Pupil/ Student Safety
- Safer Travel/ Road Safety/ Vehicular anti-social behaviour
- Other relevant Safeguarding issues pertinent to crime and disorder

3. Positive progress to date

- In the past few years there has been a key focus on domestic violence and abuse, linked in with the Councils breakthrough project. Of note, innovation programmes include the Front Door Safeguarding Hub, notifications to schools, roll-out of Routine Enquiries (at GP practices) and the extension and increased take-up of the organisational and service Quality Mark have been progressed, developed and sustained.
- Emphasis has been placed on the safeguarding agenda with a particular emphasis on reducing domestic violence / abuse incidents for victims, protecting vulnerable children and adults from exploitation and improving access to service for victims as well as interventions for offenders to support a change in behaviour. There is a recognition that more can be done in localities of concern and with communities of interest on these agendas.

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

1. Strong review processes, accountability and transparency

- During January and March 2018, a review of Safer Leeds Executive was conducted with the intention of putting in place refreshed arrangements. Throughout the consultation there was a real sense of commitment to work together to address community safety issues. There was a clear enthusiasm and passion to continually improve both policy and practice in order to achieve better outcomes for individuals, families and communities.
- As a result, new Governance and Accountability arrangements will be place to track and support the delivery of the strategy, these include:
 - Established of ‘Operational Delivery Boards’ and ‘Placed Based Boards’ as outlined in the Strategy, chaired by a member of the SLE who be responsible for developing, implementing and reporting back on progress of plans
 - New performance and outcomes tracker for the Strategy
 - Revised Information Sharing Protocols and
 - A new Communications and Engagement Plan will be developed.
- The new governance arrangements will ensure work across the shared priorities are managed more effectively and there are clear lines of accountability and opportunities to escalate risk.
- The Strategy will be open to the relevant Scrutiny Board as part of the consultation phase and for regular checks against progress.

2. Communication and Engagement

- A comprehensive Communications and Engagement Plan will accompany the Safer Leeds Strategy, ensuring that communicating key messages and outcomes, and enagaging with the public and relevant agencies is a priority.

5. If you are **not already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:	N/A
Date to complete your impact assessment	N/A
Lead person for your impact assessment (Include name and job title)	N/A

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
James Rogers	Director of Communities and Environment	27 th September 2018
Date screening completed		27 th September 2018

7. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent: 27/09/2018
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent: 27/09/2018
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: 27/09/2018

Report of Director, Communities & Environment

Report to Council

Date: 15th November 2018

Subject: Gambling Act 2005 Statement of Licensing Policy 2019 - 2021

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

Summary of main issues

1. Every three years the Council is required by the Gambling Act 2005 to review the Gambling Act 2005 Statement of Licensing Policy (Licensing Policy), and to consult upon any changes.
2. The three yearly review is taking place this year and officers have reviewed the current policy and made changes relating to the inclusion of research results and strengthened requirements around risk assessments. The draft policy has been presented to the public for consultation in line with the requirements of the Act.
3. The Budgetary and Policy Framework has been followed and the policy has been considered by Licensing Committee and Scrutiny Board (Strategy and Resources). Executive Board, at their meeting on 17th October 2018, recommended that the matter be referred to Council for approval.

Recommendations

4. That Council approve the Gambling Act 2005 Statement of Licensing Policy 2019 – 2021 as the new policy to have effect from 31st January 2019.

1 Purpose of this report

- 1.1 To present for consideration of Council recommendations of the Executive Board regarding the Gambling Act 2005 Statement of Licensing Policy.

2 Background information

- 2.1 Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.
- 2.2 The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

3 Main issues

- 3.1 This will be the fifth time that the council has reviewed and amended the Gambling Act 2005 Statement of Licensing Policy 2019-2021 (the policy).

Changes since the publication of the last policy

- 3.2 In the last three years there have been a number of issues that have come to the attention of councils nationwide. The most publicly reported of which is the increase in the number of Fixed Odds Betting Terminals (FOBTs) in premises in deprived areas and the impact these machines have on people vulnerable to problem gambling. In Leeds, although there has not been a significant change in the number of betting shops, there has been movement and more premises are open in deprived areas, however a change in Planning which put betting shops into a class of their own (sui generis) has not only halted this movement, but applications for new betting shop licences have reduced in the last three years.
- 3.3 In response to the publicity around FOBTs the Government has undertaken a review of stakes and prizes in relation to gaming machines and has determined to reduce the stake for an FOBT from £100 to £2, and has announced this will come into effect in April 2019.
- 3.4 Also in the last three years the Large Casino has opened in Leeds city centre in Victoria Gate. Victoria Gate Casino provides a regular payment into the Social Inclusion Fund, administered by the Financial Inclusion Team which has allowed the council to work closely with support providers and other agencies as part of a Problem Gambling Working Group in order to address matters relating to support for people with gambling problems, meeting the council's commitment to reduce the social and economic impact of gambling in Leeds.

- 3.5 This group, led by the Financial Inclusion Team, has been instrumental in producing the 'Beat the Odds' campaign which is designed to promote the support available to problem gamblers in Leeds. It has been instrumental in providing gambling awareness training to front line staff from the council and partner organisations, such as Citizen Advice, debt advisors, customer services etc. The group is trying to increase support provision for problem gambling within Leeds, by working with GamCare and NECA (North East Council on Addictions).
- 3.6 As part of the undertakings made when the ability to grant the licence was awarded to Leeds in 2008, the council recently commissioned research from Leeds Beckett University to identify the people most vulnerable to problem gambling in Leeds. This research detailed a number of groups that are vulnerable to problem gambling and increased national awareness of the problems facing citizens of metropolitan areas, such as Leeds, where the incidence of problem gambling is estimated to be twice the national average. The research findings have been included in this revision of the policy.
- 3.7 Discussions are underway between Leeds and York Partnership Foundation Trust and GambleAware to establish a residential problem gambling clinic in Leeds which will serve the north of England. GamCare is looking to increase support for problem gambling in Leeds as part of this project. However it's very early in this project and funding is yet to be secured.

Policy Review and Consultation

- 3.8 Very early in the review process the draft policy was discussed with partners at the Problem Gambling Working Group. It was agreed to:
- include the findings of the research undertaken by Leeds Beckett University; and
 - to strengthen the requirements on operators when completing the local risk assessments, as required by the Licence Conditions and Codes of Practice attached to all operators licences issued by the Gambling Commission.
- 3.9 These two main changes promote the council's aim to keep people safe from harm and protecting the most vulnerable. The working group's ongoing work around providing more suitable support for problem gamblers aims to help people out of financial hardship and the strengthening of the requirements on operators risk assessments tackles anti-social behaviour in gambling premises while being responsive to local needs, building thriving, resilient communities and promoting community respect and resilience.
- 3.10 Through the Council's Licensing Enforcement Group, and as part of the early policy review process officers also contacted the statutory responsible authorities (including West Yorkshire Police, Public Health, West Yorkshire Fire and Rescue Services, Leeds Safeguarding Children Partnership) who made no comments to the first draft of the policy.
- 3.11 Officers worked with Public Health and the council's Financial Inclusion Team on the inclusion of the matters related to the study the council commissioned from Leeds Beckett University into problem gambling in the policy.

- 3.12 The draft policy was approved for the purposes of consultation by the Director via Delegated Decision Notice in June 2018. It underwent a public consultation which ran from the middle of June to early August 2018. The consultation was advertised by way of letters and emails to over 600 businesses, agents, solicitors, ward councillors, MPs, parish and town councils and support organisations.
- 3.13 The council received five responses to the public consultation. Two were received from gambling operators, two from parish councils and one from a support organisation. The responses and the council response is detailed in the Consultation Report which is attached at Appendix 1. As the responses were received from public bodies and commercial companies the names of the organisations have been included.
- 3.14 A report and appendices was presented to Licensing Committee on the 4th September 2018. Licensing Committee endorsed the amended policy and Consultation Report.
- 3.15 A report and appendices was presented to Scrutiny Board (Strategy and Resources) on 10th September. Members were requested to provide comments and recommendations for Executive Board. The comments related to the lack of consultation responses.
- 3.16 The matter was referred to Executive Board who considered the response from Scrutiny Board and recommended that Council approve the policy.
- 3.17 The Statement of Licensing Policy 2019-21 is attached at Appendix 2.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The policy is subject to a statutory consultation. The consultation took place between the middle of June and early August 2018 with over 600 letters and emails being sent to the statutory consultees, including responsible authorities, all elected Members, Members of Parliament, town and parish councils who represent the public. In addition all gambling businesses, their agents and specialist licensing solicitors known to the council were consulted.
- 4.1.2 The council received five responses to the consultation which were discussed by Licensing Committee and by Scrutiny Board in September. The responses were included in the Consultation Report which was attached to the October Executive Report and are available on request.
- 4.1.3 Although five responses seems low, especially considering the high number of letters and emails that were sent to advertise the consultation, but this was the expected level of response. Consultation on licensing policies does not historically attract a large number of responses and a higher number is expected in cases where the public and interested parties are not in agreement with the contents of the policy. In this case the low level of consultation responses, in contrast to the large number of consultees, would indicate a high level of acceptance of the policy.

- 4.1.4 In addition, the Council undertook extensive consultation with interested parties during the development of the revised policy, including input from gambling addiction and support agencies, debt support agencies, public health, NHS addiction services and so through the Problem Gambling Working Group.
- 4.1.5 All attendees were able to contribute to the initial review of the policy, and discussions took place which culminated in the inclusion of the Leeds Beckett University research and to strengthen the requirements on operators when completing the local risk assessments, as required by the Licence Conditions and Codes of Practice attached to all operators licences issued by the Gambling Commission.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The Gambling Act 2005 has three licensing objectives:
- a) preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
 - b) ensuring that gambling is conducted in a fair and open way, and
 - c) protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 4.2.2 The licensing authority, in exercising their functions under the Act, shall aim to permit the use of premises for gambling in so far as it thinks it is reasonably consistent with the licensing objectives.
- 4.2.3 Therefore the council has produced a Statement of Licensing Policy with this in mind and has taken special consideration of the protection of children and vulnerable people.
- 4.2.4 The Licensing Policy review process is subject to an EDCI Assessment, and a screening form has been completed. It is attached at Appendix 3.

4.3 Council policies and City Priorities

- 4.3.1 The Statement of Licensing Policy sets out the principles the council will use to exercise its functions under the Gambling Act 2005. Applicants for licences and permits for gambling are expected to read the Policy before making their application and the council will refer to the Policy when making its decisions.
- 4.3.2 The licensing regime contributes to the following Best Council Plan 2015-20 outcomes:
- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
 - Make it easier for people to do business with us.
- 4.3.3 The licensing regime is linked to the Best Council Plan objectives:
- Supporting communities and tackling poverty, and
 - Becoming a more efficient and enterprising council

4.4 Resources and value for money

- 4.4.1 A review of the effectiveness of specific consultation methods has been instrumental in reducing costs. The public consultation of the policy is now mostly undertaken by email, which has helped reduce the cost further.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The development of a policy under the Gambling Act 2005 is a matter for full Council and follows the Budgetary and Policy Framework which provides a formal process for approval. This report is not available for call in as it has already been considered by Scrutiny.

4.6 Risk Management

- 4.6.1 Council has the option of not approving the Policy, for example if further work was required. This would impact on the policy approval timescales. A revised policy must be in place by January 2016 in order for the council to continue determining gambling licences and authorisations under the Gambling Act 2005.

5 Conclusions

- 5.1 The Statement of Licensing Policy is under statutory review. A public consultation has been undertaken and the policy reviewed based on the comments received. The final draft policy and the consultation report were endorsed by Licensing Committee and Executive Board sought comments from Scrutiny Board (Strategy and Resources). The matter is now for Council to consider this report and approve the Policy should it consider it appropriate to do so.

6 Recommendations

- 6.1 That Council approve the Gambling Act 2005 Statement of Licensing Policy 2019 – 2021 as the new policy to have effect from 31st January 2016.

7 Background documents¹

- 7.1 There are no unpublished background documents that relate to this matter.

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Consultation Report

Gambling Act 2005

The Gambling Act 2005 Statement of Licensing Policy has been reviewed and undergone a public consultation. A number of responses were received and are included within this report along with the Council's comments and suggested changes to the Policy.



Purpose of this report

To present the consultation responses and the council's proposed changes.

Background information

Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

Main issues

This will be the fifth time that the council has reviewed and amended the Gambling Act 2005 Statement of Licensing Policy (Licensing Policy).

In the last three years there have been a number of issues that have come to the attention of councils nationwide. The most publicly reported of which is the increase in the number of Fixed Odds Betting Terminals in premises in deprived areas. In Leeds, although there has not been a significant change in the number of betting shops, there has been movement and more premises are opening in deprived areas.

Also the Large Casino has opened in Leeds city centre. As part of the undertakings made when the ability to grant the licence was awarded to Leeds, the council commissioned research from Leeds Beckett University to identify problem gambling in Leeds. This research detailed a number of groups that are vulnerable to problem gambling. This information has been included in this revision of the policy.

As part of the review process officers have contacted the responsible authorities (including West Yorkshire Police, Public Health, West Yorkshire Fire and Rescue Services, Leeds Safeguarding Children Board) who have made no further comments. Officers have worked with Public Health and the council's Financial Inclusion Team on matters related to the study the council commissioned into problem gambling.

Leeds City Council consulted widely upon this policy statement before finalising and publishing it. The policy was presented for public consultation on the website, and by email and post to solicitors, licensees, support organisations, responsible authorities, ward members, MPs, trade associations, and parish councils. In total 170 emails and 526 letters were sent advising interested parties of the consultation. The consultation was also advertised via a press release. The consultation took place between 11th June and 5th August 2018 and followed the Cabinet Office's Code of Practice on Consultation. The responses are provided in this document, along with the Council's response.

The approval process follows the Budgetary and Policy Framework. The suggested timescale for approval is as follows:

Scrutiny Board	10 th September
Executive Board	17 th October
Council	14 th November

Consultation Responses

Consultation Response from Luxury Leisure and Talarius Limited

Thank you for the opportunity to make comments on the above consultation. On behalf of Luxury Leisure and Talarius Limited I make the following comments in relation to the consultation draft (the "Draft"):-

1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the "Act") it is subject to the Regulators' Code. That code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally under the Code, when designing and reviewing policies, the Authority must among other things, understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. I cannot see a reference to the Regulators' Code in the current Draft and suggest that it is incorporated.

Council Response: A reference to the Regulators' Code can be included within the Enforcement section.

2. Para 14.10 – It would seem that some wording might be missing from this paragraph – perhaps after "In order for location to be considered".....?

Council Response: This is a formatting error and this sentence should form part of the previous section. This can be moved so that it sits in the right place and makes more sense in context.

3. Para 14.12 – As the Authority will appreciate, moral objections to gambling are not valid in relation to applications under the Act. As such, we do not understand why the proximity of places of worship is relevant to the licensing objectives or Local Risk Assessments. We suggest this bullet point be removed.

Council Response: Not only are places of worship considered to be sensitive locations as they may provide refuge to those in need, many churches host 12 step programmes to support addiction treatment. Even if the church in question does not host a specific gambling addiction treatment programme, gambling addiction is commonly co-morbid with other addictions such as alcohol and many more churches host alcohol treatment programmes. For this reason their locality to gambling premises should be considered within the local risk assessments.

4. Para 14.13 – the 4th bullet point refers to the local exchange of information about "self-exclusions and gaming trends". It is not clear between whom information is to be exchanged. The Authority will be aware of MOSES schemes but equally aware of the provisions of GDPR. It is not clear what the Authority has in mind in terms of "gaming trends" in this regard.

Council Response: Any data shared with the authority would be anonymised and therefore would not fall under the provisions of GDPR. The licensing authority has no need for sensitive personal data on individuals in regard to self-exclusions and gaming trends. This will be made clearer in that paragraph.

5. In the 5th bullet point reference is made to not having advertisements to "entice passers-by". Gambling facilities provided under the Act are perfectly legal, provided they are provided in a compliant manner. There is no general blanket ban on advertising. It is of course subject to the LCCP and the CAP code and made in a responsible way. It is not prohibited and we suggest this bullet point be amended.

Council response: In order to be consistent with the objective of the protection of children and vulnerable people, licence holders should consider if their advertisements are likely to attract children and vulnerable people. This can be clarified in the policy.

6. Para 14.18 – It would be helpful if a link to the Local Area Profile was inserted.

Council response: As it's possible the link will change throughout the lifetime of the policy, and may even be withdrawn, it is preferable for potential applicants to contact Entertainment Licensing who will not only provide the guidance in relation to the application but also the correct link at that time.

7. Para 14.22 – In our opinion, the wording of this para strays dangerously close to issues of demand. The issue of impact on vulnerable people is properly a matter for the LRA, which is dealt with in detail at paras 14.10 – 14.17. We suggest this para be removed. At worst it risks being interpreted as a demand issue and at best it duplicates the provisions on the LRA.

Council response: We concur that this matter is dealt with in the paragraphs which concentrate on location and also in the Local Risk assessment section and para 14.22 should be moved to that place in the Policy (around 14.8). The purpose of this paragraph was to ensure that the location of other gambling licensed premises is taken into consideration when premises are completing their local risk assessment. For example in some areas gambling premises may want to set up a communication link with other premises so that local information can be shared. Similarly the presence of other gambling premises in the area may have an impact on the licensing objectives which could be adequately addressed through the local risk assessment. However the commercial demand for gambling premises is not a matter that can be taken into consideration, and this will be clarified within the policy.

8. Para 14.27, bullet point 11 – Legislators made the decision that children are to be allowed without an adult in specific premises and this is enshrined in the Act. With respect, it is not for the Authority to seek to amend that legislation through the SoP. If there are concerns about supervision in specific premises, the Authority has enforcement power and powers of review. To include such a condition amongst the suggested conditions that could be imposed without evidence of any issue, would be wholly inappropriate.

Council response: In para 14.24 it is clear that conditions would only be imposed where there are specific risks or problems associated with a particular locality or specific premises, or class of premises.

9. The final bullet point refers to “obscuring windows”. It is not clear to us what is meant by this, but if it is intended to suggest that a condition be attached requiring shop front windows to be obscured, without evidence of a specific issue, we submit that would be wholly inappropriate.

Council response: Again in para 14.24 conditions would only be imposed where there are specific risks or problems.

10. Para 16.4 – the licensing objective set out in the Act that is relevant to this paragraph is outlined at section 13 – i.e. “protecting children and other vulnerable persons from being harmed or exploited by gambling”. The harm that is relevant under the Act is that caused by the gambling facilities in question. It is not harm in the wider sense – the Authority has other enforcement powers in relation to harm caused in other ways and to seek to incorporate other harm in the SoP would be to duplicate regimes. Under the Act, the SoP is a statement of the principles which the Authority proposes to exercise in applying its functions under the Act, as is acknowledged on page 5 of the Draft. Accordingly we recommend that the final sentence of this bullet point is removed from the Draft.

Council response: Family entertainment centres are premises which are attractive to children and where children are permitted to enter and use the facilities without the supervision of an adult. The final sentence of paragraph at 16.4 is explained in more detail in paragraphs 16.5.

11. Para 16.5 – The operator’s policies and procedures are referred to in general terms with some examples of that may be included. However, unlike the other bullet points, the final bullet point goes beyond the generalities, which does not seem appropriate in the context of the paragraph. Removing it will not constrain the Authority, or applicants in assessing what might be suitable for specific premises. Indeed much of the wording is much more akin to a condition.

Council response: Yes, we concur. The detail has been replaced with a sentence that directs applicants to West Yorkshire Police for further advice.

12. Paras 17 and 19 – we note that no wording has been included for casinos or betting premises in the same terms as appears at 15.3 for AGCs. This does not seem consistent and we would expect the words to be replicated for these adult only environments.

Council response: Yes, this is a fair point and the policy will be amended accordingly.

Consultation Response from Gamcare

Thank you for your email, we appreciate your interest in our work.

We would suggest that Local Licensing Authorities primarily consider applications from [GamCare Certified operators](#). GamCare Certification is a voluntary process comprising an independent audit assessment of an operator’s player protection measures and social responsibility standards, policy and practice. Standards are measured in accordance with the GamCare Player Protection Code of Practice. If you would like more information on how our audit can support Local Licensing Authorities, please contact mike.kenward@gamcare.org.uk or paul.carpenter@gamcare.org.uk.

For more information on GamCare training and other services available to local authorities, as well as recommended training for gambling operators, please see the attached brochures.

Council response: The council thanks GamCare for their response, and the information provided regarding GamCare Certified operators. The licensing process and the Gambling Act require the licensing authority to permit gambling if it is reasonably consistent with the licensing objectives, the Gambling Commissions Guidance for Licensing Authorities and the Statement of Licensing Policy. An application that does not attract a representation it is granted automatically. Otherwise a licensing subcommittee would only consider the contents of any such representation when deciding to grant a licence. Although an applicant can use their GamCare certification as a way of demonstrating the quality of player protection measures and social responsibility standards this would only be considered if these matters are relevant to the received representations.

Consultation Response from Rawdon Parish Council

Rawdon Parish Council have considered the consultation documents and are of the view that regulation of gambling in the city should be tightened to the maximum extent permitted within the law.

Council response: The council thanks Rawdon Parish Council for their comments.

Consultation Response from Swillington Parish Council

Swillington Parish Council has noted the contents of the statement of the licensing policy and in favour of the proposals with no other comments to make.

Council response: The council thanks Swillington Parish Council for their comments.

Consultation Response from the Racecourse Association Ltd

I am writing on behalf of the Racecourse Association, the trade association for horse racecourses in Great Britain. We have reviewed the revision of statement of gambling licensing policy for Leeds City Council, to which we would like the opportunity to respond on behalf of our members.

Local Risk Assessment (Paragraph 14.12 – 14.17) – The Council is asked to be aware that racecourse is not obliged to conduct a risk assessment, that is the responsibility of the operator on the track. We would request that this is specified in the consultation.

Council response: This can be clarified within the policy.

Conclusions

Officers have completed the review of the Licensing Policy following the public consultation and have produced a final policy for approval. The policy now continues on the budget and policy framework and will be presented to Scrutiny Panel in September, Executive Board in October and Council in November. The Gambling Act 2005 Statement of Licensing Policy 2019-2021, once adopted, will come into effect on 31st January 2019.

Statement of Licensing Policy 2019 – 2021

Gambling Act 2005



Further copies of this document can be obtained from:

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Tel: 0113 378 5029

Fax: 0113 336 7124

Email: entertainment.licensing@leeds.gov.uk

Web: www.leeds.gov.uk/licensing

Please note:

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

Executive Summary	5
--------------------------	----------

Part A The Gambling Act 2005	
--	--

1.	The licensing objectives	6
2.	The Leeds district	7
3.	Integration with other guidance, policies, objectives and strategies	9
4.	The purpose of the Gambling Act 2005 – Statement of Licensing Policy	10
5.	The licensing framework	11
6.	Declaration	11
7.	Responsible authorities	11
8.	Interested parties	12
9.	Exchange of information	13
10.	Licensing authority functions	13

Part B Promotion of the licensing objectives	
--	--

11.	Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime	14
12.	Ensuring that gambling is conducted in a fair and open way	14
13.	Protecting children and other vulnerable persons from being harmed or exploited by gambling	15
	• Protection of children	15
	• Protection of vulnerable people	15

Part C Premises licences	
--------------------------------------	--

14.	General requirements	20
	• Definition of “premises”	20
	• Location	21
	• Local Risk Assessments	21
	• Local Area Profile	23
	• Duplication with other regulatory regimes	24
	• Conditions	24

• Door supervision	25
15. Adult gaming centres	25
16. Licensed family entertainment centres	26
17. Casinos	27
18. Bingo premises	28
19. Betting premises	28
20. Tracks	29
21. Travelling fairs	30
22. Provisional statements	31

Part D Permits, notices and lottery registrations

23. Unlicensed family entertainment centre gaming machine permits	32
24. Gaming machine permits in premises licensed for the sale of alcohol	33
25. Prize gaming permits	34
26. Club gaming and club machines permits	36
27. Temporary use notices	37
28. Occasional use notices (for tracks)	37
29. Small society lottery registrations	38

Part E Enforcement

30. Enforcement principles	39
31. Reviews	40

Appendices

Appendix 1 Gaming machines	42
Appendix 2 Glossary of terms	45
Appendix 3 Summary of gaming entitlements for clubs and pubs	49
Appendix 4 Large Casino	50

Executive Summary

The Gambling Act 2005 obtained Royal Assent in 2005 and came into effect in 2007.

Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

The purpose of the Statement of Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

Any decision taken by the Council in regard to determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives which are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises, tracks and travelling fairs.

The council has the ability to issue permits for prize gaming and unlicensed family entertainment centres. The council is able to specify the information it requires as part of the application process which will aid determination and this information is described in this Policy.

Club gaming and club machine permits are also issued by the council. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.

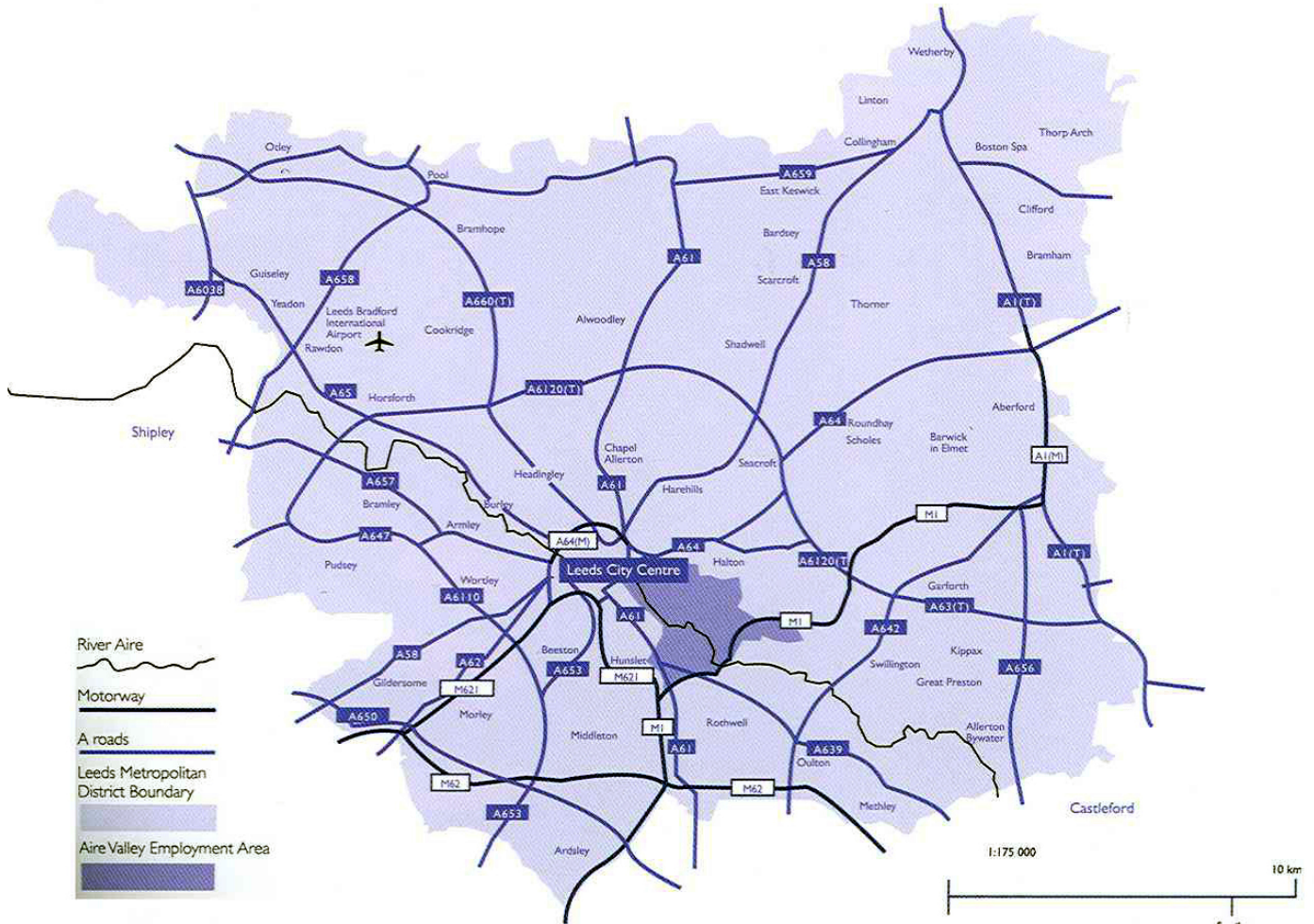
Enforcement of the legislation is a requirement of the Act that is undertaken by the council in conjunction with the Gambling Commission. The policy describes the council's enforcement principles and the principles underpinning the right of review.

The policy has three appendices, describing the stakes and prizes which determine the category of a gaming machine, a glossary of terms and exempt gaming in pubs and clubs.

1. The licensing objectives

- 1.1 Under the Gambling Act 2005 (the Act) Leeds City Council is the licensing authority for the Leeds district and licences premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the council are to the Leeds Licensing Authority.
- 1.2 The council will carry out its functions under the Act with a view to aiming to permit the use of premises for gambling in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act. The licensing objectives are:
- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - ensuring that gambling is conducted in a fair and open way
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 More information can be found about how the council will achieve this in Part B and C of this document.
- 1.4 The council will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.
- 1.5 The council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with this document.
- 1.6 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration their local information. Specific information about localities is provided in this policy at Section 14.

2. The Leeds district



- 2.1 Leeds City Council has sought to establish Leeds as a major European city and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within a 30 minute drive of the city centre.
- 2.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 784,846 (ONS Mid-year population estimates 2017). It includes the city centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with their very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 2.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the City coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes has many benefits including the creation of a vibrant 24-hour city. Leeds City Council has a policy promoting mixed use development including residential and evening uses throughout the city centre.

- 2.4 Leeds has strong artistic traditions and top performing artistes can be seen at the Leeds first direct Arena, Leeds Town Hall and at other indoor and outdoor venues across the city. The success of arts and heritage organisations including the Grand Theatre, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackray Medical Museum. The city also boasts a wealth of community based sports, entertainment, heritage and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.
- 2.5 Sport is a passion for people in Leeds and Yorkshire. Leeds United Football Club has a loyal and passionate following and Elland Road is one of England's great traditional grounds. Cricket is followed with enthusiasm with Yorkshire Cricket Club's home in Headingley. Leeds has a world's first dual code rugby partnership – Leeds Rhino Rugby League and Leeds Carnegie Rugby Union. The Leeds Rhinos in particular have enjoyed great success in recent years. Wetherby racecourse was established in 1891 and is considered one of the best jump courses in the country.
- 2.6 Leeds is a city with many cultures, languages, races and faiths. A wide range of minority groups including Black Caribbean, Indian, Pakistani, Irish and Chinese as well as many other smaller communities make up 18.9% of the city population.
- 2.7 Leeds has a strong economy that has enabled the city to recover well from the recession. However, Leeds is also a city marked by health inequalities, indicating that not everyone has benefited from the economic growth equally. The number of neighbourhoods falling into the 10% most deprived nationally has increased since 2010 but the number of least derived neighbourhoods has also increased – the inequalities gap is getting wider.
- 2.8 Inclusive growth in Leeds should help reverse the worsening socio-economic position in many neighbourhoods, by focusing not just on quantity of growth but also quality; actions should reflect people's experience of opportunities, barriers, skills and employment and living standards.
- 2.9 Life expectancy in Leeds (2013-2015) is 80 years and 2.5 months. However for males and females living in deprived Leeds this is lower by 5 years 5 months and 4 years 8 months respectively.
- 2.10 A worrying trend of an increasing number of suicides among men was identified in Leeds. Although we are unable to establish to what extent gambling addiction has contributed to this, there is evidence that the majority of problem gamblers has contemplated suicide. Furthermore people with poor mental health are at significantly high risk of problem gambling (Geofutures 2015).
- 2.11 For further health and deprivation information about the local area visit <http://observatory.leeds.gov.uk>.

3. Integration with other guidance, policies, objectives and strategies

Vision for Leeds

- 3.1 The Vision for Leeds 2011-2030 sets the overall aim that “by 2030, Leeds will be locally and internationally recognised as the best city in the UK”. By 2030:
- Leeds will be fair, open and welcoming
 - Leeds’ economy will be prosperous and sustainable
 - All Leeds’ communities will be successful
- 3.2 This Statement of Licensing Policy seeks to promote the licensing objectives within the overall context of the three aims set out in the Vision for Leeds 2011-2030.

Best Council Plan 2018/19 – 2020/21

- 3.3 The Best Council Plan aims to address poverty and inequalities by maintaining a long-term strategic focus on strengthening the economy whilst supporting the most vulnerable. This policy seeks in particular to support the Best Council Plan priorities around, ‘Safe, Strong Communities’, ‘Inclusive Growth’, ‘Health and Wellbeing’ and ‘Child-friendly City’. The Best Council Plan is supported by a number of key strategies including the Health and Wellbeing Strategy 2016-2021, Inclusive Growth Strategy 2018-2023 and Children and Young People’s Plan 2018-2023.

Leeds Health and Wellbeing Strategy 2016-2021

- 3.4 Leeds Health and Wellbeing Strategy 2016-2021 describes the council’s vision for health and wellbeing as ‘Leeds will be a health and caring city for all ages, where people who are the poorest improve their health the fastest’. This policy is particularly affected by the following health and wellbeing priorities...
- Promote mental and physical health equally
 - Stronger focus on prevention
 - Housing and environment enable people... to be healthy

Leeds Inclusive Growth Strategy 2018-2023

- 3.5 The Leeds Inclusive Growth Strategy aims to further deliver growth across the city that is inclusive, draws on the talents of, and benefits all our citizens and communities. The strategy sets out how everyone can contribute to the city’s growth. It provides a framework for how all parts of the council will work with partners from all sectors across Leeds, the region and with national government to grow the economy. The strategy sets out 12 ‘big ideas’ to act as an action plan to encourage inclusive growth focusing on supporting people, places and productivity. This policy links in particular to the following ‘big ideas’:
- Best City for Health and Wellbeing
 - Working together to create better jobs, tackling low pay and boosting productivity
 - Putting children at the heart of the growth strategy

- 3.6 The UN convention on the rights of the child set out the basic rights for children worldwide. The UN developed the model for the child-friendly city model: a place where children's rights are known and understood by children and adults alike and where these rights are reflected in policies and budgets.
- 3.7 The Leeds Children and Young People's Plan helps deliver Leeds' 'child-friendly city' aspiration, whereby the voices, needs and priorities of the more than 190,000 children and young people (aged 0-19 years) in Leeds are heard, responded to and inform the way we make decisions and take action. We aim to improve outcomes for all our children, whilst recognising the need for outcomes to improve faster for children and young people from vulnerable and deprived backgrounds. The Plan is focused on delivering five outcomes whereby all children and young people:
- Are safe from harm
 - Do well at all levels of learning and have skills for life
 - Enjoy healthy lifestyles
 - Have fun growing up
 - Are active citizens who feel they have a voice and influence
- 3.8 This policy contributes to all these outcomes and also a number of the priorities within the Children and Young People's Plan, including:
- Ensuring that the most vulnerable are protected
 - Improving social, emotional, and mental health and wellbeing
 - Supporting young people to make good choices and minimise risk-taking behaviours

4. The purpose of the Gambling Act 2005 – Statement of Licensing Policy

- 4.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published at least every three years. The statement can also be reviewed from "time to time" and any amendments must be consulted upon. The statement must then be re-published.
- 4.2 Leeds City Council consulted widely upon this policy statement before finalising and publishing it. The policy was presented for public consultation on the website, and by email and post to solicitors, licensees, support organisations, responsible authorities, ward members, MPs, trade associations, and parish councils. In total 170 emails and 526 letters were sent advising interested parties of the consultation. The consultation was also advertised via a press release.
- 4.3 The consultation took place between 11th June and 5th August 2018 and followed the Cabinet Office's Code of Practice on Consultation. The consultation elicited five responses which are available on request. The policy was approved at a meeting of the Full Council on 14th November 2018.

5. The licensing framework

- 5.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.
- 5.2 The Gambling Commission issues operators licences and personal licences. Any operator wishing to provide gambling at a certain premises must have applied for the requisite personal licence and operator licence before they can approach the council for a premises licence. In this way the Gambling Commission is able to screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The council's role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The council also issues various permits and notices to regulate smaller scale and or ad hoc gambling in various other locations such as pubs, clubs and hotels.
- 5.3 The council does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.

6. Declaration

- 6.1 This statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 6.2 In producing this document, the council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

7. Responsible authorities

- 7.1 The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities are able to make representations about licence applications, or apply for a review of an existing licence. Responsible authorities will also offer advice and guidance to applicants.
- 7.2 The council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area
- the need for the body to be answerable to democratically elected people, rather than any particular vested interest group etc.

7.3 In accordance with the regulations the council designates the Leeds Safeguarding Children Partnership for this purpose. Leeds Safeguarding Children Partnership has produced a "West Yorkshire Consortium Procedures Manual which can be found at <http://westyorkscb.proceduresonline.com>. Applicants may find this manual useful as a point of reference, a guide for good practice and the mechanism by which to make a referral to Social Care, when producing their own policies and procedures in relation to the objective of protection of children and vulnerable people.

7.4 The contact details of all the responsible authorities under the Gambling Act 2005 are available on the council's website within the guidance documents at <http://www.leeds.gov.uk/Business/Pages/Gambling-Premises-Licences.aspx>.

8. Interested parties

8.1 Interested parties are certain types of people or organisations that have the right to make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

8.2 The council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities.
- Within this framework the council will accept representations made on behalf of residents and tenants associations.
- In order to determine if an interested party lives or has business interests, sufficiently close to the premises to be likely to be affected by the gambling activities, the council will consider factors such as the size of the premises and the nature of the activities taking place.

8.3 The council will provide more detailed information on the making of representations in a separate guidance note. The guidance note has been prepared in accordance with relevant Statutory Instruments and Gambling Commission guidance.

9. Exchange of information

- 9.1 Licensing authorities are required to include in their policy statement the principles to be applied by the authority with regards to the exchange of information between it and the Gambling Commission, as well as other people listed in Schedule 6 to the Act.
- 9.2 The principle that the council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. The council will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

10. Licensing authority functions

- 10.1 Licensing authorities are responsible under the Act for:
- licensing premises where gambling activities are to take place by issuing premises licences
 - issuing provisional statements
 - regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
 - issuing Club Machine Permits to commercial clubs
 - granting permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centres
 - receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines
 - granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
 - registering small society lotteries below prescribed thresholds
 - issuing Prize Gaming Permits
 - receiving and endorsing Temporary Use Notices
 - receiving Occasional Use Notices (for tracks)
 - providing information to the Gambling Commission regarding details of licences issued (see section above on 'Exchange of information')
 - maintaining registers of the permits and licences that are issued under these functions.
- 10.2 The council will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operator licences.

11. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 11.1 The Gambling Commission will take a lead role in keeping gambling crime free by vetting all applicants for personal and operator licences. The council's main role is to try and promote this area with regard actual premises. Thus, where an area has known high levels of organised crime the council will consider carefully whether gambling premises are suitable to be located there (see paragraph 14.8 and 14.9) and whether conditions may be required such as the provision of door supervision (see paragraph 14.31).
- 11.2 There is a distinction between disorder and nuisance. In order to make the distinction, when incidents of this nature occur, the council will consider factors such as whether police assistance was required and how threatening the behaviour was.
- 11.3 Issues of nuisance cannot be addressed by the Gambling Act provisions however problems of this nature can be addressed through other legislation as appropriate.
- 11.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

12. Ensuring that gambling is conducted in a fair and open way

- 12.1 The council is aware that except in the case of tracks (see section 18) generally the Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- 12.2 However the council will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other matters as set out in the Gambling Commission's Licence Conditions and Code of Practice.
- 12.3 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

13. Protecting children and other vulnerable persons from being harmed or exploited by gambling

Protection of children

13.1 This licensing objective means preventing children from taking part in most types of gambling. The council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

13.2 The Act provides the following definition for child and young adult in Section 45:

Meaning of “child” and “young person”

- (1) In this Act “child” means an individual who is less than 16 years old.
- (2) In this Act “young person” means an individual who is not a child but who is less than 18 years old.

For the purpose of this section protection of children will encompass both child and young person as defined by the Act.

13.3 The council will pay particular attention to any codes of practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.

13.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

Protection of vulnerable people

13.5 The council is aware of the difficulty in defining the term “vulnerable person”. In most recent literature it is not a term that is used, with the term “adults at risk of abuse or neglect” or “adults at risk” being the preferred terms.

13.6 The Gambling Commission, in its Guidance to Local Authorities, does not seek to offer a definition for the term “vulnerable people” but will, for regulatory purposes assume that this group includes people:

“who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.”

13.7 The Care Act 2014 imposes a requirement on a local authority to “make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it”.

- 13.8 The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom. "Abuse" includes financial abuse; and for that purpose "financial abuse" includes having money or other property stolen, being defrauded, being put under pressure in relation to money or other property, and having money or other property misused.
- 13.9 Department of Health document "No Secrets" from 2000 offers a definition of a vulnerable adult as a person:
- "who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation."
- 13.10 In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling in Leeds (*Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016*). This research looked specifically at identifying groups of the society that could be considered vulnerable to problem gambling:
- 13.11 **Young people** – rates of problem gambling among young people who gamble are higher than older adults and youth gambling behaviours are consistent with the harm paradox, whereby these age groups are less likely to gamble generally but those that do are more likely to experience difficulties with their behaviour (Wardle, 2015).
- 13.12 **Minority ethnic groups** – There is consistent evidence that those from Asian or Black backgrounds are more vulnerable to gambling problems and there is clear evidence of the harm paradox (Wardle, 2015).
- 13.13 **Unemployed and constrained economic circumstance** – generally those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling. This is highlighted as a concern given the lesser ability of lower income households to protect themselves from financial instability (Brown et al, 2011).
- 13.14 There is evidence that those in debt and those using money lenders and/or pawnbrokers are more likely to be problem or at risk gamblers (Meltzer et al, 2012). The relationship between constrained economic circumstances and gambling problems is likely to be complex and multi-faceted. It may be mediated by other economic opportunities and personal feelings about how well off you are compared with others. Despite this complexity, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.
- 13.15 **Area deprivation** – There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience problems with their gambling behaviour. This was despite having roughly the similar levels of past year gambling participation to those who live in less deprived areas.

- 13.16 Wardle (2015) looked at the distribution of machines and licensed betting offices and argues that there was clear and consistent evidence of a spatial skew, whereby high density machine zones or areas with licensed betting offices are more deprived than others. Recent research has shown that among gamblers who held loyalty cards, rates of problem gambling (28%) were higher among those who lived within 400 metres of a concentration of betting offices than those who did not (22%) (Astbury & Wardle, 2016).
- 13.17 **Homeless** – The rates of problem gambling are higher among those who are homeless than those who are not. Although studies are small, they show that there is a significant relationship with gambling preceding homelessness. Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group.
- 13.18 **Mental ill health** – There is a strong association between mental ill health and problem gambling. Associations were found between problem gambling and general anxiety disorder, phobia, obsessive compulsive disorder, panic disorders, eating disorders, probably psychosis, attention deficit hyperactivity disorder, post-traumatic stress disorder, harmful and hazardous levels of alcohol consumption and drug addiction. Overall three quarters of problems gamblers seeking treatment also experience co-morbid mental health disorders.
- 13.19 Being a problem or at risk gambler is associated with latter onset of major depressive disorder, alcohol use and dependence, drug use and experience of any mental disorder. Illegal drug use and experience of any mental disorder is also associated with the subsequent onset of at risk and problem gambling. These findings seem to confirm the conclusion that the relationship between problem gambling and mental ill health may be cyclical.
- 13.20 **Substance abuse/misuse** – The evidence base relating to the relationship between substance abuse/misuse and experience of problem gambling broadly measures that of mental ill health. Evidence from British based surveys has shown that rates of problem gambling were higher among those with alcohol dependence (3.4%) or drug dependence (4.4%) than the general population (0.74%) (Wardle, 2015). A systemic review of those seeking treatment for gambling problems showed that 15% also experience alcohol dependence and 7% have other substance abuse disorders (Dowling et al, 2015). There is strong evidence that alcohol and substance misuse are associated with problem gambling. As with other mental health conditions, these conditions can occur at the same time.
- 13.21 **Personality traits/cognitive distortions** – There is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. Cognitive distortions, such as erroneous perceptions of gambling and illusion of control are well established risk factors for problem gambling (Johansson et al, 2009). However little research has been conducted to explore the complex interaction of personality traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to be affected by a range of other factors.

- 13.22 **Problem gamblers seeking treatment** – Because this group is in the process of attempting to recover from gambling problems they should be treated as a vulnerable group in their own right (Wardle, 2015).
- 13.23 Problem gambling can affect anyone at any time. Whilst rates of problem gambling among all adults in Britain tend to be less than 1% (1.4% in large metropolitan areas such as Leeds), there are some groups that are more likely to experience problems. These groups could all be considered vulnerable to gambling problems. Leeds City Council already works with many of these groups however operators should consider these groups in their Local Risk Assessments, especially in relation to identifying the people in these groups, and mitigating harm experienced by them.
- 13.24 In the case of premises licences the council is aware of the extensive requirements set out for operators in the Gambling Commission’s Code of Practice regarding social responsibility. In this document the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:
- Combating problem gambling
 - Access to gambling by children and young people
 - Information on how to gamble responsibly and help for problem gamblers
 - Customer interaction
 - Self-exclusion
 - Employment of children and young people
- 13.25 All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.
- 13.26 Applicants may also like to make reference to Leeds Safeguarding Adults Partnership document entitled “Multi Agency Safeguarding Adults Policies and Procedures – West and North Yorkshire and York” which provides extensive guidance on identifying vulnerable people and what can be done to reduce risk for this group. This document can be accessed via <http://www.leedssafeguardingadults.org.uk>
- 13.27 Applicants should consider the following proposed measures for protecting and supporting vulnerable people, for example:
- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
 - training for staff members which focuses on building an employee’s ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect people who may be vulnerable (see 12.4.1).
 - trained personnel for the purpose of identifying and providing support to vulnerable people
 - self exclusion schemes
 - operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people

- posters with GamCare Helpline and website in prominent locations
- windows, entrances and advertisements to be positioned or designed not to entice children or vulnerable people.

13.28 It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.

13.29 The council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

14. General Requirements

- 14.1 The council will issue premises licences to allow those premises to be used for certain types of gambling. For example premises licences will be issued to amusement arcades, bingo halls, bookmakers and casinos.
- 14.2 Premises licences are subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.
- 14.3 Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each interest area for which they must have regard. The council will also have regard to these Codes of Practice.

Definition of “premises”

- 14.4 Premises is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.
- 14.5 The council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular the council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
- 14.6 The council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the council will consider before granting such applications include whether children can gain access, compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.
- 14.7 An applicant cannot obtain a full premises licence until they have the right to occupy the premises to which the application relates.

Location

- 14.8 The council is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable people from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 14.9 With regards to these objectives it is the council's policy, upon receipt of any relevant representations, to look at specific location issues including:
- the possible impact a gambling premises may have on any premises that provide services to children or young people, for example a school, or vulnerable adult centres in the area
 - the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
 - the size of the premises and the nature of the activities taking place
 - any levels of organised crime in the area.
- 14.10 In order for location to be considered, the council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives.
- 14.11 Although the council cannot consider if there is a need or demand for the gambling facilities applied for, applicants should consider the proximity of other gambling premises in the Local Risk Assessment and the impact this will have on residents, including children and other vulnerable groups.

Local Risk Assessments

- 14.12 From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees (except for those which hold betting licences for tracks) to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.
- 14.13 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:
- a. to take account of significant changes in local circumstance, including those identified in this policy;
 - b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c. when applying for a variation of a premises licence; and
 - d. in any case, undertake a local risk assessment when applying for a new premises licence.

14.14 The council will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools.
- The commercial environment.
- Factors affecting the footfall.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups.
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.

14.15 The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with under age people and vulnerable people, which may include:
 - dedicated and trained personnel,
 - leaflets and posters,
 - self-exclusion schemes,
 - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

14.16 The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling alleys, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

14.17 Other matters that the assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

14.18 Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

14.19 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

Local Area Profile

14.20 Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the council may publish a local area profile. This profile, compiled in conjunction with the Community Hubs and approved by the Licensing Committee, can be obtained from Entertainment Licensing.

14.21 The local area profiles should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent licensing subcommittee when they determine an application that has received representations.

14.22 The council recognises that it cannot insist on applicants using the local area profiles when completing their risk assessments. However an applicant who decides to disregard the profiles may face additional representations and the expense of a hearing as a result.

Duplication with other regulatory regimes

14.23 The council will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. The council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about proposed conditions which are not able to be met by the applicant due to planning restrictions, should such a situation arise.

Conditions

14.24 The council is aware that the Secretary of State has set mandatory conditions and default conditions and the Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.

14.25 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the council will attach individual conditions to address this.

14.26 Any conditions attached to a licence issued by the council will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for, and/or related to the area where the premises is based;
- fairly and reasonably related to the scale, type and location of premises;
- consistent with the licensing objectives, and;
- reasonable in all other respects.

14.27 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures the council will consider using, such as supervision of entrances, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types in this policy. The council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively

14.28 Where certain measures are not already addressed by the mandatory/default conditions or by the applicant, the council may consider licence conditions to cover issues such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances.
- Supervision of machine areas.
- A reduction in the number of betting machines (betting premises).
- The manning of premises.
- Physical separation of areas.
- Location of entrance points.
- Notices/signage.

- Specific opening hours.
- A requirement that children must be accompanied by an adult (in premises where children are allowed).
- Enhanced DBS checks of the applicant and/or staff.
- Staff training in brief intervention, conflict resolution, basic knowledge of mental health, learning disabilities and addiction, including substance misuse.
- Support to people with gambling addiction, including brief intervention.
- Policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays.
- Policies to address the problems associated with truant children who may attempt to gain access to premises and gamble.
- Obscuring windows where appropriate and labelling premises so it's clear that they are gambling premises.

14.29 This list is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the licensing authority and the responsible authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

14.30 There are conditions which the council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winnings or prizes.

Door supervision

14.31 The council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable people from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

15. Adult gaming centres

15.1 Adult gaming centres are a category of premises introduced by the Act that are most closely related to adult only amusement arcades seen in many city centres.

- 15.2 Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises.
- 15.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.
- 15.4 Where certain measures are not already addressed by the mandatory and default conditions and the Gambling Commission Codes of Practice or by the applicant, the council may consider licence conditions to address such issues.

16. Licensed family entertainment centres (FECs)

- 16.1 Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes. Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located (see Appendix 1).
- 16.2 Where category C or above machines are available in premises to which children are admitted then the council will ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least 1 meter high
 - only adults are admitted to the area where the machines (category C) are located
 - access to the area where the machines are located is supervised at all times
 - the area where the machines are located is arranged so that it can be observed by staff; and
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18.
- 16.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 16.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

- 16.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
 - measures and training covering how staff would deal with unsupervised very young children being on the premises
 - measures and training covering how staff would deal with children causing perceived problems on or around the premises
 - the arrangements for the supervision of the premises either by staff or the use of a suitable CCTV system. Advice regarding the suitability of a CCTV system can be obtained from West Yorkshire Police.
- 16.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 16.7 The council will refer to the Commission's website to familiarise itself with any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of the mandatory or default conditions and any Gambling Commission Codes of Practice on these premises licences.

17. Casinos

- 17.1 Leeds has a number of casinos which were licensed under the Gaming Act 1968, which have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences.
- 17.2 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines. Large and small casinos can also provide betting machines.

Licence considerations / conditions

- 17.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for converted casino licences.
- 17.4 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

17.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Licence Conditions and Codes of Practice or by the applicant, the council may consider licence conditions to cover certain issues.

17.6 Detailed information on the Large Casino Application Process can be found in Appendix 4.

18. Bingo premises

18.1 There is no official definition for bingo in the Gambling Act 2005 however from a licensing point of view there is a category of premises licence specifically for bingo premises which is used by traditional commercial bingo halls for both cash and prize bingo. In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act (see Appendix 1).

18.2 The council is aware that it is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the council will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one meter high
- only adults are admitted to the area where the machines are located
- access to the area where the machines are located is supervised at all times
- the area where the machines are located is arranged so that it can be observed by staff
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
- children will not be admitted to bingo premises unless accompanied by an adult.

18.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for bingo premises.

18.4 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

19. Betting premises

19.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at race courses as well as the general betting premises licences that track operators will require.

- 19.2 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

Betting machines

- 19.3 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.
- 19.4 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable people, highlighted in section 13.
- 19.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

20. Tracks

- 20.1 Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totaliser” or “tote”), and also general betting, often known as “fixed-odds” betting. Multiple betting outlets are usually located on tracks such as ‘on-course’ betting operators who come onto the track just on race days to provide betting for the races taking place on that track. There can also be ‘off-course’ betting operators who may operate self-contained facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track.
- 20.2 All tracks will require a primary ‘general betting premises licence’ that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.
- 20.3 Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track. This may be preferable for any self-contained premises providing off-course betting facilities at the track. The council will however assess each individual case on its merits before deciding if this is necessary. Where possible the council will be happy for the track operator to decide if any particular off-course operators should apply for a separate premises licence.

- 20.4 If any off-course operators are permitted to provide betting facilities under the authorisation of the track operator's premises licence, then it will be the responsibility of the premises licence holder to ensure the proper conduct of such betting within the premises boundary.
- 20.5 Gambling Commission guidance also indicates that it would be possible for other types of gambling premises to be located at a track under the authorisation of separate premises licences, e.g. a casino premises licence or adult gaming centre premises licence. If you require further guidance on this provision please contact the Entertainment Licensing Section.
- 20.6 Children and young people will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines and betting machines (other than category D machines) are provided.
- 20.7 The council will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of betting premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

Betting machines

- 20.8 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the location of the machines, in order to ensure they are in a properly segregated area where children are not permitted.
- 20.9 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission's Licence Conditions and Code of Practice or the applicant, the council may consider licence conditions to address such issues.

21. Travelling fairs

- 21.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met and this provision continues in similar fashion under the new Act.
- 21.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair (see Appendix 1).
- 21.3 The council will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair.

21.4 The council is aware that the 27 day statutory maximum for the land being used as a fair is per calendar year and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The council will work with its neighbouring authorities to ensure that land which crosses the council boundary is monitored so that the statutory limits are not exceeded.

22. Provisional statements

22.1 A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which he expects to be constructed, to be altered or to acquire a right to occupy would be granted a premises licence. A provisional statement is not a licence and merely gives the holder some form of guarantee that a premises licence would be granted so the developer can judge whether a development is worth taking forward in light of the need to obtain a premises licence. An applicant may also apply for a provisional statement for premises which already hold a premises licence (either for a different type of gambling or the same type).

22.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- a) which could not have been raised by objectors at the provisional licence stage; or
- b) which in the authority's opinion reflect a change in the operator's circumstances.

22.3 When determining a provisional statement application the council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

23. Unlicensed family entertainment centre gaming machine permits (UFECs)

- 23.1 The term ‘unlicensed family entertainment centre’ is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises is ‘unlicensed’ in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a ‘licensed family entertainment centre’ which requires a premises licence because it contains both category C and D gaming machines.
- 23.2 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, Para 7 of the Act states “In preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.
- 23.3 In line with the above provision the council has prepared a ‘Statement of Principles’ in relation to unlicensed family entertainment centre gaming machines as follows:

Statement of Principles

- 23.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 23.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
 - measures and training covering how staff would deal with unsupervised very young children being on the premises
 - measures and training covering how staff would deal with children causing perceived problems on or around the premises.
 - the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the latest Home Office and ACPO standards and to the satisfaction of West Yorkshire Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.
- 23.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.

- 23.7 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs
 - That the applicant has no relevant conviction (those that are set out in Schedule 7 of the Act), and
 - That staff are trained to have a full understanding of the maximum stakes and prizes.
- 23.8 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.
- 23.9 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

24 Gaming machine permits in premises licensed for the sale of alcohol

- 24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the council. The council can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises.
- 24.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” The council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable people from harm or being exploited by gambling. The council will also expect the applicant to satisfy the authority that there will be sufficient measures to ensure that children and young people under the age of 18 do not have access to the adult only gaming machines.
- 24.3 All alcohol licensed premises with gaming machines must have regard to the need to protect children and vulnerable people from harm or being exploited by gambling and provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines.

- 24.4 Measures which may satisfy the council that people under 18 years will be prevented from using the machines may include the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised. Notices and signage may also help. As regards the protection of vulnerable people, applicants may wish to consider the provision of information leaflets and or helpline numbers for organisations such as GamCare.
- 24.5 The council can decide to grant the permit with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 24.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).
- 24.7 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.
- 24.8 Alcohol licensed premises are able to provide some limited equal chance gaming. Licensees are referred to the advice provided by the Gambling Commission and Appendix 3 of this document.

25. Prize gaming permits

- 25.1 Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered and the prizes are displayed on the walls.
- 25.2 A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.
- 25.3 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 14, Para 8 of the Act states, “in preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25.
- 25.4 In line with the above provision the council has prepared a Statement of Principles in relation to prize gaming permits as follows:

Statement of Principles

- 25.5 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

- 25.6 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises
 - measures and training covering how staff would deal with unsupervised very young children being on the premises
 - measures and training covering how staff would deal with children causing perceived problems on or around the premises.
 - the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the Home Office and ACPO standards as described PSDB leaflet 09/05 and to the satisfaction of West Yorkshire Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.
- 25.7 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 25.8 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible
 - That the gaming offered is within the law.
- 25.9 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.
- 25.10 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.
- 25.11 There are conditions in the Gambling Act 2005 by which the permit holder must comply. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

26. Club gaming and club machine permits

- 26.1 Members clubs and miners' welfare institutes may apply for a 'club gaming permit' or a 'club machine permit'. The 'club gaming permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming. i.e. poker, bingo etc. A 'club machine permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D). Commercial clubs may apply for a 'club machine permit' only.
- 26.2 To qualify for these special club permits a members club must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 26.3 Clubs must have regard to the protection of children and vulnerable people from harm or being exploited by gambling. They must provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines. These measures may include:
- the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised
 - notices and signage
 - the provision of information leaflets / helpline numbers for organisations such as GamCare.
- 26.4 Before granting the permit the council will need to satisfy itself that the premises meets the requirements of a members' club and that the majority of members are over 18.
- 26.5 The council may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young people;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police.
- 26.6 There is also a 'fast-track' procedure available for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which the council can refuse a permit is reduced. The grounds on which an application under the process may be refused are:
- (a) that the club is established primarily for gaming,
 - (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or

- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

27. Temporary use notices

- 27.1 Temporary use notices allow the use of premises on not more than 21 days in any 12 month period for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 27.2 Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.
- 27.3 Only people or companies holding a relevant operating licence can apply for a temporary use notice to authorise the particular class of gambling permitted by their operating licence.
- 27.4 A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice will be available in a separate guidance note.
- 27.5 The Act makes a special reference, in the context of temporary use notices, to a “set of premises” to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the Act. The council considers that the determination of what constitutes “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a “set of premises”, the council will look at, amongst other things, the ownership/occupation and control of the premises. The council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

28. Occasional use notices (for tracks)

- 28.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice. The application may be made in writing, to the council by the person responsible for the administration of the events on a track or by an occupier of the track.
- 28.2 The council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The council will however consider the definition of a ‘track’ and whether the applicant is entitled to benefit from such notice.

29. Small society lottery registrations

29.1 A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.

29.2 The Act creates two principal classes of lotteries: Licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries there are four sub classes, one of which is small society lotteries.

29.3 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the council for small societies who have a principal office in Leeds and want to run such lottery.

29.4 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.

29.5 To be 'non-commercial' a society must be established and conducted:

- for charitable purposes,
- for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
- for any other non-commercial purpose other than that of private gain.

29.6 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'. If you require guidance on the different categories of lotteries please contact the council.

29.7 The National lottery is not licensed by the Gambling Act 2005 and continues to be regulated by the National Lottery Commission under the National Lottery Act 1993.

30. Enforcement principles

30.1 The council will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation. Specifically the council is subject to the Regulators' Code which provides the following six provisions which the Council should follow in its enforcement activities, unless it concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or outweighed by another relevant consideration.

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow
2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
3. Regulators should base their regulatory activities on risk
4. Regulators should share information about compliance and risk
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
6. Regulators should ensure that their approach to their regulatory activities is transparent

30.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the council will endeavour to be:

Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;

Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;

Consistent: rules and standards must be joined up and implemented fairly;

Transparent: regulators should be open, and keep regulations simple and user friendly; and

Targeted: regulation should be focused on the problem, and minimise side effects.

30.3 The council will endeavour to avoid duplication with other regulatory regimes so far as possible.

30.4 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were four Primary Authority arrangements with host local authorities:

Coral	London Borough of Newham
William Hill	City of Westminster
Ladbrokes	Milton Keynes
Paddy Power	Reading

30.5 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par/index.php/home>

30.6 The council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.

30.7 The main enforcement and compliance role for the council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the council but will be notified to the Gambling Commission. In circumstances where the council believes a premises requires a premises licence for gambling activities and no such licence is in force, the council will alert the Gambling Commission.

30.8 The council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

30.9 The council's enforcement/compliance protocols/written agreements will be available upon request.

31. Reviews

31.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked, suspended or that conditions may amended or new conditions added.

31.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the council to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is:

- i) in accordance with any relevant code of practice issued by the Gambling Commission
- ii) in accordance with any relevant guidance issued by the Gambling Commission
- iii) reasonably consistent with the licensing objectives and
- iv) in accordance with this authority's Gambling Act 2005 – Statement of Licensing Policy.

- 31.3 In addition the council may also reject the application on the grounds that the request is frivolous, vexatious, will certainly not cause this authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.
- 31.4 The council can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Appendix 1 Gaming machines

This appendix describes the categories of gaming machine as set out in the Act (and in regulations) and the number of such machines that may be permitted in each type of gambling premises.

- Table 1 below sets out the current proposals for the different categories with the maximum stakes and prizes that will apply. This table will be updated as soon as the proposals are confirmed.
- Table 2 overleaf shows the maximum number of machines permitted and in the case of casinos the ratios between tables and machines.

Table 1

Category of machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£5	£10,000 (with the option of a max £20,000 linked progressive jackpot on a premises basis only)
¹ B2	£100	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D – money prize	10p	£5
D – non-money prize (other than a crane grab machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machine)	20p	£15 (of which no more than £8 may be a money prize)

¹ The category B2 is not actually a traditional slot machine. It refers to a type of gaming machine known as a fixed odds betting terminal (FOBTs). These are a new type of gaming machine which generally appear in licensed bookmakers. FOBTs have ‘touch-screen’ displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular. The Government has announced a reduction in the stakes of B2 machines to £2 in April 2018.

Table 2

Premises Type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act Casinos (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks operated by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)					
Bingo Premises ¹					Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*	No limit C or D machines	
Adult gaming centre ²					Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*	No limit C or D machines	
Licensed family entertainment centre ³							No limit C or D machines
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institutes with permits ⁴					Maximum of 3 machines in categories B3A or B4 to D*		
Qualifying alcohol licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol licensed premises with licensed premises gaming machine permit						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines
	A	B1	B2	B3	B4	C	D

1. Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.
2. Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.
3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.
4. Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.
5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Appendix 2 Glossary of terms

Term	Description
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the council.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.

Term	Description
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.
Licensing Objectives	<p>The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives: The licensing objectives are:</p> <ul style="list-style-type: none"> • Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. • Ensuring that gambling is conducted in a fair and open way. • Protecting children and other vulnerable people from being harmed or exploited by gambling.
Lottery	<p>A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).</p>
Mandatory condition	<p>A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The council will have no discretion to alter or remove these conditions.</p>
Money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a money prize.</p>
Non-money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by:</p> <p>(i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or</p> <p>(ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.</p>

Term	Description
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed. For Leeds the RAs include West Yorkshire Police, The local Safeguarding Children Board, Leeds City Council's Development Department as well as several others.

Term	Description
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the council which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place. Examples of tracks within the Leeds district would be Elland Road Football ground and Headingley Stadium.

Appendix 3 Summary of gaming entitlements for clubs and pubs

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	<u>Poker</u> £1000 per week £250 per day £10 per person per game <u>Other gaming</u> No limit	<u>Poker</u> £1000 per week £250 per day £10 per person per game <u>Other gaming</u> No limit	<u>Cribbage & dominoes</u> No limit <u>Poker</u> £100 per premises per day <u>Other gaming</u> £5 per person per game
Limits on prizes	No limit	No limit	<u>Poker</u> £250 per game <u>Other gaming</u> No limit	<u>Poker</u> £250 per game <u>Other gaming</u> No limit	<u>Poker</u> £100 per game <u>Other gaming</u> No limit
Maximum participation fees – per person per day	<u>Bridge and/or whist*</u> £20 <u>Other gaming</u> £3	£18 (without club gaming permit) £20 (with club gaming permit)	<u>Bridge and/or whist*</u> £18 <u>Other gaming</u> £3 (commercial club) £1 (members club)	<u>Bridge and/or whist*</u> £18 <u>Other gaming</u> £1	None permitted
Bankers or unequal chance gaming	Pontoon Chemin de Fer	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

* On a day when no other facilities for gaming are provided

Appendix 4 Large Casino

The current status of the Large Casino is that a premises licence has been granted. The following process will apply should the current licence cease to exist because it has either been surrendered or revoked.

1. Background

- 1.1 The Act introduces three new categories of casino; one regional casino, eight large casinos and eight small casinos. In 2006 the council submitted a proposal for a regional and large casino to the Casino Advisory Panel.
- 1.2 On 15th May 2008 the Categories of Casino Regulation 2008 and the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 was approved. This specified which licensing authorities could issue premises licences for large and small casinos. Leeds City Council was authorised to issue a large casino premises licence.
- 1.3 On 26th February 2008 the Secretary of State for Culture, Media and Sport issued the Code of Practice on Determinations Relating to Large and Small Casinos (Code of Practice). The council will comply with this Code which sets out:
 - a. the procedure to be followed in making any determinations required under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005 and
 - b. matters to which the Licensing Authority should have regard in making these determinations.
- 1.4 The council recognises that applicants may either apply for a casino premises licence or a provisional statement. As for all premises licences, applicants for a casino premises licence must fulfil certain criteria in that they must:
 - a. hold or have applied for an operating licence from the Gambling Commission; and
 - b. have the right to occupy the premises in question.
- 1.5 Should an applicant be unable to meet these two criteria they should apply for a provisional statement.
- 1.6 Unless otherwise specified, any reference to the application and procedures for a premises licence for a casino in the following parts of this section will also include the application and procedures for a provisional statement for a casino.
- 1.7 Where a provisional statement application is successful, the council may limit the period of time for which the statement will have effect. This period may be extended if the applicant so applies.

- 1.8 The council will ensure that any pre-existing contract, arrangement or other relationship with a company or individual does not affect the procedure for assessing applications so as to make it unfair or perceived to be unfair to any applicant.
- 1.9 In making a decision on both stages the council will take heed of any current Codes of Practice, current Regulations and guidance issued by the Secretary of State for the Department of Digital, Culture, Media and Sport and the Gambling Commission.
- 1.10 The council has not passed a “no casino” resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. It may choose to exercise this option should there be only one application for a large casino premises licence or should, where there is more than one application, those applications fail to meet the council’s aspirations for benefit for the Leeds metropolitan area. Should the council decide in the future to pass such a resolution, it will update this policy with details of that resolution and any such decision will be made by full Council.
- 1.11 As per Part 8, Section 210 of the Gambling Act 2005 the council will not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building and any licensing decision will not constrain any later decision by the council under the law relating to planning or building.
- 1.12 The council does not have a preferred location for the new large casino. Applicants can submit proposals for any site or location within the Leeds metropolitan area and each will be judged on its own individual merits.

2. Application Process

Stage 1

- 2.1 The council will publish an invitation calling for applications. This invitation will be published in a trade newspaper, journal or similar publication. It will state the latest date the application must be made and the place from which a person may obtain an application pack.
- 2.2 The part of the application pack which relates to stage 1 will include, as a minimum, the following:
- Guidance for applicants
 - Application form for Stage 1
 - Example notices
- 2.3 With regard to stage 1 of the application process, the general principles as stated in Part C of this gambling policy will apply to all applications.
- 2.4 At stage 1 the Licensing Committee or sub-committee, will determine, if there are valid representations, which applications would be granted if they were able to grant more than one application.

2.5 At stage 1, the council will not consider whether any of the applications is more deserving of being granted.

Stage 2

2.6 Should more than one applicant pass through stage 1, the process will proceed to the second stage with each successful applicant being invited to submit information about how their application would, if granted, benefit the area.

2.7 The part of the application pack which relates to stage 2 will include, as a minimum, the following:

- Stage 2 evaluation methodology, including scoring matrix
- Details of current Licensing Committee
- Details of the Advisory Panel
- Terms of reference for Advisory Panel
- Example Schedule 9 agreement
- Glossary
- Vision for Leeds 2011 to 2030

2.8 At stage 2, the procedure will follow the DCMS Code of Practice. However, the Code leaves individual councils to determine the detail of their own procedure.

2.9 The council will not bear any abortive costs of the unsuccessful applicants and their participation in all phases of the licence process is conducted entirely at the applicants risk.

Advisory Panel

2.10 It is recognised that the Licensing Committee does not necessarily have specialised expertise required to fully evaluate each application. It will seek professional expertise from officers of the council. Where this expertise is not available, it may seek independent expertise from outside the council.

2.11 For this purpose, the Licensing Committee will appoint a non-statutory panel to assist it in the evaluation of the stage 2 application process. This panel will be called the "Advisory Panel". The Advisory Panel will evaluate each application using the evaluation methodology and scoring provided in the application pack.

2.12 To ensure there are no conflicts of interest, applicants will be provided with a list of Advisory Panel members. Where objections are made, it will be necessary to give details of the substance of such objection. These objections will be considered by the Licensing Committee before the evaluation of stage 2 applications commence.

2.13 The Advisory Panel will engage in discussions with each second stage applicant with a view to the particulars of an application being refined, supplemented or otherwise altered so as to maximise the benefits to the Leeds metropolitan area that would result from it (were it granted).

- 2.14 The Advisory Panel will report its findings to the Licensing Committee. The report will be made available to the applicant before being submitted to ensure that the information provided within it is accurate. Should the applicant disagree with the evaluation, this will be noted and reported to the Licensing Committee, together with any necessary changes to the Advisory Panel's report.
- 2.15 The Licensing Committee will consider all the applications at Stage 2, and the report of the Advisory Panel. They will evaluate the proposals, in line with the principles below and determine which application, if granted, is likely to result in the greatest benefit to the area. This will involve an evaluation both of the benefits and the likelihood of their delivery.
- 2.16 The Licensing Committee will instruct officers to complete negotiations on any written agreements made under Paragraph 5(3)(b) of Schedule 9 of the Act. Once the negotiations have been completed officers will report to Licensing Committee who will then grant the licence to the successful applicant and reject the remaining applications.
- 2.17 In line with paragraph 5.7.4 of the Code of Practice, in determining the principles the council intends to apply in making any determination for a casino premises licence, the council has had specific regard to the following:
- a. The financial and other contribution a second stage applicant proposes to make to the Leeds metropolitan area,
 - b. The likely effects of an application on employment, the local economy and regeneration within the authority's area,
 - c. Whether, and the extent to which, the benefits offered are pursuant to an agreement under paragraph 5(3)(b) of Schedule 9 or otherwise.
- 2.18 In line with paragraph 3.3 of the Code of Practice, in determining the principles the council intend to apply at Stage 2, it disregarded the existence of any contract, arrangement or other relationship already in place; and will
- put in place arrangements to ensure that any such contract, arrangement or other relationship does not, actually or apparently, prejudice its ability to conduct the procedure fairly; and will
 - prepare a register of interests disclosing their interest in any contract, arrangement or other relationship with an applicant or a person connected or associated with an applicant.

3. Principles

- 3.1 At stage 2 the applicant will be required to state and demonstrate the benefit that they can bring to Leeds metropolitan area.
- 3.2 The council will seek to determine the greatest benefit through the following principles:
- Financial** To seek to maximise the financial return to the council.

Social To use any financial return accrued to facilitate the delivery of programmes and projects that support the Council’s social and economic inclusion agenda, for the benefit of the Leeds metropolitan area.

Economic To secure a positive and significant economic impact for the local economy through the provision of a Large Casino in Leeds.

4. Evaluation Criteria

4.1 The council will publish a detailed evaluation methodology, which includes the information applicants are required to supply in order to support their application, and the weight that will be placed on each criterion. This evaluation methodology will be included in the application pack.

4.2 Applicants should carefully examine the evaluation methodology and tailor their application accordingly to ensure that they maximise benefits in accordance with this methodology.

4.3 In line with paragraph 5.7.4 of the Code of Practice, and the principles stated at 16.37 of this policy, the council has selected the following criteria which they will use to evaluate and score applications:

Financial Contribution	This criterion relates to 16.33a and the first and second principles
Socio-economic	This criterion relates to 16.33b and the second and third principles
Risk and deliverability	This criterion relates to 16.33c and all three principles

Financial Contribution

4.4 The council is seeking to identify and quantify the level of financial contribution that could be secured for the Leeds metropolitan area. It is expected that the contribution will comprise a mixture of annual payments received from the applicant and a lump sum payable upon signing of any agreements and on specified dates and/or events thereafter.

4.5 The financial contribution will be used by the council to establish and maintain the council administered Social Inclusion Fund (SIF) which will facilitate the delivery of programmes and projects that support the council’s social and economic inclusion agenda, for the benefit of the Leeds metropolitan area.

4.6 The financial contribution will be evaluated in terms of its ability to fund a credible and sustainable SIF. As such a mixture of upfront and annual payments is required.

4.7 The scoring of financial contributions will be weighted as follows:

1.0	1.0 Financial Contribution	33%
1.1	Net Present Value of total financial offer	
1.2	Upfront capital payment paid to the council on completion of the Schedule 9 Agreement	
1.3	Net Present Value of annual cash sum offer	
1.4	Credibility of financial assumptions and offer	

4.8 Further detail including the information required, its format and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack.

Socio-economic

4.9 The council is seeking to identify and quantify the level of expected net socio-economic benefits that could be secured for the Leeds metropolitan area based on the projected gross levels applicants believe their proposals will generate.

4.10 The council will expect to see that the applicant has tailored its proposals specifically to the requirements of Leeds through research and detailed assessment of the physical, social and economic position as outlined in its vision documents. These documents will be made available in the stage 2 application pack.

4.11 Applicants should have regard to the proposed location of the premises, with regard to meeting the licensing objective which seeks to protect children and vulnerable people from being harmed or exploited by gambling. Applicants will be asked to provide information related to the area in which their proposed development is situated in their strategy and vision documents.

4.12 Applicants will be asked to provide information on how their development will impact on employment and training, including amongst others, graduate training, NEETs and vocational qualifications as well as opportunities for Leeds businesses and the local supply chain.

4.13 Applicants must demonstrate a firm commitment to mitigation of negative impacts and ensuring residents' safety and health is not put at risk by the large casino. In particular, attention should be focussed on mitigation for the most vulnerable in society and for those living closest to the proposed casino and applicants must ensure that problem gambling issues do not increase in the Leeds area. Applicants must provide an assessment of the social, equality and health impacts of their proposed casino developments and provide mitigation plans to minimise and eliminate negative impacts. Applicants should also commit to supporting the ongoing monitoring of negative social, equality and health impacts of the large casino and make contractual commitments in the schedule 9 agreement on all mitigation measures proposed.

4.14 The scoring of the socio-economic benefits will be weighted as follows:

2.0 Socio-economic	34%
2.1 Strategy and vision for proposed development	
2.2 Economic Benefits (Gross):	
- Net contribution to local economy (including direct employment and GVA)	
- Credibility of economic assumptions	
2.3 Net social impacts	

4.15 Further detail including the information required, its format, data requirements and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack.

Risk and deliverability

4.16 At stage 2 the council will assess the risk and deliverability of the proposed scheme. In particular the council will wish to consider what legal and financial assurances there are that the proposed development will be delivered within 5 years, and that the promised benefits will both materialise and be maintained. Firm evidence is required that all benefits and development proposed can be funded and a contractual obligation with penalties for non-delivery is required.

4.17 The application pack will include a template agreement under paragraph 5(3)(b) of Schedule 9 to the 2005 Act ('a schedule 9 agreement'). Such an agreement will be negotiated with the applicants during the stage 2 evaluation process. This agreement will include a list of the benefits proposed, along with delivery targets and details of the penalties for non-delivery. Applications where the benefits, including delivery of the development itself, are made subject of contractual obligation and where the applicant provides damages for non-delivery are likely to receive greater weight in the evaluation process.

4.18 The council is aware that the casino application may form part of a wider development proposal or be a new development. A casino development with firm contractual commitment to be fully operational within a 5 year timescale with proof of funding and with meaningful payment proposed for late or non-delivery will score more highly than a casino development that is not supported by a contractual commitment and/or meaningful payments for late or non-delivery and/or proof of funding. Any part of a wider development proposal which is not directly required for the delivery of the casino will score more highly if the applicant commits to completing the wider development within a 5 year timescale, proposes meaningful payment for late or non-delivery and provides proof of funding. These commitments will be contained within the schedule 9 agreement and the five year timescale will start from the signing of the schedule 9 agreement. Applicants must demonstrate that all development proposals are credible.

4.19 The scoring of risk and deliverability will be weighted as follows:

3.0 Risk and deliverability	33%
3.1 Contents of the Schedule 9 Agreement	
3.2 Deliverability:	
- Financing	
- Financial Standing	
- Right to occupy the site/premises	
- Credibility of approach to implementation	

4.20 Further detail including the information required, its format and how the submission will be evaluated can be found in the evaluation methodology included in the stage 2 application pack along with a template schedule 9 agreement.

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

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Citizens and Communities	Service area: Entertainment Licensing
Lead person: Susan Holden	Contact number: 0113 378 5331

1. Title:
Is this a:
<input checked="checked" type="checkbox"/> Strategy / Policy <input type="checkbox"/> Service / Function <input type="checkbox"/> Other
If other, please specify

2. Please provide a brief description of what you are screening
<p>Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.</p> <p>The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).</p>

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?	X	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

• **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The concerns relate to gambling and vulnerable people. The council is aware of the difficulty in defining the term “vulnerable person”. In most recent literature it is not a term that is used, with the term “adults at risk or abuse or neglect” or “adults at risk” being the preferred terms.

The Gambling Commission, in its Guidance to Local Authorities, does not seek to offer a definition for the term “vulnerable people” but will, for regulatory purposes assume that this group includes people:

“who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.”

The Care Act 2014 imposes a requirement on a local authority to “make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it”.

The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult’s case (whether under this Part or otherwise) and, if so, what and by whom. “Abuse” includes financial abuse; and for that purpose “financial abuse” includes having money or other property stolen, being defrauded, being put under pressure in relation to money or other property, and having money or other property misused.

Department of Health document “No Secrets” from 2000 offers a definition of a vulnerable adult as a person:

“who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.”

In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling in Leeds (*Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016*). This research looked specifically at identifying groups of the society that could be considered vulnerable to problem gambling:

Young people – rates of problem gambling among young people who gamble are higher than older adults and youth gambling behaviours are consistent with the harm paradox, whereby these age groups are less likely to gamble generally but those that do are more likely to experience difficulties with their behaviour (Wardle, 2015).

Minority ethnic groups – There is consistent evidence that those from Asian or Black backgrounds are more vulnerable to gambling problems and there is clear evidence of the harm paradox (Wardle, 2015).

Unemployed and constrained economic circumstance – the generally those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling. This is highlighted as a concern given the lesser ability of lower income households to protect themselves from financial instability (Brown et al, 2011).

There is evidence that those in debt and those using money lenders and/or pawnbrokers are more likely to be problem or at risk gamblers (Meltzer et al, 2012). The relationship between constrained economic circumstances and gambling problems is likely to be complex and multi-faceted. It may be mediated by other economic opportunities and personal feelings about how well off you are compared with others. Despite this complexity, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.

Area deprivation – There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience problems with their gambling behaviour. This was despite having roughly the similar levels of past year gambling participation to those who live in less deprived areas.

Wardle (2015) looked at the distribution of machines and licensed betting offices and argues that there was clear and consistent evidence of a spatial skew, whereby high density machine zones or areas with licensed betting offices are more deprived than others. Recent research has shown that among gamblers who held loyalty cards, rates of problem gambling (28%) were higher among those who lived within 400 metres of a concentration of betting offices than those who did not (22%) (Astbury & Wardle, 2016).

Homeless – The rates of problem gambling are higher among those who are homeless than those who are not. Although studies are small, they show that there is a significant relationship with gambling preceding homelessness. Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group.

Mental ill health – There is a strong association between mental ill health and problem gambling. Associations were found between problem gambling and general anxiety disorder, phobia, obsessive compulsive disorder, panic disorders, eating disorders, probably psychosis, attention deficit hyperactivity disorder, post-traumatic stress disorder, harmful and hazardous levels of alcohol consumption and drug addiction. Overall three quarters of problems gamblers seeking treatment also experience co-morbid mental health disorders.

Being a problem or at risk gambler is associated with latter onset of major depressive disorder, alcohol use and dependence, drug use and experience of any mental disorder. Illegal drug use and experience of any mental disorder is also associated with the subsequent onset of at risk and problem gambling. These findings seem to confirm that the conclusion that the relationship between problem gambling and mental ill health may be cyclical.

Substance abuse/misuse – The evidence base relating to the relationship between substance abuse/misuse and experience of problem gambling broadly measures that o mental ill health. Evidence from British based surveys has shown that rates of problem gambling were higher among those with alcohol dependence (3.4%) or drug dependence (4.4%) than the general population (0.74%) (Wardle, 2015). A systemic review of those seeking treatment for gambling problems showed that 15% also experience alcohol dependence and 7% have other substance abuse disorders (Dowling et al, 2015). There is strong evidence that alcohol and substance misuse are associated with problem gambling. As with other mental health conditions, these conditions can co-occur at the same time.

Personality traits/cognitive distortions – There is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. Cognitive distortions, such as erroneous perceptions of gambling and illusion of control are well established risk factors for problem gambling (Johansson et al, 2009). However little research has been conducted to explore the complex interaction of personality

traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to be affected by a range of other factors.

Problem gamblers seeking treatment – Because this group is in the process of attempting to recover from gambling problems they should be treated as a vulnerable group in their own right (Wardle, 2015).

Problem gambling can affect anyone at any time. Whilst rates of problem gambling among all adults in Britain tend to be less than 1% (1.4% in large metropolitan areas such as Leeds), there are some groups that are more likely to experience problems. These groups could all be considered vulnerable to gambling problems. Leeds City Council already works with many of these groups however operators should consider these groups in their Local Risk Assessments, especially in relation to identifying the people in these groups, and mitigating harm experienced by them.

Vulnerable people, especially the elderly, people with disabilities, people who are ill can be considered at protected characteristics and have been forefront when reviewing the policy.

- **Key findings**

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

The impact on vulnerable people specifically relates to gambling premises which are embedded within the community such as betting shops and adult gaming centres. Betting shops in particular are plentiful and on every high street. They also have fixed odds betting terminals which are considered to be highly addictive gaming machines, offering casino style games. The increase in the availability of these machines is of concern nationally. Additional requirements under the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) seek to address risks to vulnerable people.

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

This is the fifth review of the Gambling Act 2005 Statement of Licensing Policy. At this review the council does not seek to remove any of the protections included in other versions of the policy. It does seek to include additional requirements on licence applicants to consider their local area when making their application and for all existing gambling premises to undertake a similar review. These measures are included in paragraph 13.10, on page 17 of the policy, onwards. The new policy provides more detail on groups that may be considered vulnerable, especially to problem gambling. This work came from research commissioned by the Council from Leeds Beckett University.

5. If you are **not already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Nicola Raper	Section Head Entertainment Licensing	1 st May 2018
Date screening completed		1 st May 2018

7. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent:



Report author: Susan Holden

Tel: 0113 378 5331

Report of Director, Communities & Environment

Report to Council

Date: 14th November 2018

Subject: Licensing Act 2003 Statement of Licensing Policy

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

Summary of main issues

1. Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of licensing policy every three years. The council's first Statement of Licensing Policy was adopted by Council on 12th January 2005 and has been reviewed every three years since then. In April 2012 the Police Reform and Social Responsibility Act changed the length of the lifetime of a policy from three to five years.
2. At Licensing Committee in January 2018, Members resolved to form a working group to work with officers to review the Statement of Licensing Policy and particularly the cumulative impact areas prior to public consultation in July to September of this year.
3. The matter was brought to Licensing Committee again in October who considered the amended Statement of Licensing Policy, the Cumulative Impact Assessment, the Consultation Report and the ECDI Assessment and referred the Policy to full Council for approval and adoption.

Recommendations

4. That Council considers the report and appendices and approves the amended Licensing Policy as its Licensing Act 2003 Statement of Licensing Policy 2019-23.

1 Purpose of this report

- 1.1 This report presents an amended Licensing Act 2003 Statement of Licensing Policy 2019-23 for the consideration of Council.

2 Background information

- 2.1 The Licensing Act 2003 regulates the sale of alcohol, provision of entertainment and provision of late night refreshment (sale of hot food or drink after 11pm). Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of licensing policy every three years. The council's first Statement of Licensing Policy was adopted by Council on 12th January 2005 and has been reviewed every three years since then. In April 2012 the Police Reform and Social Responsibility Act changed the length of the lifetime of a policy from three to five years. The Statement of Licensing Policy is due to be reviewed and consulted upon this year, with a new policy in place for 15th January 2019.
- 2.2 In April this year HM Government put cumulative impact onto a statutory footing by including it in the Licensing Act 2003. As a consequence further work was required to publish a cumulative impact assessment of all 6 areas caught under the existing cumulative impact policy.
- 2.3 At Licensing Committee in January 2018, Members resolved to form a working group of five members of the Licensing Committee to work with officers to review the Statement of Licensing Policy prior to public consultation in June to August of this year. The working group looked at the Cumulative Impact Policy and all six cumulative impact areas specified within it, as well as local licensing guidance and other more general matters.

3.0 Main issues

- 3.1 Officers from Entertainment Licensing reviewed the current policy to ensure that it is up to date with any legislation changes that have been put in place since the last review in 2012. Sections relating to cumulative impact were extensively updated to reflect changes in the legislation. The section relating to local licensing guidance has been removed with these guidance documents becoming out of date.

Cumulative Impact

- 3.3 In April 2018 the Government took the step of moving the concept of cumulative impact from the S182 Guidance to the Licensing Act 2003.
- 3.4 The legislation states that a licensing authority may publish a document ("a cumulative impact assessment") stating that it considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in that area and restrict changes to licensable activities of existing licences.

- 3.5 A cumulative impact assessment must set out the evidence for the authority's opinion and before publishing it, the licensing authority must consult with people affected by the assessment, including the responsible authorities, businesses and the public. The assessment must be reconsidered every three years and any review must be consulted upon before deciding whether it remains or can be removed. A licensing authority must publish any revision of a cumulative impact assessment along with the evidence.
- 3.6 The impact of this step is to put cumulative impact policies into the primary legislation and to provide guidance regarding the level of evidence required to put a policy in place. This part of the Policing and Crime Act 2017 was commenced in April 2018. Amended S182 Guidance was published at the same time.
- 3.7 To address this matter in January 2018 Licensing Committee formed a working group which consisted of five members of Licensing Committee and supported by officers from Entertainment Licensing. The working group concentrated on cumulative impact and the six areas that are subject to the cumulative impact policy described in Section 7 of the policy, and the local licensing guidance.
- 3.8 In reviewing the crime statistics for the past year as well as complaint statistics, the working group made the following recommendations, subject to ward member and public consultation:
- City Centre – to remain in place with an annual review of the evidence
 - Headingley – to be split into two areas – around North Lane and Hyde Park.
 - North Lane would be known as the Headingley cumulative impact area and would concentrate on alcohol led premises, late night refreshment and off licensed premises operating in the peak times.
 - The other area would relate to off licensed premises and late night takeaways which may contribute to the public nuisance and antisocial behaviour being experienced in the residential area to the west of Hyde Park. This area would be known as the Hyde Park cumulative impact area.
 - Woodhouse cumulative impact area to be removed from the policy entirely.
 - Chapel Allerton cumulative impact area to be removed from the policy and for consideration be given to including a special area policy for Chapel Allerton which would relate to the problems and concerns of the local residents and involve a multi-agency approach.
 - Horsforth cumulative impact area to be removed from the policy and for consideration to be given to a special area policy.
 - Armley – to remain in place with a three yearly review of the evidence.
 - Harehills - the evidence and crime report to be analysed further with a view to including Harehills as a cumulative impact area.

- 3.10 Due to the changes in the legislation the section on cumulative impact (Section 7) has been changed to provide more general information on cumulative impact, to remove all the specific detail around the cumulative impact zones, to reference the cumulative impact assessment and how that will be reviewed.
- 3.10 The terminology used in Section 7 has changed. In future:
- The cumulative impact policy will refer only to Section 7 of the Statement of Licensing Policy.
 - The six areas that are considered to be suffering from cumulative impact will be known as cumulative impact areas.
 - The two areas within the city centre that are considered to be the city's crime and disorder hotspots will be known as 'red zones' within the city centre cumulative impact area.
 - The review of the cumulative impact areas will be known as the cumulative impact assessment.
- 3.9 These changes were consulted upon and the changes were included in the final Policy, which includes Harehills as a cumulative impact area. The full cumulative impact assessment has been attached (Appendix 1) for information for Council when considering the Statement of Licensing Policy (Appendix 2).
- 3.10 The cumulative impact assessment will be reviewed, as per the legislation, every three years with the exception of the city centre cumulative impact area which will be reviewed every year. Any material change to the policy as a result of this review will result in the policy being referred back to full Council for approval. The cumulative impact assessment will be approved by Licensing Committee as per Para 7(2) of the Licensing Act 2003.

Local Licensing Guidance

- 3.11 In 2012 the licensing authority produced three local licensing guidance documents for Armley, Harehills and South Leeds. These were based on health related data but measures described within the guidance was intended to address the issues being experienced in the area which were contributing to the lower life expectancy of residents in the area. The guidance documents have been moderately successful however due to reducing resources within the Communities teams they are no longer being used effectively. Therefore these measures will be included in the wider Proforma Risk Assessment which is used by all applicants applying for premises licences. A new section has been included in the policy called "Local Concerns" which replaces local licensing guidance and makes it more generic to all areas.

Public Consultation

- 3.12 The draft policy and the cumulative impact assessment has undergone a public consultation which ran from 9th July to 30th September. The consultation received a number of comments from interested parties and these are detailed in the Consultation Report along with the Council's response and recommendations.
- 3.13 At their meeting of 2nd October Licensing Committee considered the consultation responses, the final policy and the cumulative impact assessment and referred the final Policy to Council for adoption.

4.0 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 In line with the licensing authority's usual practice the Statement of Licensing Policy and the cumulative impact assessment has undergone a public consultation with those affected by the proposed changes. In addition the council has consulted with ward members and local residents who expressed an interest in this matter.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality, Diversity, Cohesion and Integration Impact Assessment Screening has been undertaken. There are no issues that affected equality.

4.3 Council policies and City Priorities

- 4.3.1 The Statement of Licensing Policy sets out the principles the council will use to exercise its functions under the Licensing Act 2003. Applicants for licences are expected to read the policy before making their application and the council will refer to the policy when making its decisions.
- 4.3.2 The licensing regime contributes to the following Best Council Plan 2013-17 outcomes:
- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
 - Make it easier for people to do business with us.
- 4.3.3 The licensing regime contributes to our best council objective:
- Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city.

4.4 Resources and Value for Money

- 4.4.1 The licensing of alcohol and entertainment venues attracts a fee which can only be used to pay for the costs associated with the licence application and cannot be used to cover the cost of enforcement or investigation of unlicensed activity. As such the policy review is a cost to the council, which is not recovered by the licence fee.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The council has a policy adopted by Council in January 2016 but a new policy must be in place by January 15th 2019. Therefore should Council decide not to approve the policy for adoption, the original policy will remain in place, but only until that time.
- 4.5.2 The approval of the revised policy is a matter for Council and is therefore not available for call in.

4.6 Risk Management

- 4.6.1 The report recommends that the final policy is adopted by Council at the November meeting. Should this not happen or be delayed, this could impact on having a new policy in place at the right time.

5 Conclusions

- 5.1 This report presents the final policy and the cumulative impact assessment for Members consideration.

6 Recommendations

- 6.1 That Council considers the report and appendices and approves the amended Licensing Policy as its Licensing Act 2003 Statement of Licensing Policy 2019-23.

7 Background documents¹

- 7.1 There are no unpublished background documents that relate to this matter.

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Background

The Licensing Act 2003 regulates the sale of alcohol, provision of entertainment and provision of late night refreshment (sale of hot food or drink after 11pm). Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a Statement of Licensing Policy every three years. The council's first Statement of Licensing Policy was adopted by council on 12th January 2005 and was initially reviewed every three years, however in April 2012, the Police Reform and Social Responsibility Act changed the length of the lifetime of a policy from three to five years.

The Statement of Licensing Policy is due to be reviewed and consulted upon this year, with a new policy in place for January 2019.

At Licensing Committee in January 2018, Members resolved to form a working group of five members of the Licensing Committee to work with officers to review the Statement of Licensing Policy prior to public consultation in June to August of this year. The working group looked at the Cumulative Impact Policy and all six cumulative impact areas specified within it, as well as local licensing guidance and other more general matters.

The law

Prior to 2018, cumulative impact was a concept introduced in the Government's Section 182 Guidance issued under the Licensing Act 2003. It provided a rebuttable presumption for the refusal of licence applications in areas where the impact of an accumulation of licensed premises had a negative effect on the promotion of the licensing objectives. This is in contrast to the otherwise permissive regime under the Licensing Act 2003.

Many local authorities introduced cumulative impact policies and described areas in their policies as cumulative impact zones, stress zones or concentration zones. In Leeds the cumulative impact policy was included in the Statement of Licensing Policy with six areas being described as falling under this policy. Nationally, cumulative impact policies are popular and well supported by Licensing Committees and, on appeal, by Magistrates Courts. However, until 2018, they were only a concept in the guidance and had no statutory basis. There were no guidelines on the level of evidence required. Local authorities called for cumulative impact policies to be introduced into the law so they have a legal footing.

In the Policing and Crime Act 2017 the Government took the step of doing just that. The legislation states that a licensing authority may publish a document ("a cumulative impact assessment") stating that it considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in that area and restrict changes to licensable activities of existing licences.

A cumulative impact assessment must set out the evidence for the authority's opinion and before publishing it, the licensing authority must consult with people affected by the assessment, including the responsible authorities, businesses and the public. The assessment must be reconsidered every three years and any review must be consulted upon before deciding whether it remains or can be removed. A licensing authority must publish any revision of a cumulative impact assessment along with the evidence.

The impact of this step is to put cumulative impact policies within the primary legislation, with a prescribed method for implementing a cumulative impact assessments and to provide some guidance regarding the source and level of evidence required to put a policy in place. This part of the Policing and Crime Act 2017 was commenced in April 2018. Amended S182 Guidance was published at the same time.

In Practice

In publishing a cumulative impact assessment the council is setting down a strong statement of intent about its approach to considering applications for the grant of variation of premises licences or club premises certificates in the areas described. The council must have regard to the assessment when determining or revising the statement of licensing policy and must have regard to the policy and the section 182 guidance when making determinations.

The cumulative impact assessment does not change the fundamental way in which licensing decisions are made and it is open to the council to grant an application where it is appropriate and where the applicant can demonstrate through the operating schedule that they would not add to the cumulative impact. Applications in areas which are covered by a cumulative impact assessment should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.

A cumulative impact policy does not lead to an automatic blanket ban on the grant of licences and the council can only consider using a cumulative impact assessment to refuse an application if relevant representations are made. Where no representation is received the council must grant the licence.

A cumulative impact assessment does not relieve responsible authorities, local residents and residents groups or any other person of the need to make representations where they consider it appropriate so that the licensing objectives are promoted. Anyone making a representation can base it on the information provided in this assessment, or even just on the fact that an assessment has been published. It remains the responsibility of anyone making a representation to ensure it can withstand the scrutiny to which they will be subjected to at a hearing.

History of Cumulative Impact in Leeds

In 2005 Leeds City Council developed the first licensing policy. During the consultation the council received a number of requests for a cumulative impact policy and the evidence was gathered for the city centre and Headingley. A third area was considered along the Woodhouse corridor as there was concern that by restricting the availability of licences in the city centre and Headingley, applicants would instead apply for licences in the area in between. During the consultation there was also strong support for Chapel Allerton to be included in the cumulative impact policy. Evidence was gathered and this fourth area was proposed on the basis of crime and disorder and public nuisance.

In 2007 the council received a request to include Hosforth due to nuisance issues on Town Street. Evidence was gathered and a draft policy was consulted upon and included in the policy.

In 2010 officers reviewed all five areas with West Yorkshire Police, ward members and residents. Officers attended a number of community meetings, and area committees to ensure that the current policy was still supported. The outcome of this review were a number of changes to the scope of the current areas:

- City centre changed from named streets to an area
- Headingley increased to include Hyde Park
- Horsforth increased to include New Road Side
- Reference to licence applications for variations to existing licences included in all five cumulative impact areas
- Late opening restaurants and takeaways added to city centre, Headingley, Chapel Allerton and Horsforth.

A further review was undertaken in 2012:

- City centre became zoned with one red zone around the Call Lane/Lower Briggate/Duncan Street/Assembly Street area to be reviewed annually and the boundary changed as needed
- Headingley to include off licences operating after midnight
- No change to Woodhouse, Chapel Allerton or Horsforth

The annual review of the city centre in 2015 added a second red zone to the north of the city centre.

In 2016 Armley was identified as an area suffering from antisocial behaviour displayed by groups of men standing and drinking in the street. It could be reasonably expected that these people were drinking alcohol purchased on Town Street and so a new area was described covering Armley Town Street and Branch Road and relating just to off licences.

By the review in 2018 the council had identified six areas which were suffering from cumulative impact and the Policy included:

- Area 1 – City Centre
- Area 2 – Headingley and Hyde Park
- Area 3 – Woodhouse
- Area 4 – Chapel Allerton
- Area 5 – Horsforth
- Area 6 – Armley

Review of the Cumulative Impact Assessment

It is the intention of the council to review this cumulative impact assessment every three years. Because of the dynamic nature of the city centre, it may be necessary to review the city centre evidence annually and to produce a separate cumulative impact assessment for that area.

Any review of the cumulative impact assessment will follow the same process:

- A call for evidence, sent to all responsible authorities and other interested parties through the Licensing Enforcement Group
- The request of police crime statistics specifically for the area in questions and the thorough examination of the evidence to determine if there is evidence of cumulative impact
- Liaison with the responsible authorities to gather further evidence through complaint statistics or other formal and informal action taken
- Consultation with ward members, through the Community Committees, local businesses and responsible authorities
- The Cumulative Impact Assessment will be approved by Licensing Committee
- Any amendments which require the removal or addition of cumulative impact areas will necessitate a revision of the Statement of Licensing Policy

2018 Review of the Cumulative Impact Areas

This cumulative impact assessment has been carried out in accordance with Section 5A of the Licensing Act 2003.

The council issued a Call for Evidence through the Licensing Enforcement Group which comprises of responsible authorities and other interested agencies. Following this call for evidence West Yorkshire Police provided crime statistical data for each of the existing cumulative impact areas. The reports were analysed by officers from Entertainment Licensing and discussed with the Police Licensing Team and a provisional cumulative impact assessment was drawn up for each of the areas for further discussion. A more complete cumulative impact assessment was completed for the City Centre in line with the usual practice of reviewing the city centre figures each Autumn.

A working group comprising of Area Officers and Ward Members from Gipton and Harehills and Burmantofts and Richmond Hill wards requested that the licensing authority investigate a possible cumulative impact area for Harehills, specifically around Harehills Road and Harehills Lane. This work commenced in February 2018.

Following on from the 2017 review of the City Centre Cumulative Impact Area, Licensing Committee, at their meeting in January 2018, formed a working group of members of the Licensing Committee, officers from Entertainment Licensing, Legal Services and West Yorkshire Police to review the current cumulative impact areas, and to review the use of the Local Licensing Guidance. The working group agreed to further research amendments to the cumulative impact areas as follows:

- City Centre – remove the green area, contract the amber area to the areas where the night time economy is the most active, change the scope of the cumulative impact area in the red zone to put emphasis on operation during peak hours.
- Headingley – split the Headingley cumulative impact area into two. One are to be focused on North Lane, removing the top and bottom of the Otley run, and a second area focused round Hyde Park and Brudenell but concentrating on late night refreshment and night time opening off licences.
- Woodhouse Corridor – to be removed
- Chapel Allerton and Horsforth – cumulative impact areas to be removed and replaced with Special Area Policies
- Armley – to remain as it is currently.

The working group discussed Local Licensing Guidance which seeks to give applicants further guidance about localities in inner Leeds. These documents include information about the localities but is now out of date. The working group considered whether to refresh the data, or whether to include the concept in the policy and to provide data sources where applicants can search for the most up to date data available. The second approach was preferred.

Officers were tasked with drawing up these proposals and to start pre-consultation work with the locality teams and community committees, as well as the responsible authorities.

The Locality Team for Harehills and Gipton met along with elected members and officers from West Yorkshire Police, Environmental Health, Public Health and Entertainment Licensing in February 2018. The group discussed the tenet of cumulative impact assessments, the legislative changes which set a higher bar for evidence and the evidence we already gather. The group resolved to look at the current evidence, undertake some community engagement, build up the evidence to be used when making representations to applications in the Harehills area and then to meet at a later date to review this information to establish if a cumulative impact area should be progressed. It is likely that

the timescales are too short to allow for inclusion in the 2019-2023 policy, but could be added at a later date.

The Licensing Committee Working Group met in February 2018 and examined a comparison of the crime statistics for the city centre, Headingley, Chapel Allerton, Horsforth and Woodhouse. As the Armley cumulative impact area is based on antisocial behaviour it is hard to draw a direct comparison with the other areas.

However the Working Group agreed to progress the changes to the cumulative impact areas as outlined in the first meeting, and a draft policy be prepared and presented to Licensing Committee prior to going out to a public consultation. It was agreed that meetings would be held with the local ward members for Horsforth and Chapel Allerton, after the election in May.

Officers met with the three ward members for Chapel Allerton in May 2018 to discuss cumulative impact in Chapel Allerton. Officers explained that the evidential bar had been raised. Ward members expressed disappointment that the cumulative impact policy (as it was previously called) had not delivered the results that were expected and that licences had been granted in the area. Officers and ward members discussed alternatives including local licensing guidance or a special area policy. Discussion took place around whether this policy could be used in making licence determinations and in negotiations with applicants, but could also provide some guidance to other regulatory schemes, such as planning. It was agreed that specific resident consultation was important and that a public meeting be arranged in September during the public consultation on the Statement of Licensing Policy where residents would be able to air their views on licensing in Chapel Allerton.

Meetings have taken place between officers from Entertainment Licensing and Public Health to progress the development of a Licensing Matrix. This would be a tool that could be used by the licensing authority to provide additional data for licensing policy reviews and responsible authorities when making representations to licensing applications. This tool was completed and presented to Licensing Committee in July 2018.

In July 2018 a draft Cumulative Impact Assessment was compiled using licensing statistics, the Public Health Licensing Matrix, the West Yorkshire Police crime statistic reports, as well as information provided by Ward Members and residents. The outcome of this assessment is the following areas to be described as cumulative impact areas:

- City Centre – including two red zones
- Headingley
- Hyde Park
- Armley
- Harehills

The following areas to cease being considered as suffering from cumulative impact, however to be reviewed again should it become apparent to ward members, area teams and residents:

- Chapel Allerton
- Horsforth
- Woodhouse Corridor

Types of Evidence

Alcohol Licensing Data Matrix

Public Health were made a Responsible Authority in 2011. However, in the absence of Health as a Licensing Objective, it is very challenging for Public Health to engage meaningfully within the licensing process. Nevertheless, Public Health England and the Local Government Association strongly acknowledge and support the importance of public health input into licensing and have encouraged the development of innovative ways to influence the process within the restrictive boundaries of the Licensing Act 2003.

Public Health has access to numerous key data sources which are not easily accessible by other Responsible Authorities, which can be used to inform the licensing process to help to identify potentially harmful applications and provide the evidence base to support associated decisions. Public Health England has published national guidance on how local Public Health teams can best utilise this data to influence the licensing process. The development of a data matrix which combines and analyses multiple key data sources is a method already used in other Local Authorities including Wigan, Wolverhampton and Cornwall.

In Leeds with the support of Entertainment Licensing, Public Health has developed a local version of a data matrix which risk rates Lower Super Output Areas (LSOA) across Leeds, based on potential alcohol related harm. Data sources have been chosen due to their relevance to the licensing objectives. Any LSOA in Leeds can be inputted into the matrix, which then provides a comparative citywide "harm ranking".

Data Sources - Data sources have been chosen to correspond with the four licensing objectives. Alcohol-related health data has been included as this is an important addition and can be used to 'set the scene' of the wider alcohol-related harm in an area. This is in line with recommendations from Public Health England.

Weighting of Data - All data sources are not equally important in respect of the licensing objectives. Therefore, based on knowledge and experience of the Responsible Authorities, each data set has been given a different weighting which will affect how much it contributes to the overall ranking. The citywide ranking of each individual data set is not affected by this.

Police Statistical Data

The Leeds District Analysis Unit has provided a statistical crime report for each of the assessed areas. These reports include, as a minimum, crime typically associated with the consumption of alcohol such as affray, assault, drunk and disorderly, public order offences, robbery, theft from person and theft non-specific. Each of the reports is slightly different and uses crime figures from different time periods. The Police have provided analysis for the statistics in their conclusions. Where appropriate the report may give information regarding peak hours and days for crime.

The council has used extracts from the crime reports to aid the assessment. The complete crime reports are available from Entertainment Licensing.

Assault continues to be the highest alcohol related crime, followed by drunk and disorderly offences. While drunk and disorderly offences decreased, public order offences increased.

There are two distinct areas in the city where extra police resources are deployed on a regular basis. These areas are the Call Lane area and the Albion Street/ Woodhouse Lane area. With the support of LeedsBID, BACIL and Leeds City Council, street marshals, or evening ambassadors, patrol these two areas as it has been recognised that incidents on the street require extra attention and that early intervention can prevent an escalation in the severity of incidents on the street.

The issues with disorder in the street on Call Lane has led to a road closure between 11pm and 5am on the Friday, Saturday and Sunday night which took effect in October 2015. The sheer numbers of people, often intoxicated, in the street during these hours highlights the need for the overall capacity of the red area to decrease, not increase.

The council continues to receive applications within the areas designated as red. There has been a trend for existing operators to apply for minor and full variations to bring into use unlicensed areas. In all cases the premises licence holder has undertaken to keep their capacity the same. However this trend for increasing the licensed area is concerning as the ability to control capacity is difficult. Any application seeking an increase in floor space, even without an increase in stated capacity, can expect close scrutiny.

The council has designated two zones in the city centre as 'red'. These are areas that are considered highly saturated and that are experiencing particularly high levels of crime, disorder and/or nuisance. An application received from premises located in the two red areas, and operating during the peak hours, can expect to receive representations from West Yorkshire Police and the Licensing Authority that recommend refusal. The responsible authorities are unlikely to negotiate conditions or additional measures on licences in the red area, as the impact on the licensing objectives is at such a level that the area cannot support any more premises opening or extending their operation.

Any variation that will effectively increase the occupancy of premises will be viewed in a similar light to a new application as it may increase the available capacity in the same way a new premises in that area would, which in the red area would be unacceptable. Similarly new businesses seeking to introduce a new concept, and so attract different people into the area, may be acceptable elsewhere in the city centre but in the red area the problems are exacerbated by the sheer number of people on the street during the peak hours and introducing a new or extended business, even with a different concept, would add to the impact rather than reduce it.

Management controls such as door staff will not be adequately effective in preventing an increase in the number of people within the red zone.

In the rest of the city centre cumulative impact area, the council will expect applicants to offer additional measures tailored to the problems in that area. Applicants are strongly advised to consult with West Yorkshire Police and the licensing authority during their application process. By working together, the responsible authorities and businesses can establish working practices that reduce crime and disorder and so benefit the long term aims of the city to be a vibrant, thriving economy.

Extra scrutiny is given to applications in these areas which appear to adopt a number of different styles during their trading. For example businesses that purport to be food led but seek late opening hours may be judged to be predominantly alcohol led due to their late night activities. It is for the applicant to demonstrate how their business will not add to the cumulative impact of licensed premises in that area through their operating schedule.

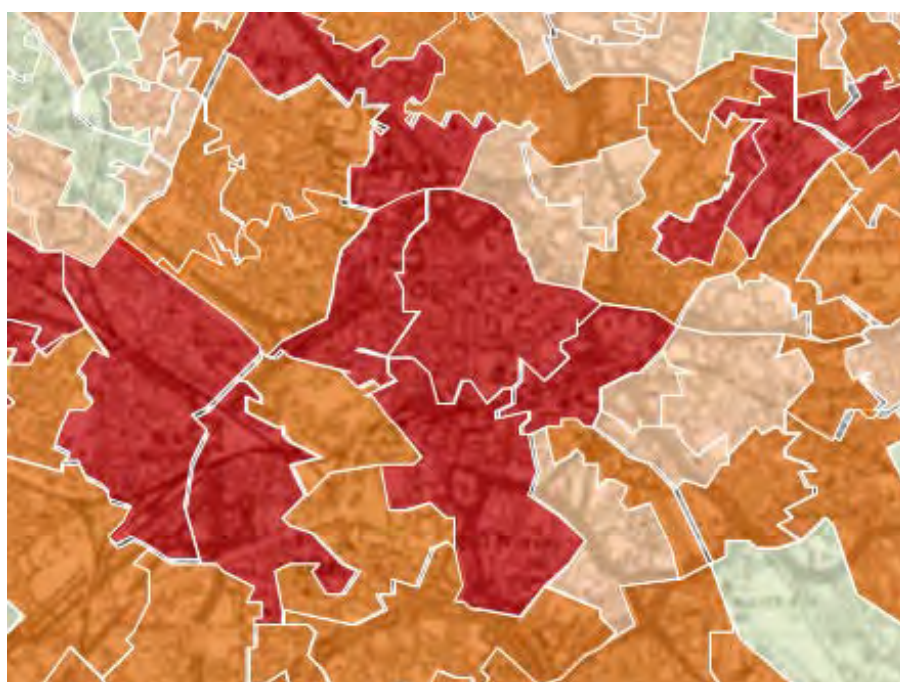
Evidence

Alcohol Licensing Data Matrix

A LSOA is Lower Layer Super Output Areas are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales. Public Health have produced and maintain a licensing matrix which rank LSOAs (lower level super output area) against each other.

By entering postcodes the matrix displays the ranking of this postcodes LSOA against certain data sets. This allows responsible authorities and the licensing authority to establish the problems being experienced in the LSOA.

This map shows the city centre area. Dark red denotes the highest ranked LSOAs, followed by dark orange, light orange and green being the lowest ranked LSOAs.



The council has reviewed 3 postcodes in the city centre:

LS1 1UR – this is the area around the Civic Hall and includes The Headrow and Albion Street. It is within the City Centre, Headrow LSOA. It is ranked joint 2nd highest of all 482 LSOAs and is considered very high risk. This is the description given to the top 15 LSOAs for risk. This area is ranked highest in Leeds for alcohol specific hospital admission, alcohol related hospital admission, density of off licences, density of on licences, alcohol related antisocial behaviour, alcohol flagged non-violent crime, alcohol flagged violent crime and drunk/disorderly or over the prescribed limit.

LS1 4DT – this is the area around City Square. It is within the City Station, Bridgewater Place, Great Wilson Street LSOA. It is ranked 6 of all 482 LSOAs and is considered very high risk. This is the description given to the top 15 LSOAs for risk. This area scores top for alcohol specific hospital admission, alcohol related hospital admissions, density of off licence, and second for density of on licensed premises, alcohol flagged total crime excluding violent crime, alcohol flagged violent crime, and drunk/disorderly or over prescribed limit.

LS1 6RY – this is at the most easterly side of the city centre. It is within the Quarry Hill, Kirkgate, The Calls LSOA. It is ranked 1 of 482 LSOAs and is considered high risk. This is the description given to the top 15 LSOAs for risk. This area scores top for alcohol specific hospital admission, alcohol related hospital admissions, % of children who did not achieve 9-5 in English and Maths, density of off licence, and second for density of on licensed premises. It was ranked 4th for alcohol flagged non-violent crime, alcohol flagged violent crime, and drunk/disorderly or over prescribed limit.

This table shows the ranking for each of the data sets. Dark red denotes super high, dark orange for high, light orange for medium, and green for low.

	LS1 1UR	LS1 4DT	LS1 6LY
	Headrow, Albion Street Briggate	City Square, Station	Quarry Hill, Kirkgate, The Calls
Overall Ranking (out of 482)	2	6	1
Deprivation score	177	249	159
Alcohol specific hospital admissions - all ages	1	1	1
Alcohol related hospital admissions - all ages	1	1	1
Population aged 16 and under	477	464	478
Audit-C scoring >7 more units (GP recorded alcohol habit)	21	227	17
Looked After Children	277	277	277
NEET (Young people not in education, employment or training)	22	22	22
Youth offences	272	272	272
Education - % DID NOT achieve grade 9-5 in English and Maths	465	465	1
Alcohol Licensing - Off licensed premises density	1	1	1
Alcohol Licensing - On licensed premises density	1	2	3
Alcohol related Anti-Social Behaviour	1	4	2
Alcohol flagged total crime - excluding violent crime	1	2	4
Alcohol flagged violent crime	1	2	4
Drunk and disorderly or over prescribed limit	1	2	4
Clients who use alcohol services	-	-	66
Licensing risk scores	1	2	3

Police Statistics

West Yorkshire Police has produced a crime report “*Leeds City Centre: Night Time Economy Related Crime*” dated September 2017 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.

This report is referred to as the Police Report in this document. It uses reported crime figures from 01/09/2015 – 31/08/2017. The police report only compares statistics from the last two years, as the statistics are not comparable going further back than that due to the changes in the way in which crime is recorded. The following data tables and key findings (signified by bullet points) have been extracted from the police report.

This table shows the breakdown of occurrence type 01/09/2015 – 31/08/2017

Occurrence Type	01/09/2015 31/08/2016	01/09/2016 31/08/2017	Change +/-	% Change
Affray	38	52	14	37%
Assault	1300	1524	224	17%
Drunk And Disorderly	255	267	12	5%
Public Order	291	389	98	34%
Robbery	95	146	51	54%
Theft From Person	1168	1453	285	24%
Theft Non Specific	1518	1554	36	2%
Total	4665	5385	720	15%

This table shows the offences flagged as licensed premises involved 01/09/2015 – 31/08/2017

Occurrence Type	01/09/2015 31/08/2016	01/09/2016 31/08/2017	Change +/-	% Change
Affray	3	4	1	33%
Assault	251	263	12	5%
Drunk And Disorderly	15	15	0	0
Public Order	11	21	10	91%
Robbery	2	1	-1	-50%
Theft From Person	488	453	-35	-7%
Theft Non Specific	537	586	49	9%
Total	1307	1343	36	3%

This table shows the offences flagged as alcohol involved 01/09/2015 – 31/08/2017

Occurrence Type	01/09/2015 31/08/2016	01/09/2016 31/08/2017	Change +/-	% Change
Affray	14	18	4	29%
Assault	331	347	16	5%
Drunk And Disorderly	203	180	-23	-11%
Public Order	39	59	20	51%
Robbery	11	15	4	36%
Theft From Person	43	35	-8	-19%
Theft Non Specific	27	20	-7	26%
Total	668	674	6	1%

This table shows the offences during the DTE (06:00 – 17:59) between 01/09/2015 – 31/08/2017

Occurrence Type	01/09/2015 31/08/2016	01/09/2016 31/08/2017	Change	% Change
Affray	6	10	4	67%
Assault	288	320	32	11%
Drunk And Disorderly	35	30	-5	-14%
Public Order	149	214	65	44%
Robbery	29	38	9	31%
Theft From Person	352	599	247	70%
Theft Non Specific	674	705	31	5%
Total	1533	1916	383	25%

This table shows the offences during the NTE (18:00 – 05:59) between 01/09/2015 – 31/08/2017

Occurrence Type	01/09/2015 31/08/2016	01/09/2016 31/08/2017	Change +/-	% Change
Affray	32	42	10	31%
Assault	1012	1204	192	19%
Drunk And Disorderly	220	237	17	8%
Public Order	142	175	33	23%
Robbery	66	108	42	64%
Theft From Person	816	854	38	5%
Theft Non Specific	844	849	5	5%
Total	3132	3469	337	11%

The tables clearly show that there has been an increase in crime across the city centre again this year. The police report conclusions state:

- An analysis of the examined offences shows overall offending in the City Centre has increased by 15% compared with the previous examined period.
- During 01/09/2016 and 31/08/2017, Assaults and Theft from Person offences have seen the highest increases in terms of volume compared with the previous year. Robbery offences have experienced the greatest percentage change. All examined offences experienced an increase in volume.

Street Level Data

The tables below relate to Leeds City Centre night time economy offending only (18:00 to 05:59) and show the top ten streets and the top ten streets of increasing concern for the night time economy offending. The table shows the percentage of the street compared with the city centre total.

Top 10 Street Names	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016 -2017	Change +/-
BRIGGATE	572	18.3%	574	17%	2
CALL LANE	531	17%	565	16.8%	34
ALBION STREET	263	8.4%	294	8.7%	31
WOODHOUSE LANE	213	6.8%	248	7.3%	35
BOAR LANE	140	4.5%	178	5.2%	38
COOKRIDGE STREET	99	3.2%	116	3.4%	17
THE HEADROW	88	2.8%	109	3.2%	21
MERRION STREET	113	3.6%	98	2.9%	-15
GREAT GEORGE ST	76	2.7%	95	2.8%	19
HEATONS COURT	72	2.3%	79	2.3%	7

Top 10 Street Names Of Increasing Concern	2015 - 2016	% of City 2015-2016	2016 - 2017	% of City 2016-2017	Change +/-
CALL LANE	531	17%	565	16.8%	34
ALBION STREET	263	8.4%	294	8.7%	31
WOODHOUSE LANE	213	6.8%	248	7.3%	35
BOAR LANE	140	4.1%	178	5.2%	38
THE HEADROW	88	2.6%	109	3.2%	21
GREAT GEORGE ST	76	2.2%	95	2.8%	19
LOWER BRIGGATE	27	0.8%	45	1.3%	18
PARK ROW	21	0.6%	40	1.1%	19
KIRKGATE	27	0.8%	34	1%	7
PARK ROW	21	0.6%	40	1.2%	19

These tables show the top streets 01/09/2015 – 31/08/2017 during the night time economy.

These tables clearly show that the Briggate and Call Lane areas are responsible for 34% of crime reported in the city in the last year. 16% of crime was reported in the other red area of Albion Street/Woodhouse Lane. This has not changed in the last year.

The police report conclusions were:

- Briggate, Call Lane, Albion Street and Woodhouse Lane are the top streets for offending in the night time economy for both examined periods. These streets are located within the two city centre cumulative impact area red areas, supporting the view that both red areas should be maintained.

Red Area Comparisons

The stated crime figures and time analysis is taken from offences occurring within the red outlining square, between 18:00 – 05:59. Assaults, theft from person, theft non-specific, robbery and sexual offences have been included in this analysis.

Call Lane Red Area



<p>NTE: Year 2015 – 2016 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 420 ▪ Robbery: 27 ▪ Sexual Offences: 23 ▪ Theft From Person: 487 ▪ Theft Non Specific: 382 <p style="text-align: center;">Total: 1339</p> <p>Time Analysis: Peak Time: 00:00 – 05:00</p> <p>Risk days: Thursday, Friday, Saturday</p>	<p>NTE: Year 2016– 2017 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 495 (15% increase) ▪ Robbery: 37 (27% increase) ▪ Sexual Offences: 31 (16% increase) ▪ Theft From Person: 472 (3% decrease) ▪ Theft Non Specific: 422 (9% increase) <p style="text-align: center;">Total: 1457 (8% increase)</p> <p>Time Analysis: Peak Time: 23:00 – 04:00</p> <p>Risk days: Thursday, Friday, Saturday, Sunday</p>
--	--

Call Lane red area for the period 01/09/15 - 31/08/16 and 01/09/16 - 31/08/17

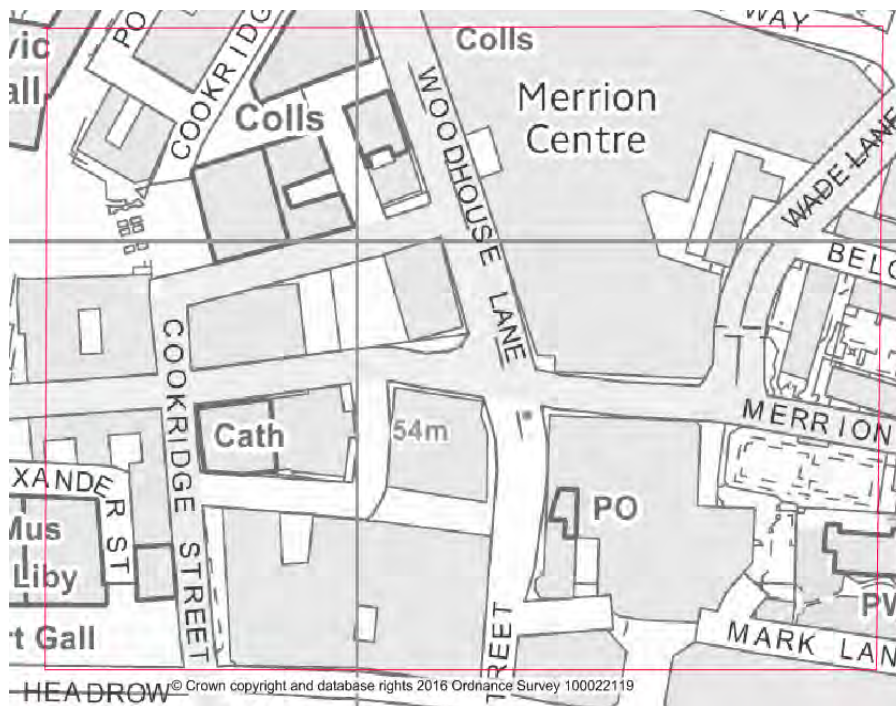
The police report conclusions were:

- The Call Lane red area remains the predominant hot-spot area. Geo-spatial analysis shows the main risk area within the city centre is the area of Call Lane and Briggate. The highest concentration of offences remains in this area and has slightly extended compared with the previous 12 months, but still falling within the existing designated area. The peak time for offending in the Call Lane area is now 23:00 - 04:00.
- Within the Call Lane area, all the examined offences namely Assaults, Robberies, Sexual Offences and Thefts have increased during 2016 and 2017 with Assaults, Robberies and Theft offences seeing the largest increase.

Not only have the overall crimes increased by 8%, the peak times have lengthened again this year to 11pm to 4am. The risk days have changed so that Saturday/Sunday is the highest with Thursday and Friday also high. Most worrying is the 15% increase in assault and 16% increase in sexual offences. This shows not only how important it is that the number of people using this area during the night time does not increase but that it would be desirable for the number of people using this area during peak hours to reduce. Therefore any change to the current licences, either new premises or any increase in the operation of the existing premises should not have the effect of increasing visitors to the area. Furthermore the council will be investigating ways in which assault and theft can be reduced, in liaison with the operators and agencies.

Any operator seeking a variation to their current licence must be mindful of the problems being experienced in the area and must ensure that the additional measures they offer will result in no impact on the licensing objectives. A responsible operator will always be seeking ways in which they can contribute to the efforts made to reduce the crime statistics, and would not be satisfied with merely maintaining the status quo.

Albion Street / Woodhouse Lane Red Area



<p>NTE: Year 2014 – 2015 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 225 ▪ Robbery: 3 ▪ Sexual Offences: 7 ▪ Theft From Person: 126 ▪ Theft Non Specific: 150 <p>Total: 511</p> <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 00:00 – 04:00 ▪ Secondary peak: 23:00 – 00:00 <p>Risk days: Monday, Friday, Saturday</p>	<p>NTE: Year 2015 – 2016 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 251 (9% increase) ▪ Robbery: 8 (63% increase) ▪ Sexual Offences: 14 (100% increase) ▪ Theft From Person: 151 (17% increase) ▪ Theft Non Specific: 147 (2% decrease) <p>Total: 514 (10% increase)</p> <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 01:00 - 0300 ▪ Secondary : 23:00 – 04:00 <p>Risk days: Monday, Tuesday, Thursday</p>
---	---

Map showing the Albion Street red area for 01/09/15 - 31/08/16 and 01/09/16 - 31/08/17

The police report conclusions were:

- Within the Albion Street / Woodhouse Lane Red area, the hot-spot areas have remained the same in both examined periods, specifically the bottom of Woodhouse Lane and top of Albion Street. During the period 2016 to 2017, the peak time is shown as between 01:00 – 03:00.

The licensing authority has received one application to lengthen hours in the last year which was granted at a licensing subcommittee hearing. However the overall 10% increase in crime and the lengthening of the peak hours is worrying.

As with the Call Lane/Lower Briggate area this shows not only how important it is that the number of people using this area during the night time does not increase but that it would be desirable for the number of people to reduce. Therefore any change to the current licences, either new premises or any increase in the operation of the existing premises should not have the effect of increasing visitors to the area.

Furthermore the council will be investigating ways in which assault and theft can be reduced, in liaison with the operators and agencies.

Cross Belgrave Street / Merrion Street / New Briggate:

The following area is not a designated 'red area' in the existing cumulative impact area; although, it has been noted as an emerging area of popularity during the 'Night Time Economy'.



<p>NTE: Year 2015 – 2016 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 108 ▪ Robbery: 8 ▪ Sexual Offences: 8 ▪ Theft From Person: 96 ▪ Theft Non Specific: 112 <p>Total: 332</p> <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 01:00 – 04:00 Secondary peak: 23:00 – 00:00 and 04:00 – 05:00 <p>Risk days: Thursday, Friday and Saturday</p>	<p>NTE: Year 2016 – 2017 (Sept – Aug)</p> <p>Crime:</p> <ul style="list-style-type: none"> ▪ Assault: 57 (47% decrease) ▪ Robbery: 8 (no change) ▪ Sexual Offences: 7 (12% decrease) ▪ Theft From Person: 50 (48% decrease) ▪ Theft Non Specific: 48 (59% decrease) <p>Total: 170 (48% decrease)</p> <p>Time Analysis:</p> <ul style="list-style-type: none"> ▪ Peak: 00:00 – 04:00 Secondary peak: 23:00 – 00:00 and 04:00 – 05:00 <p>Risk days: Friday and Saturday</p>
---	--

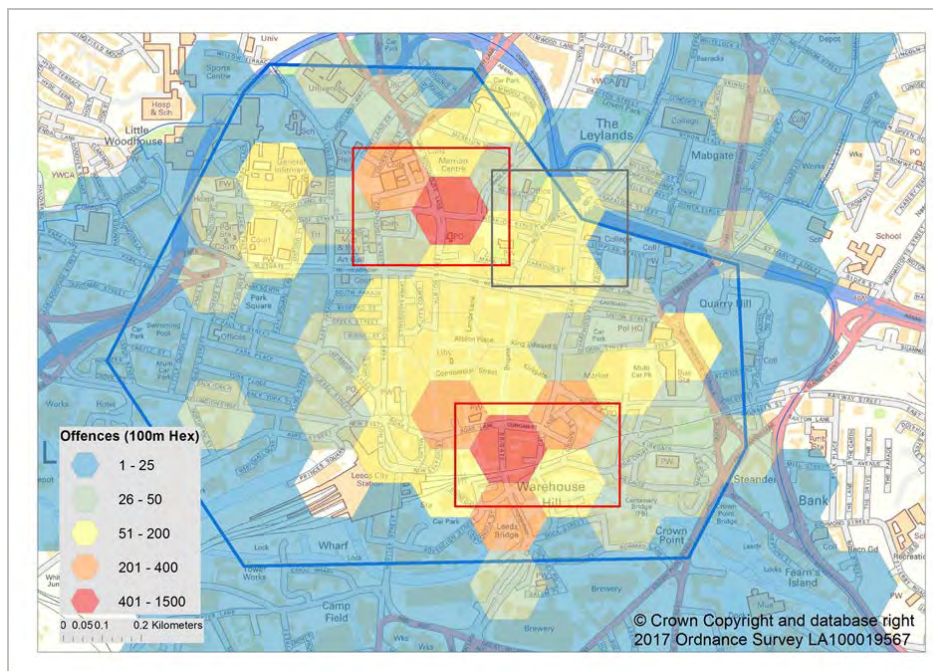
Map showing New Briggate area for the period 01/09/15 - 31/08/16 and 01/09/16 - 31/08/17

The police report conclusions were:

- The Cross Belgrave Street/Merrion Street/New Briggate areas were noted as an emerging area of concern for the period 2015 – 2016 however several associated offence types have seen reductions over the last 12 month period.

This area has seen a dramatic decrease in the number of reported crimes, meaning it is no longer an area of emerging concern. It now sits at the bottom of the table of Top 10 street names in the Police Report. As such, unless it appears as a hotspot in the future, this area sits in the amber area.

City Centre Hotspots



This map shows the overall spread of night-time offences across the area. The 100m Hex grid shows that the main “hotspot” areas detailed previously (shown as red rectangles on the map) cover the main areas of concern, and that the “emerging” area identified previously (grey rectangle) is no longer covering a major offence hotspot. There are also no “new” areas of concern (that would be orange or red) outside the current localities.

Road Traffic Incidents

The below table shows the breakdown of Road Traffic Incidents 01/09/2015 - 31/08/2017 in the city centre.

Incident Type	DTE		NTE	
	2015-2016	2016-2017	2015-2016	2016-2017
Highway Disruption	132	142	86	68
OPL	11	10	34	47
Road Related Offence	62	93	68	67
RTC - Damage Only	316	332	165	181
RTC - Serious Injury	8	14	6	6
RTC - Slight Injury	96	107	54	44
Total	625	698	413	413

Day Time Economy – Top Streets

The below tables show the top ten streets and the top ten streets of increasing concern for road traffic incidents during the daytime economy.

Top Ten Street Names	2015 - 2016	2016 - 2017	Change
THE HEADROW	26	43	17
A58	26	40	14
WELLINGTON ST	26	37	11
A58(M)	21	31	10
INNER RING ROAD	25	30	5
GREAT GEORGE ST	17	29	12
WOODHOUSE LANE	22	24	2
CROWN POINT RD	17	23	6
ALBION STREET	15	22	7
CLAY PIT LANE	14	20	6

Top 10 Street Names Of Increasing Concern	2015 - 2016	2016 - 2017	Change
THE HEADROW	26	43	17
A58	26	40	14
WELLINGTON ST	26	37	11
A58(M)	21	31	10
GREAT GEORGE ST	17	29	12
ALBION ST	15	22	7
CLAY PIT LANE	14	20	6
A61	11	17	6
GEORGE ST	6	11	5
BOAR LANE	8	12	4

These tables show the top streets 01/09/2015 – 31/08/2017 or road traffic incidents during the day time economy.

The police report conclusions were:

- During the NTE the main hot-spots for Road Related Incidents were around The Headrow, Woodhouse Lane and Albion Street with a smaller concentration around Boar Lane and Wellington Street.

Conclusion

The licensing authority conclusions are that the City Centre should remain as a cumulative impact area. The area should be altered to contract the area to mirror that shown in the heat map on page 17. The red zones to remain in place and reviewed annually by analysing the crime statistics provided by West Yorkshire Police, or by another reporting mechanism should the Police be unable to provide these statistical reports in the future.

The assessment in this area will relate to all applications whose licensable activities fall within the peak times as described in this assessment. Any application received which is located in the red zone can expect to receive representations from West Yorkshire Police and the Licensing Authority and applicants should give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.

Headingley and Hyde Park

Crime statistics provided by West Yorkshire Police show that crime is mostly concentrated in two distinct areas within this wider area. The complaints and problems being experienced by residents in the two areas are slightly different with crime in the North Lane area being concentrated around late night bars, pubs and takeaway premises whereas the problems being experienced around the Hyde Park area are associated with the student housing and all night off licences which are used to fuel all night parties. As such the council is proposing that the policy area is split into two cumulative impact areas, each specific to the problems being experienced in that area.

The Headingley and Hyde Park Cumulative Impact Policy Area was last reviewed in 2013 as part of the review and consultation for the Statement of Licensing Policy 2014-2018. However significant changes to the area have been noted, not least of which is that the style and operation of businesses in that area has changed, possibly due to the movement of student housing from this area into the city centre. The number of traditional student focussed vertical drinking establishments has reduced and over the last five years more expensive bars have opened attracting an older age group of customers. These are predominantly food led or offering craft ales and small batch gin.

However crime rates and calls for service are still high in comparison to other parts of the city and the area around North Lane and Otley Road junction remains saturated.

Conclusions

In recognition of the two main areas of concern, and taking into consideration the Police statistics on crime and nuisance extracted in this assessment, it is proposed to split the Headingley and Hyde Park cumulative impact area into two areas.

Headingley will incorporate the area around the North Lane/Otley Road junction and the night time economy area around this junction.

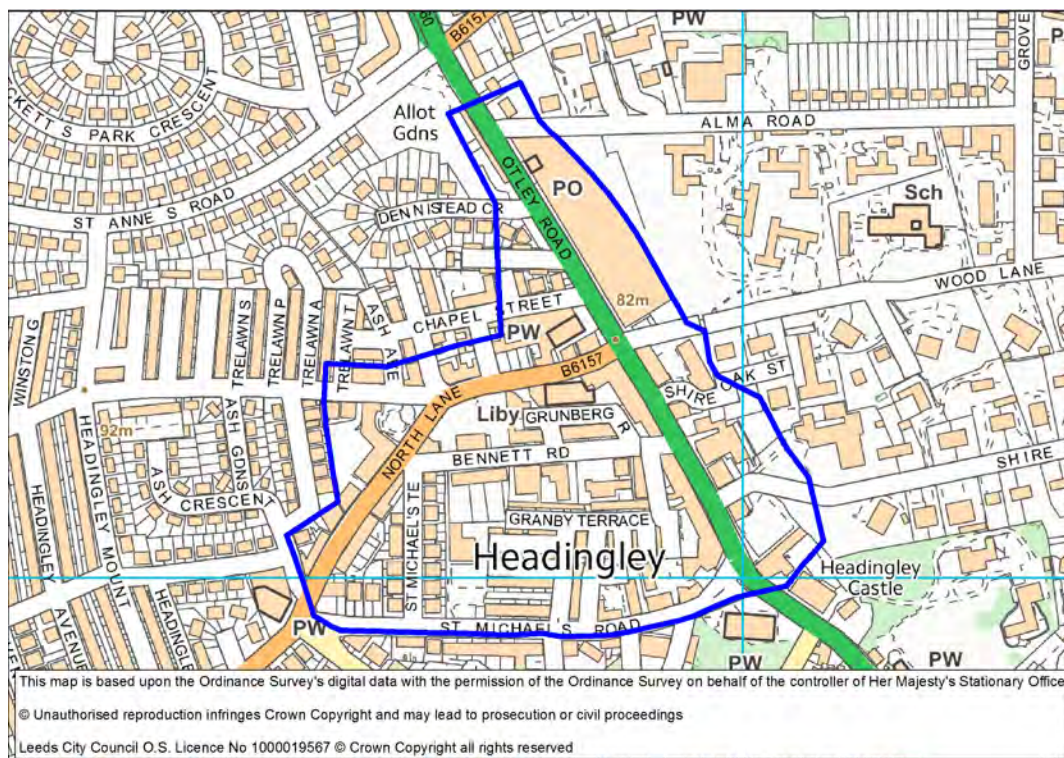
Hyde Park will incorporate the residential area that runs alongside Hyde Park, down Cardigan Road and Brudenell Road in the south.

Each area should have a different emphasis in accordance with the nuisance data provided which shows that the residential concerns in the south part of the ward are different to those in the north.

The council considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in the Headingley and Hyde Park Areas and restrict changes to licensable activities of existing licences.

The assessment in this area will relate to all applications whose licensable activities fall within the peak times as described in this assessment. Any application can expect to receive representations from West Yorkshire Police and the Licensing Authority and applicants should give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.

Headingley



In the past the Headingley cumulative impact area has been part of a much larger cumulative impact area which incorporated the entire area impacted by the Otley Run and known as the Headingley and Hyde Park Cumulative Impact Policy. In 2018 it was decided to split this area into two to more suitably address the different concerns in each area.

The Headingley cumulative impact area is mainly concerned with the sale of alcohol for consumption on the premises, including premises such as, but not limited to, bars, pubs, late opening restaurants etc. This area is saturated with such licensed premises and is a high crime area.

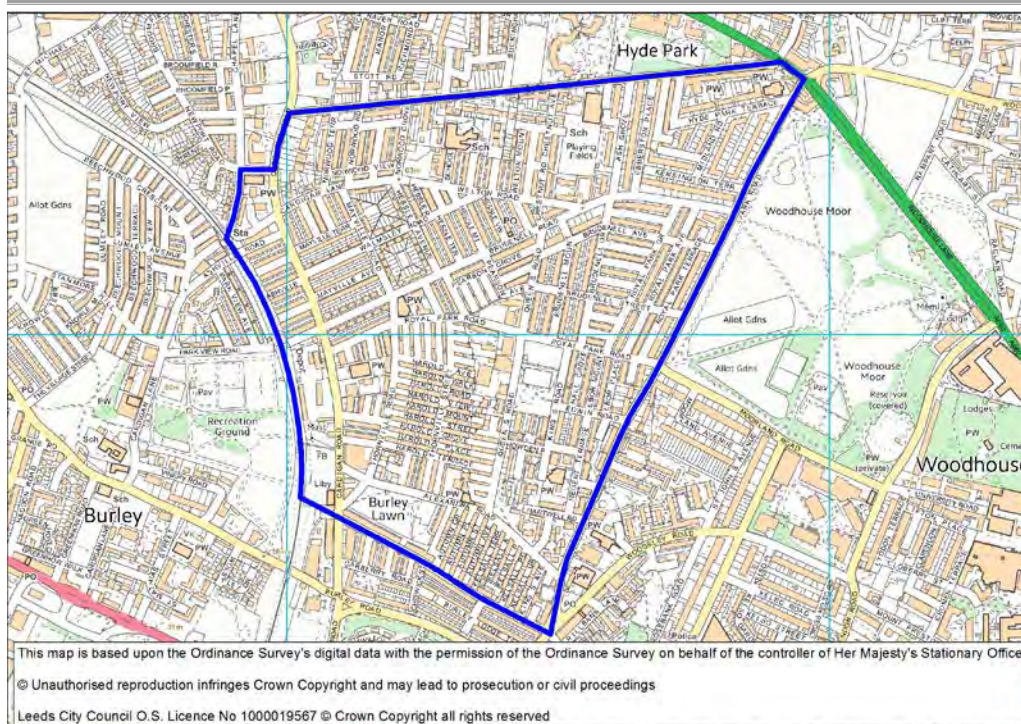
Over the last four years alcohol related crimes of note have equated to 9.5% of all crime in the 2014 – 2018 cumulative impact area. Assaults had the highest number of offences that were alcohol involved, followed by criminal damage and sexual offences (excluding drunk and disorderly offences).

Overall peak time for alcohol related crimes was between 22:00 - 04:00 and Friday, Saturday and Sunday were the most prevalent days, which is indicative of the night time economy associated with licensed premises.

The council considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in the Headingley area as marked within the blue line on the map and to restrict changes to licensable activities of existing licences

It is the council's policy on receipt of relevant representations, to refuse applications for the sale of alcohol for consumption on the premises and late night refreshment, unless the applicant can show that their operation would not increase the impact of such licensed premises on the area.

Hyde Park



In the past the Hyde Park cumulative impact area has been part of a much larger cumulative impact area which incorporated the entire area impacted by the Otley Run and known as the Headingley and Hyde Park Cumulative Impact Policy.

The Hyde Park cumulative impact area is mainly concerned with the sale of alcohol for consumption off the premises, including premises such as, but not limited to, convenience stores, off licences, home delivery services, late night takeaways etc. This area is saturated with such licensed premises and is a high nuisance area.

This is a residential area with a high proportion of the houses split into houses of multiple occupancy and due to the proximity of the Headingley campus, has been an area with a high number of student accommodation.

Over the past five years there has been a switch with many students choosing to live in new high rise student housing blocks in the city centre. Many of the houses of multiple occupancy have been converted back into family houses. However there remains a number of student houses serviced by two 24 hour opening convenience stores, a number of other convenience stores/off licence and late night takeaways. The potential friction between student housing and family housing could lead to increased complaints in this area.

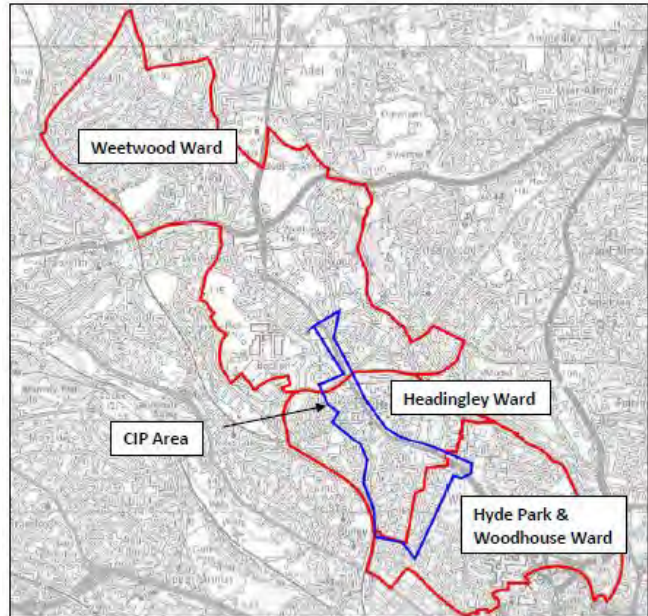
The council considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in the Hyde Park area as marked within the blue line on the map and to restrict changes to licensable activities of existing licences

It is the council's policy on receipt of relevant representations, to refuse applications for the sale of alcohol for consumption off the premises and late night refreshment, unless the applicant can show that their operation would not increase the impact of such licensed premises on the area.

Evidence

West Yorkshire Police produce a statistical report titled “Headingley CIP Report” dated February 2018 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.

This report was commissioned to analyse crimes and nuisance incidents, both alcohol related and non-alcohol related, to support the continuation of the cumulative impact area. The report reviews crime and nuisance incidents for the period 01/01/2014 – 31/12/2017 within Inner North West. The area is situated within the Inner North West PWA, which covered three wards (as at February 2018), namely Headingley, Hyde Park and Woodhouse and Weetwood as shown in Map 1.



Map 1: Inner West and the 2014-2018 Cumulative Impact Policy Area for Headingley/Hyde Park

All Crime

Total crime (including drunk and disorderly occurrences) has increased year on year as shown in the table below.

2014	2015	2016	2017
4975	5313	5737	6501

Offending levels were highest in 2017, with the largest increase during 2017 compared with the previous twelve months. Overall the risk months were late in the year between October and November. Offending peaked during October 2017 and were lowest during July 2014.



Overall total crime in Inner North West has increased year on year as shown in the table below:

Ward	2014	2015	2016	2017
Hyde Park and Woodhouse Ward	2482	2560	2719	2957
Headingley Ward	1482	1562	1660	1860
Weetwood Ward	1011	1191	1358	1684
Total	4975	5313	5737	6501

An analysis of occurrences of note shows overall Burglary Dwelling recorded the highest number of offences, followed by Criminal Damage, Theft Non Specific and Assault. A number of offences have experienced increases year on year: Assault, Public Order, Robbery and Sexual offences.

The highest increase during 2015, compared to the previous year was in Assault, with Burglary Dwelling having the greatest reduction in the number of offences. There were a number of crime types that experienced increases during the last two consecutive years. Theft Non Specific, Public Order and Burglary Dwelling all experienced large increases during 2017 compared with 2016. Theft from Shop and Burglary Other recorded the largest reductions during 2017 compared with 2016, they were however only small.

In terms of Serious Acquisitive Crime (Burglary Dwelling, Robbery, Theft from Vehicle and Theft of Motor Vehicle) Theft of Motor Vehicle was the only one to experience a reduction in crime in 2017 from 2016. Burglary Dwelling has increased for two consecutive years, considerably in 2017 from 2016.

Crime specific to the 2014 – 2018 cumulative impact area

In terms of total occurrences, the volume of offending has fluctuated year on year and has decreased quite significantly in 2017 from 2016 as show in the table below. Despite this, Serious Acquisitive Crime has increased during 2017 albeit not alarmingly. Within the cumulative impact area, Burglary Dwelling experienced the highest number of offences, followed by Criminal Damage, Assault, Theft Non Specific and Theft from Shop.

The number of crime types had a split of increases and decreases during 2017, compared with 2016. The highest increases within the cumulative impact area were in Burglary Dwelling, Theft from Vehicle and Public Order. The recording of Burglary Dwellings in relation to multi-occupancy dwellings changed in 2014 in terms of recording multiple crimes for multi-occupancy dwellings. This changed again on 1st April 2016, where one crime is recorded unless the residents have a separate contract with the landlord.

Occurrence Type	2014	2015	2016	2017
Assault	72	142	185	150
Burglary Dwelling	284	147	219	286
Burglary Other	29	20	46	35
Criminal Damage	153	136	204	214
Drunk and Disorderly	23	18	17	12
Public Order	14	27	51	98
Robbery	31	21	26	36
Sexual Offences	20	26	40	41
Theft From Person	32	28	29	25
Theft From Vehicle	50	69	61	113
Theft Non Specific	145	142	112	148
Theft of Pedal cycle	31	26	34	22

Theft from Shop	160	148	184	137
TOMV/TWOC	14	18	27	25
Total	1335	1239	1638	1342

Alcohol Involved Flag

Crimes flagged with alcohol involved has seen a significant reduction in 2017, highlighted in the table below. This however could be a recording issue of the correct flags not being inputted at the time of offence. According to the data, during the examined period overall alcohol related crimes of note have equated to 9.5% of all crime in the cumulative impact area. Overall Assaults had the highest number of offences that were alcohol involved, followed by Criminal Damage and Sexual offences (excluding drunk and disorderly offences).

Within the cumulative impact area during 2017, alcohol related assaults accounted for 34.1% of alcohol related crime and 10% of all assaults.

In 2017 the overall peak time for alcohol related crimes was between 22:00 - 04:00 and Friday, Saturday and Sunday were the most prevalent days, which is indicative of the night time economy associated with licensed premises.

Occurrence Type	2014	2015	2016	2017
Assault	48	65	71	15
Burglary Dwelling	1	7	1	4
Burglary Other	2	0	1	0
Criminal Damage	11	22	18	5
Drunk And Disorderly	50	34	23	8
Public Order	7	6	8	2
Robbery	6	5	7	2
Sexual	14	18	16	5
Theft From Person	3	2	5	1
Theft Non Specific	6	4	4	1
Theft Of Pedal Cycle	0	1		0
Theft Shop	5	8	3	1
TOMV / TWOC	0	2	1	0
All Occurrences	153	174	158	44

Licensed Premises

In 2017, overall occurrences of note with a licensed premises flag accounted for 3.1% of all crimes in the cumulative impact area. Again, it must be pointed out that this could be explained by flags not being recorded correctly. During the examined period Theft Non Specific, Theft from Person and Assaults were the top crimes recorded at licensed premises.

Occurrence Type	2014	2015	2016	2017
Assault	12	20	34	8
Burglary Other	1	7	10	3
Criminal Damage	6	5	8	3
Drunk And Disorderly	2		1	
Public Order	1			2
Robbery			1	2
Sexual			2	1
Theft From Person	87	17	16	4

Theft From Vehicle	1	3		1
Theft Non Specific	58	28	35	18
Theft Of Pedal Cycle		3		3
All Occurrences	168	83	107	42

Nuisance

The Hyde Park and Woodhouse ward, experienced the highest number of nuisance incidents across Inner North West.

Ward	2014	2015	2016	2017
Hyde Park and Woodhouse Ward	676	574	757	760
Headingley Ward	487	355	416	442
Weetwood Ward	304	294	319	403
Total	1467	1223	1492	1605

During the examined period, neighbour related and youth related were the main issues across Inner North West. Nuisance incidents have increased for two consecutive years albeit at a slower rate in 2017, increasing by 113 from 2016 in comparison to 269 in 2016 from 2015. Youth related nuisance experienced the highest increase during 2017, whereas nuisance motorcycle/quad bike had the biggest decrease.

Alcohol related incidents have seen a decrease year on year, minus a very small increase in 2016 which was eradicated in 2017 with a reduction of 13. Overall alcohol related incidents accounted for 14.3% of all nuisance calls for service.

The peak time for alcohol related nuisance was between 23:00 - 05:00. The risk days were Saturday, Sunday and Monday evenings. Overall the peak month was May, followed by June, March and October.

During the examined period the Hyde Park and Woodhouse ward and the Headingley ward experienced similar levels of alcohol related nuisance, namely 361 and 377 respectively.

The top streets for alcohol related nuisance were Brudenell Road, followed by Otley Road, Cardigan Road and Woodhouse Lane.

Within the 2014 – 2018 cumulative impact area neighbour related nuisance followed by alcohol related nuisance were the main issues between 01/01/2014 – 31/12/2017. Alcohol related nuisance has remained at similar levels since 2015. The peak time for alcohol related nuisance was 23:00 – 05:00. The risk days were Friday, Saturday and Sunday.

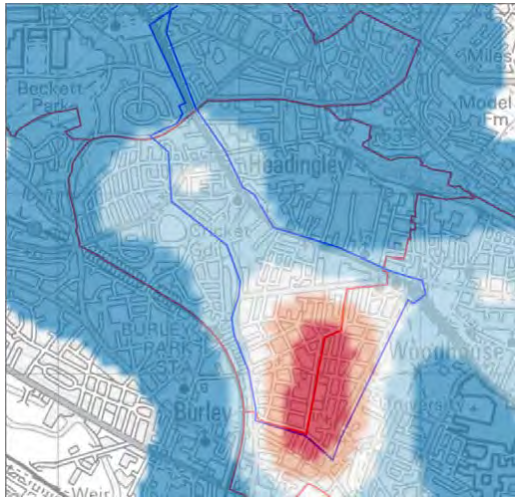
Nuisance Type	2014	2015	2016	2017
Neighbour related	149	121	128	121
Alcohol	169	79	79	88
Adult nuisance – non alc rel	126	58	94	97
Youth related	75	85	72	96
Fireworks/snowballing	28	35	67	109
Nuisance motorbike/quad	2	14	42	13
Littering/drug paraphernalia	1	3	1	6

Geo Spatial Analysis

2014 – 2017 - All Nuisance Incidents

Peak Time: 19:00 – 00:00 Risk days: Sat

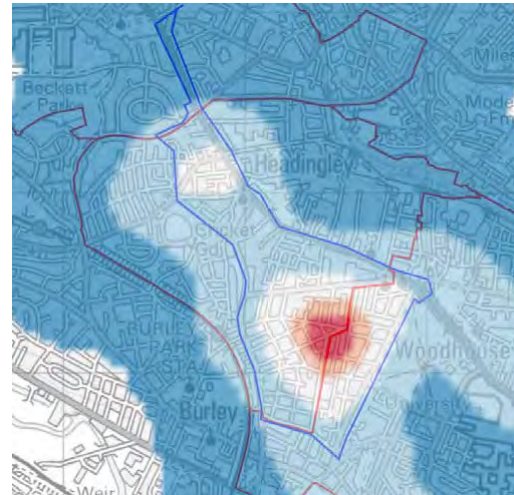
Top Streets: Brudenell Road, Cardigan Road, Hyde Park Road & Otley Road



2014 – 2017 - Alcohol Related Nuisance

Peak Time: 23:00 - 05:00: Risk days: Sat, Sun & Mon.

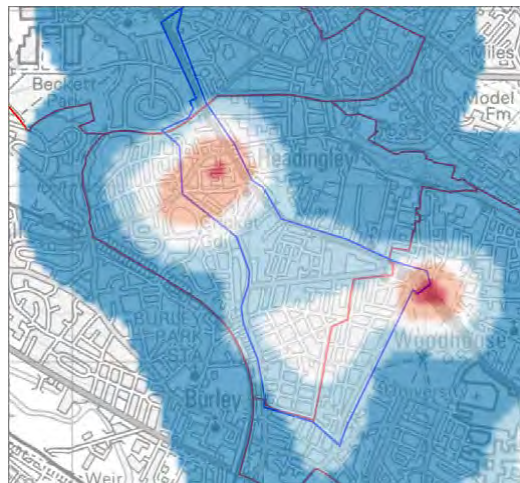
Top Streets: Brudenell Road, Otley Road, Cardigan Road & Woodhouse Lane



2014 – 2017 - Drunk & Disorderly Occurrences

Peak Time: 20:00 – 02:00 Risk days: Thurs, Fri, Sat & Sun.

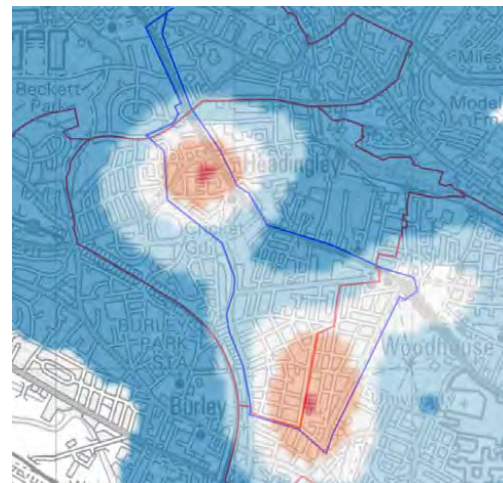
Top Streets: Woodhouse Lane, Otley Road, Brudenell Road & St Michaels Lane



2014 – 2017 - Assaults

Peak Time: 19:00 – 21:00 & 00:00 Risk days Sun & Mon.

Top Streets: Otley Road, Woodhouse Lane, North Lane & Brudenell Road



Police conclusions

Crime

Total crime (including Drunk and Disorderly occurrences) have increased year on year. Offending levels were highest in 2017, with the largest increase during 2017 compared with the previous twelve months. Overall the risk months were late in the year between October and November. Offending peaked during October 2017 and were lowest during July 2014.

Within the cumulative impact area the volume of offending has fluctuated year on year. Despite crime going up in Inner North West in 2017, it has decreased quite significantly in the cumulative impact area over the same time period.

Crimes flagged with Alcohol involved has seen a significant reduction in 2017. This however could be a recording issue where the correct flags are not being inputted at the time of offence. Overall alcohol related crimes of note have equated to 9.5% of all crime in the cumulative impact area. Assaults had the highest number of offences that were alcohol involved, followed by Criminal Damage and Sexual offences (excluding drunk and disorderly offences). Overall peak time for alcohol related crimes was between 22:00 - 04:00 and Friday, Saturday and Sunday were the most prevalent days, which is indicative of the night time economy associated with licensed premises.

In 2017, overall occurrences of note with a licensed premises flag accounted for 3.1% of all crimes in the cumulative impact area. During the examined period Theft Non Specific, Theft from Person and Assaults were the top crimes recorded at licensed premises.

Nuisance

The Hyde Park and Woodhouse ward recorded the highest number of nuisance incidents. During the examined period, neighbour related and youth related were the main issues across Inner North West.

Alcohol related incidents have seen a decrease year on year, minus a very small increase in 2016 which was eradicated in 2017 with a reduction of 13. Alcohol related incidents accounted for 14.3% of all nuisance calls for service. The Hyde Park and Woodhouse and the Headingley ward experienced similar levels of alcohol related nuisance. The peak time for alcohol related nuisance was between 23:00 - 05:00. The risk days were Saturday, Sunday and Monday evenings. The top streets for alcohol related nuisance were Brudenell Road, followed by Otley Road, Cardigan Road and Woodhouse Lane.

Within the cumulative impact area neighbour related nuisance followed by alcohol related nuisance were the main issues overall. Alcohol related nuisance has remained at similar levels since 2015. The peak time for alcohol related nuisance was 23:00 – 05:00. The risk days were Friday, Saturday and Sunday.

Hyde Park around Brudenell Road and Hyde Park Road have consistently been an area of concern for Nuisance incidents over the examined period. Overall for alcohol related incidents, the main risk area has been Hyde Park for a number of years. Hyde Park continues to be a risk area in 2017 as well as the emergence of Central Headingley (North East of the cricket stadium).

Overall Central Headingley, Hyde Park Corner and around Woodhouse Lane were the main areas for Drunk and Disorderly occurrences, indicative of where the licensed premises are situated.

Central Headingley and Hyde Park were the threat areas for Assaults. Streets of concern were Otley Road and Woodhouse Lane.

Woodhouse Cumulative Impact Area

Historically the Woodhouse Cumulative Impact Policy Area has been in place in case the the policy in place in the City Centre and Headingley created displacement of licensed premises in the area in between. Over the last 10 years this has happened but only to a very small extent. The premises that have opened in this area have not generally created cumulative impact and the cumulative impact assessment has not been used. There was a desire to remove this areas at the last review of the policy. However it elicited strong local support and was maintained.

Leeds District Analysis Unit from West Yorkshire Police have produced a crime statistical report to analyse the area.

Due to the low level of crime and the low level of licensed premises in this area, it is difficult to attribute cumulative impact to this area. The council considers that the number of premises licences or club premises certificates is not at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in the Woodhouse area as marked within the blue line on the map and so the restriction has been removed.

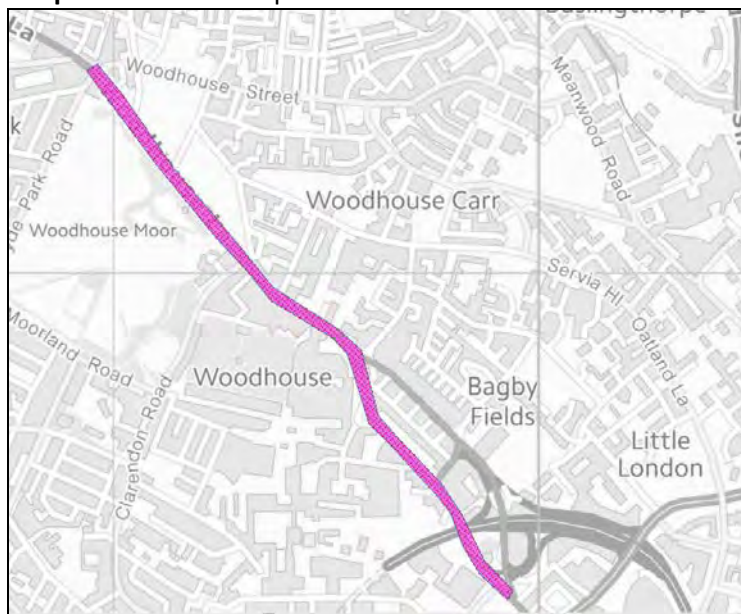
Evidence

West Yorkshire Police produce a statistical report titled “Woodhouse Corridor CIP Crime & Incidents 01/01/2015 – 31/12/2017” dated 30th January 2017 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.

The Woodhouse area forms part of Leeds City Council’s Statement of Licensing Policy. It is a cumulative impact area and the statistics for the area are reviewed every three years.

Analysis will be done in relation to crimes and incidents for the period 01/01/2015 – 31/12/2017 to enable a comparison of three full years.

Map 1: The below map shows the area used to extract offence and incidents.

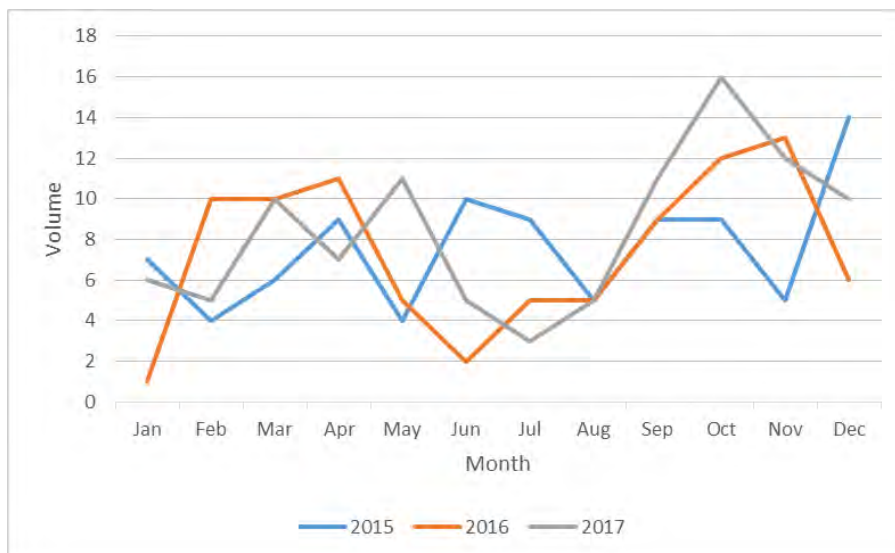


The pattern of recorded crime follows that of University Semester periods, particularly over the last two years. Of the three years, 2017 recorded the most crime. Crime reduced slightly in 2016 but experienced a 13% increase in 2017.

- Theft has been the main thematic of concern. Geographical areas of concern for crime have been near Blenheim Terrace area and towards Hyde Park Corner.
- The Street/Road was the highest recorded offence location, however a high proportion of offences had no location stated.
- Flag indicators for alcohol continue to be at a low level due to inconsistencies in crime recording. Violence and theft offences have been the most recorded crimes linked to alcohol and/or a licensed premises. Overall risk time periods are during the night time economy between 20:00-03:00.
- Anti-social behaviour incidents have been low along the Woodhouse corridor over the last three years. The lowest amount of incidents were recorded in 2017. No incidents were recorded on the Woodhouse corridor during December, in all three years. In 2017, both incidents and crime peaked during October of that year. The main cluster of all incident types was around the Back Blenheim Terrace / Woodhouse Lane area.
- Alcohol related incidents account for the most calls for service along the Woodhouse Corridor, which has been consistent over the three year period. Periods of concern for alcohol related incidents were during the day between 12:00-15:00 and in the evening between 21:00-00:00. Fridays and Sundays.

Crime

Figure 1: Crimes recorded on the Woodhouse Corridor between 01/01/15 – 31/12/17



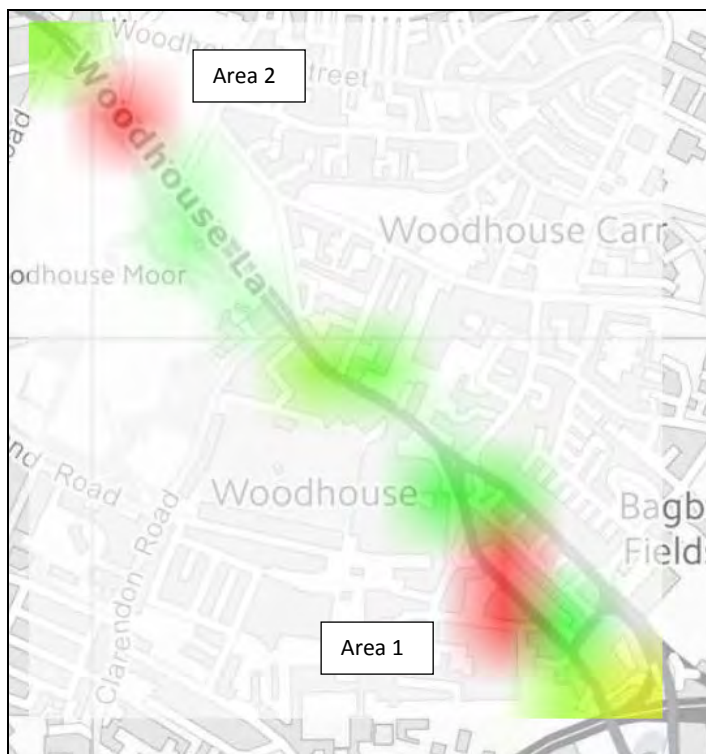
The chart above highlights a similar pattern for 2016 and 2017 and is likely to be connected to University Semester times and when a high density of students are located in the area. A notable dip during the summer months can be observed for the last two years. Offences experience a sharp rise from the August/September period. The pattern in 2015 was slightly different, experiencing spikes in offending during June and December, when in other years offences dropped.

Figure 2: Table showing a year on year comparison of each crime type, committed along the Woodhouse Corridor over the last three year period.

Crime Type	2015	2016	Change +/-	% Change	2017	Change +/-	% Change	Grand Total
Violence	15	22	7	47%	17	-5	-23%	54
Other Theft	15	15	0	0%	22	7	47%	52
Theft from the Person	5	7	2	40%	21	14	200%	33
Bicycle Theft	6	12	6	100%	9	-3	-25%	27
Shoplifting	20	2	-18	-90%	5	3	150%	27
Public Order Offences	7	8	1	14%	7	-1	-13%	22
Criminal Damage	12	6	-6	-50%	3	-3	-50%	21
Burglary - Business and Community	2	7	5	250%	3	-4	-57%	12
Drugs	3	2	-1	-33%	3	1	50%	8
Robbery	1	3	2	200%	4	1	33%	8
Other Crime	4	0	-4	-100%	3	3	N/A	7
Sexual	1	2	1	100%	2	0	0%	5
Burglary - Residential	0	1	1	N/A	2	1	100%	3
Theft of Motor Vehicle	0	2	2	N/A	0	-2	-100%	2
Grand Total	91	89	-2	-2%	101	12	13%	281

Crime reduced slightly in 2016 but experienced a 13% increase in 2017 when compared with the previous year. Violent offences peaked in 2016 but reduced by five in 2017. In the last year theft offences have been the main concern in the area having experienced the greatest increases.

Figure 3: The map below (map 2) shows the geographic distribution of offences on the Woodhouse Corridor over the last three years. The deeper the red, the more offences in the area, hence the greater density.



Area 1: This area has been flagged as a concern largely due to shoplifting offences. This was a particularly concerning problem during 2015 however offences reduced significantly in 2016. The primary peak time period was between midnight and 02:00, with a secondary peak between 13:00-17:00.

Area 2: Offences within this area have been committed on Woodhouse Lane itself and peaked during 2016. Assaults have been the most common issue in this area, with one serious violent offence (Section 18 - Attempt Wounding) occurring in 2015. Theft from Person offences were the second highest recorded, which largely involved the suspect 'dipping' into the victim's bag or pocket and removing mobile phones / wallets / purses. The majority of these occurred in 2017. Offences peaked between 18:00-00:00.

Figure 4 – Table of the top crime locations for Criminal Damage, Theft Offences, Robbery and Violence between 01/01/2015 – 31/12/2017

Location	Criminal Damage	Other Theft	Public Order Offences	Robbery	Theft from the Person	Violence	Grand Total
Street/Road	8	6	9	3	13	18	57
Not Stated	4	5	4	2	2	14	31
Public House	0	8	0	1	5	2	16
Club Licenced	0	3	0	0	7	1	11
Park/Garden	0	3	1	1	2	1	8
University	2	6	0	0	0	0	8
Bus/Coach	0	2	1	0	1	3	7
Footpath/Bridleway	0	0	2	1	1	1	5
Restaurant	0	3	0	0	0	2	5
Fast Food	1	2	1	0	0	0	4

The Street/Road was the highest recorded offence location, however a high proportion of offences had no location stated. Public houses accounted for 8% of the total aforementioned crimes.

Offences committed at Public Houses were largely during the night time economy, peaking between 21:00-01:00. A secondary peak can be observed between 16:00-17:00.

Crime – Alcohol / Licensing Flags

Flag indicators for alcohol continue to be at a low level due to inconsistencies in crime recording. A key word search has been conducted to establish further alcohol related offences.

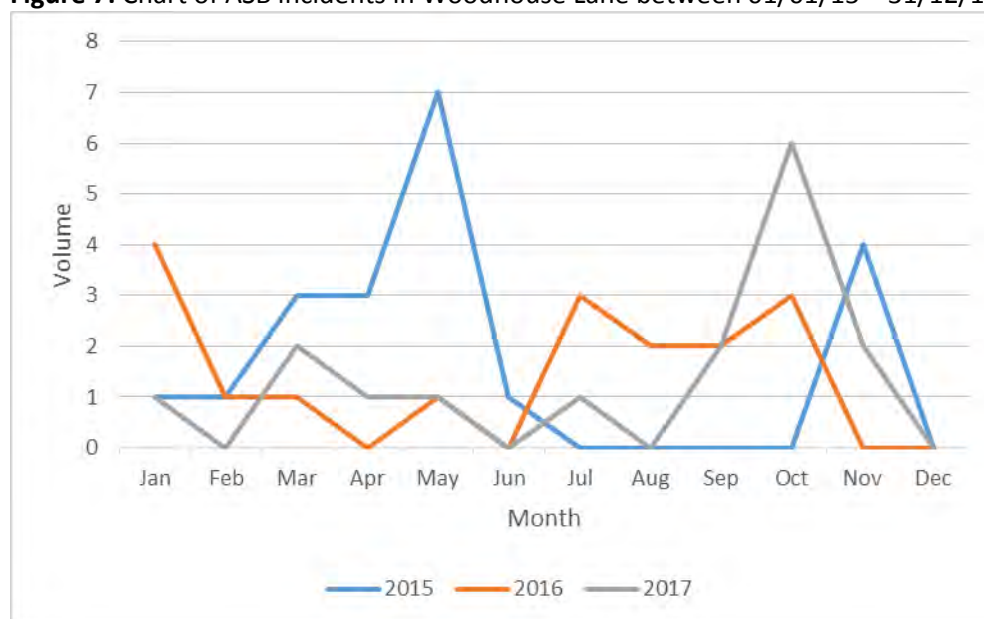
Figure 5. The below table shows crime committed on the Woodhouse Corridor which are flagged/linked to alcohol or a licensed premises, over the last three years.

Crime Type	Alcohol		Licensed			Grand Total		
	2015	2016	2017	2015	2016	2017	2015	2016
Burglary - business and community	0	0	0	3	1	2	1	5
Other Crime	1	1	0	0	1	1	2	2
Other theft	0	3	0	5	0	6	0	14
Public order offences	0	0	1	1	1	0	2	1
Robbery	0	0	0	0	1	2	1	2
Shoplifting	2	0	0	0	1	0	3	0
Sexual	0	0	0	1	0	0	0	1
Theft from the person	0	2	0	2	1	11	1	15
Violence	4	3	7	2	2	4	13	9
Grand Total	7	9	8	14	8	26	23	49

Offences flagged or directly linked to alcohol are low and are at similar levels over the last three years. Violence accounts for the most despite being low numbers. Those offences linked to licensed premises have risen over the last three years, experiencing a notable increase in 2017. Thefts have been the primary concern.

Anti-Social Behaviour

Figure 7: Chart of ASB incidents in Woodhouse Lane between 01/01/15 – 31/12/17



Anti-social behaviour incidents have been low along the Woodhouse corridor over the last three years and do not follow similar patterns to one another. One commonality between the years however, is that no incidents were recorded for December in all three years. The level of incidents in the area have steadily dropped over the last three years, with 2015 experiencing the most. In 2017 incidents peaked in October which can also be observed for recorded offences as highlighted in figure 1.

Figure 8: Year on Year Comparison of ASB related incidents

Incident Type	2015	2016	Change +/-	2017	Change +/-	Grand Total
Alcohol	7	8	1	5	-3	20
Adult Nuisance - Non Alcohol Related	7	3	-4	4	1	14
Youth Related	4	3	-1	4	1	11
Fireworks/Snowballing	2	1	-1	1	0	4
Nuisance Car/Van	0	0	0	2	2	2
Nuisance Motorcycle/Quad Bike	0	1	1	0	-1	1
Traveller Related	0	1	1	0	-1	1
Grand Total	20	17	-3	16	-1	53

Alcohol related incidents account for the most calls for service along the Woodhouse Corridor, which has been consistent over the three year period. In 2017, alcohol related incidents reduced while slight increases can be seen in Adult Nuisance – Non Alcohol Related, youth nuisance and nuisance car/van calls for service.

The main cluster of all ASB incidents have been around the Back Blenheim Terrace / Woodhouse Lane area. Overall, incidents occurred at various times during the day and evening with a peak between 18:00-00:00.

Alcohol & Licensed ASB related calls

Figure 9: Table showing a comparison of alcohol related incidents occurring in licensed premises compared with those occurring at non-licensed premises, over the last three years

Location Type	2015	2016	2017	Grand Total
Licensed Premises	4	4	2	10
Non-Licensed Premises	3	4	3	10
Grand Total	7	8	5	20

In 2017 alcohol related incidents tended to concern a mixture of groups or individuals, primarily male students, being aggressive / violent, causing harassment, refusing to leave premises and public order types of incidents. One call was of concern for a male intoxicated and lying in the street. In previous years, the majority of calls have been concerned with older, mainly male, individuals being intimidating, aggressive and causing harassment. A number of calls identified homeless individuals causing a nuisance outside shops and bars.

Overall, risk periods for alcohol related incidents were during the day between 12:00-15:00 and in the evening between 21:00-00:00. Fridays and Sundays were peak days.

Chapel Allerton

Area 4 relates to the Chapel Allerton district of Leeds as defined within the blue boundary.

Chapel Allerton has been considered a cumulative impact area since 2006 and this was due to concerns about the growing night time economy and associated crime, disorder and nuisance. The policy has remained largely unchanged since then and the area is now associated with independent bars and restaurants. The Police evidence shows that alcohol related crime and disorder is low.

Taking into consideration the new statutory footing that has been ascribed to cumulative impact by placing it within the legislation, and the requirement for cumulative impact assessments to be evidence based and capable of withstanding an appeal before the Magistrate's Court, it will prove difficult to maintain a cumulative impact area for Chapel Allerton and it is recommended that it is removed from the Statement of Licensing Policy.



In the absence of a policy a responsible authority or any other person still has the ability to object to applications, and provided the objection is relevant to one of more of the licensing objectives, if the authority relies on this objections it will have a higher success rate on appeal than defending any decision based on a cumulative impact assessment that has no evidential backing.

However the area will be kept under review and should crime or problems associated with the accumulation of licensed premises reoccur, the cumulative impact area could be reinstated. Alternatively officers, ward members and local residents can work together on a special area policy for Chapel Allerton.

Evidence

Licensing Statistics

There are currently 29 licensed premises in the area covered by the cumulative impact area. 18 of these were transferred to the local authority from the Magistrates Court in 2005. Two premises licences were granted in 2006 to the Arts Festival and Seven Arts. The remaining 9 premises licences have been granted since 2012 and are predominantly restaurants with a delicatessen and a cheesemongers also applying to sell alcohol. In all these cases the sale of alcohol for consumption on the premises is secondary to the purpose of the premises (restaurants, wine merchant, delicatessen and cheesemonger).

Over the last six years (from 1st January 2012 to 31st December 2017) the council has received 8 variation applications within the Chapel Allerton cumulative impact area. A number of premises have surrendered their licences. In general the applications that received representations were granted with additional conditions agreed between the objector and applicant.

There have been no representations based on cumulative impact to applications in the last 4 years.

Number of licensed premises in the cumulative impact area

USE	2012	2013	2014	2015	2016	2017
On Licence (Primary Use)	10	10	9	8	9	11
On Licence (Secondary Use)	8	10	9	10	11	11
Late Night Refreshment	7	7	7	7	7	7
Off Licence	4	4	5	6	4	5
Private Members Club	2	2	2	2	2	2
Total	31	33	32	33	33	36

Number of licensed premises in Chapel Allerton Ward

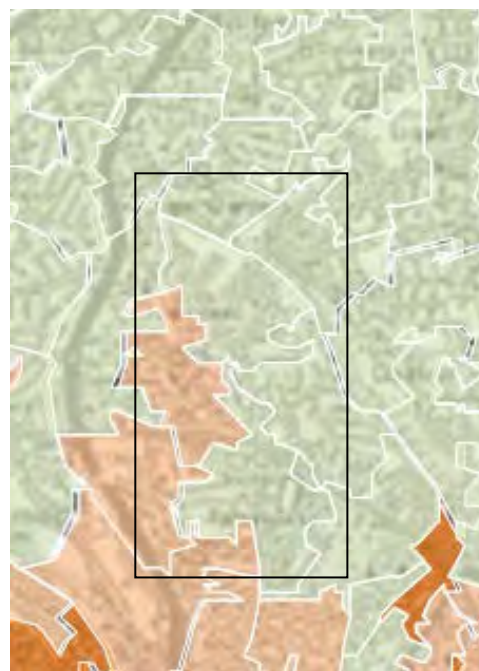
USE	2012	2013	2014	2015	2016	2017
On Licence (Primary Use)	15	15	12	11	13	18
On Licence (Secondary Use)	14	16	15	15	16	16
Late Night Refreshment	11	11	11	11	11	11
Off Licence	24	25	25	27	25	23
Private Members Club	6	6	6	5	5	5
Outdoor Space - High Capacity	3	5	5	5	5	5
Community Premises (Without Alcohol)	1	1	1	1	1	1
Community Premises (With Alcohol)	0	0	0	1	1	1
Not Specified	11	9	9	9	9	9
Total	85	88	84	85	86	89

Alcohol Licensing Data Matrix

A LSOA is Lower Layer Super Output Areas are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales. Public Health have produced and maintain a licensing matrix which rank LSOAs (lower level super output area) against each other.

By entering postcodes the matrix displays the ranking of this postcodes LSOA against certain data sets. This allows responsible authorities and the licensing authority to establish the problems being experienced in the LSOA.

This map shows the Harehills area. Dark red denotes the 15 highest ranked LSOAs, followed by dark orange, light orange and green being the lowest ranked LSOAs.



The council has reviewed 3 postcodes in the Chapel Allerton area:

LS7 3PU – this is at the northern end of Chapel Allerton. It is within the Stainbeck Road, Wensley Drive, Henconners LSOA. It is ranked 287 of all 482 LSOAs and is considered low risk. This area is ranked 59th for Audit C scoring which is the GP recording 7 or more units and 74th for the density of off licences.

LS7 3PW – this is in the middle of the proposed cumulative impact area. It is within the Chapel Allerton village LSOA. It is ranked 74 of all 482 LSOAs and is considered medium risk. This area scores 31st for Audit C scoring, 6th for the density of on licensed premises, 23rd for alcohol related antisocial behaviour and 9th for licensing risk scores, which is the risk rating licensing enforcement officers give licensed premises.

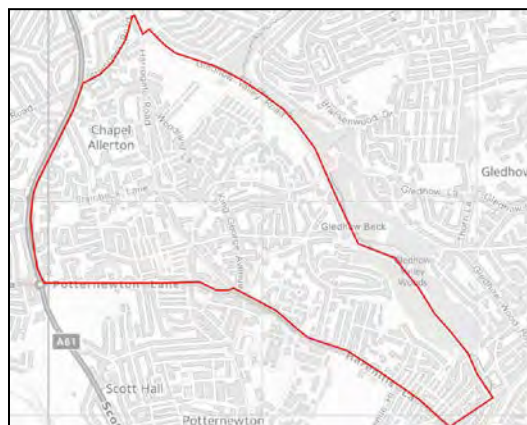
LS7 3LW – this is at the most southern end of Harehills Lane around Potternewton Lane/Chapel Allerton hospital. It is within the Cliftons, Nowells LSOA. It is ranked 16 of 482 LSOAs and is considered high risk. This LSOA is ranked especially highly for deprivation, population under 16, looked after children (highest ranked in Leeds), alcohol flagged non-violent crime and drunk and disorderly. It is also ranked high for density of off licensed premises.

This table shows the ranking for each of the data sets. Dark red denotes super high, dark orange for high, light orange for medium, and green for low.

	LS7 3PU	LS7 3PW	LS7 3LX
	Top	Middle	Bottom
Overall Ranking (out of 482)	287	74	204
Deprivation score	349	236	242
Alcohol specific hospital admissions - all ages	338	338	194
Alcohol related hospital admissions - all ages	356	356	183
Population aged 16 and under	311	418	257
Audit-C scoring >7 more units (GP recorded alcohol habit)	59	31	38
Looked After Children	419	419	68
NEET (Young people not in education, employment or training)	-	-	102
Youth offences	236	236	31
Education - % DID NOT achieve grade 9-5 in English and Maths	428	102	423
Alcohol Licensing - Off licensed premises density	74	74	83
Alcohol Licensing - On licensed premises density	238	6	167
Alcohol related Anti-Social Behaviour	101	23	-
Alcohol flagged total crime - excluding violent crime	-	64	-
Alcohol flagged violent crime	-	80	210
Drunk and disorderly or over prescribed limit	-	48	-
Clients who use alcohol services	-	187	187
Licensing risk scores	285	9	244

Police Crime Statistics

West Yorkshire Police produce a statistical report titled "Chapel Allerton CIP Crime & Incidents 01/01/2015 – 31/12/2017" dated 31 January 2018 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.



The Police Report provided by West Yorkshire Police was provided for the entire Chapel Allerton Ward rather than for the cumulative impact area. As such it is difficult to compare with previous years and with the other cumulative impact areas. However the information provided regarding crimes which has an alcohol flag and those which are related to licensed premises show that the level of crime in the area is low.

Year on Year comparison of alcohol related/flagged crimes at licensed premises. (Jan – Dec period)

	Alcohol related crime	Crimes at licensed premises	Alcohol related crime	Crimes at licensed premises	Alcohol related crime	Crimes at licensed premises
	2015		2016		2017	
Violence with injury	6	2	7	-	8	2
Violence without injury	4	-	6	1	10	-
Criminal damage	-	-	2	-	6	-
Public order offences	1	1	2	1	1	1
Theft	-	-	-	1	3	-
Drugs	2	-	1	-	-	-
Other	1	-	-	-	1	-
Burglary	1	-	-	-	-	-
Robbery	1	-	-	-	-	-
Shoplifting	-	-	1	-	-	-
Grand total	16	3	19	3	29	3

Caution should be taken as often licensed premises are used as location markers so some of the crime placed against a licensed premises may have occurred in the street outside. Had this been a high crime area and this report provided for a purpose such as a licence review, the Police analyst would interrogate the data further and remove any such instances.

Alcohol related calls were relatively low but increased year on year. There were two identified areas of concern for ASB in Chapel Allerton; the first was the junction of Stainbeck Lane and Harrogate Road. The second was around Roundhay Avenue, Roundhay Grove and Roundhay Mount. Alcohol related incidents accounted for 9% of all ASB related call in the Chapel Allerton area.

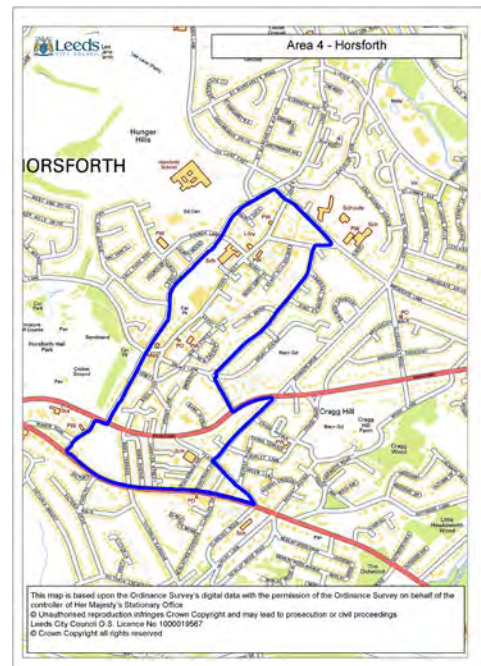
ASB Type	2015	2016	2017
Youth related	28	66	24
Neighbour related	27	21	36
Adult nuisance – non alcohol related	18	25	24
Alcohol	5	10	18
Nuisance motorcycle/quad bike	2	9	16
Fireworks/snowballing	4	2	7
Nuisance car/van	3	4	4
Littering/drug paraphernalia	1	1	1
Grand total	88	138	130

Horsforth

Horsforth has been considered to be a cumulative impact area since 2007. It was initially put in place because consultation analysis showed that local residents were concerned with noise nuisance and other forms of anti-social behaviour such as fighting on the street at closing times, litter and theft of and damage to garden items, urination, and vomit in the streets and close to residential properties.

West Yorkshire Police supported the policy referring to relevant concentrations of criminal damage and anti-social behaviour cases close to the commercial centre of Horsforth within the cumulative impact area.

A temporal analysis showed the peak times for damage offences in the area have occurred between 18:00 and 00:00. Loutish behaviour and drunkenness also made up a significant proportion of the total recorded cases of anti-social behaviour in the area. In addition to the consultation activities undertaken as part of the overall review of this policy, the Area Management Team also undertook a four week consultation in the spring of 2007 which showed strong support for a policy when almost 100 questionnaires/statements of support were received .



Since this time the evidence on cumulative impact has not been as strong but local ward members, representing the residents, have strongly supported maintaining the cumulative impact area due to its protective effects in discouraging applications for new premises.

Taking into consideration the new statutory footing that has been ascribed to cumulative impact by placing it within the legislation, and the requirement for cumulative impact assessments to be evidence based and capable of withstanding an appeal before the Magistrate's Court, it will prove difficult to maintain a cumulative impact area for Horsforth and it is recommended that it is removed from the Statement of Licensing Policy.

In the absence of a policy a responsible authority or any other person still has the ability to object to applications, and provided the objection is relevant to one of more of the licensing objectives, if the authority relies on this objection it will have a higher success rate on appeal than defending any decision based on a cumulative impact area that has no evidential backing.

However the area will be kept under review and should crime or problems associated with the accumulation of licensed premises reoccur, the cumulative impact area could be reinstated. Alternatively officers, ward members and local residents can work together on a special area policy for Horsforth.

Evidence

Licensing Statistics

USE	2013	2014	2015	2016	2017
On Licence (Secondary Use)	10	9	10	11	11
Late Night Refreshment	7	7	7	7	7
Off Licence	4	5	6	4	5
Private Members Club	2	2	2	2	2
On Licence (Primary Use)	10	9	8	9	11
Adding/extending existing activities	1	1	1	1	1

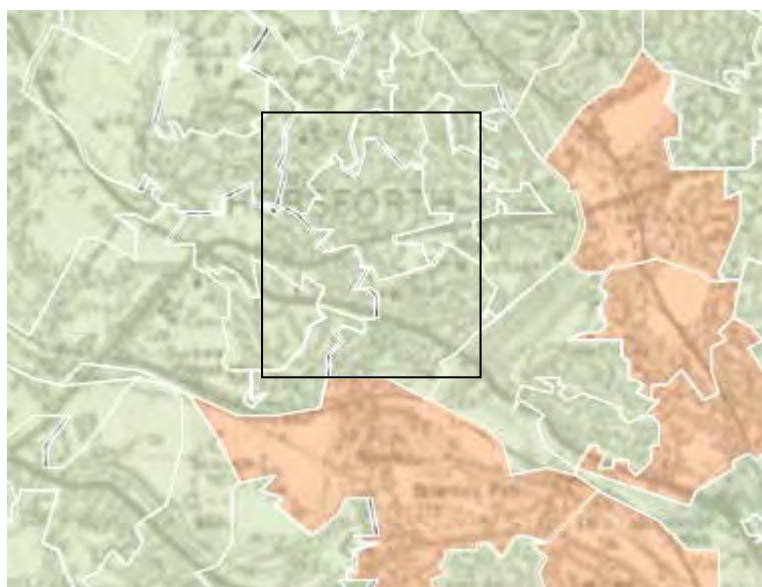
Over the last five years the number and type of licensed premises has remained relatively static.

Alcohol Licensing Data Matrix

A LSOA is Lower Layer Super Output Areas are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales. Public Health have produced and maintain a licensing matrix which rank LSOAs (lower level super output area) against each other.

By entering postcodes the matrix displays the ranking of this postcodes LSOA against certain data sets. This allows responsible authorities and the licensing authority to establish the problems being experienced in the LSOA.

This map shows the Horsforth area. Dark red denotes the 15 highest ranked LSOAs, followed by dark orange, light orange and green being the lowest ranked LSOAs.



The council has reviewed 3 postcodes in the Horsforth area:

LS18 4AB – this is in the north of the area, and is within the Low Lane, King George Ave, North Broadgate Lane LSOA. It is ranked 287 of all 482 LSOAs and is considered medium risk. This area is ranked 75th for drunk/disorderly or over the prescribed limit crimes.

LS18 4RR – this is located just to the east of Town Street and is known as Alexandra Road, Stanhope Drive, King Edward Ave LSOA. It is ranked joint 244 of all 482 LSOAs and is considered low risk. This area doesn't score very high for any of the data sets.

LS18 4QE – this is at the most southern end of the cumulative impact area around New Road Side. It is within the Victoria Crescent, Victoria Gardens, Newlaithes Gardens LSOA. It is ranked joint 244 of all 482 LSOAs and is considered low risk. It is ranked 38th for density of on licensed premises but doesn't rank at all for crime.

This table shows the ranking for each of the data sets. Dark red denotes super high, dark orange for high, light orange for medium, and green for low.

	LS18 4AB	LS18 4RR	LS18 4QE
	North end	Town Street	New Road Side
Overall Ranking (out of 482)	287	244	244
Deprivation score	275	210	471
Alcohol specific hospital admissions - all ages	307	307	323
Alcohol related hospital admissions - all ages	267	267	391
Population aged 16 and under	141	110	180
Audit-C scoring >7 more units (GP recorded alcohol habit)	296	357	213
Looked After Children	158	158	419
NEET (Young people not in education, employment or training)	203	203	-
Youth offences	295	295	444
Education - % DID NOT achieve grade 9-5 in English and Maths	201	102	438
Alcohol Licensing - Off licensed premises density	144	144	228
Alcohol Licensing - On licensed premises density	329	238	38
Alcohol related Anti-Social Behaviour	124	-	-
Alcohol flagged total crime - excluding violent crime	-	-	-
Alcohol flagged violent crime	262	210	-
Drunk and disorderly or over prescribed limit	75	-	-
Clients who use alcohol services	187	-	-
Licensing risk scores	353	74	32

Police Crime Statistics

West Yorkshire Police produce a statistical report titled "Horsforth CIP Crime & Incidents 01/01/2015 – 31/12/2017" dated 21st February 2018 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.

Crime

- Priority crimes increased year on year between 2015 and 2017, there was a 30% increase in offences between 2016 and 2017.
- Over the three year period offences averaged at 21 per month, Criminal Damage was the highest recorded offence in the area. Violent with and without injury were the next two highest reported crime types. Violence without injury saw double the number of offences between 2016 and 2017.

- Town Street was the main area of concern for crime within the Horsforth cumulative impact area.
- The majority of offences occurred on the street/road and public house.
- There have been 29 offences recorded with the alcohol related flag in the last three years. This may not be a true reflection of all alcohol related crime, as some offences linked to alcohol may not have been flagged accordingly.
- Violent crime was by far the top reported alcohol related crimes (48%). Violence without Injury saw 50% fewer offences and was the next highest alcohol reported crime (24%).
- Alcohol flagged offences at licensed premises fell by over half over the three year period.

Antisocial Behaviour

- There were similar levels of ASB recorded in 2015 and 2016 and a slight increase of 49 recorded incidents in 2017.
- Youth related accounted for 50% of all ASB related calls which saw a slight increase in incidents over the three years which ended in 2017. Adult nuisance saw the second highest number of calls 22%. Neighbour related saw a steep drop in calls over the three years (-58%).
- The southern tip of Town Street between Kerry Hill and Drury Lane was the main ASB hot spot.
- Town Street accounted for 60% of all ASB related calls within the Horsforth cumulative impact area.
- Youth related calls were by far the highest reported incident (60%) which consisted of groups of youths kicking balls against business properties, throwing stones at passing vehicles, being verbally abusive to shop owners, and damaging cars and vehicles. Adult Nuisance saw 23% of all calls and mainly consisted of beggars and aggressive customers at shops and banks.
- 9% of the calls were reported as alcohol related. This may not be a true reflection of all alcohol related crime, as some offences linked to alcohol may not have been flagged accordingly
- Alcohol incidents were predominately regarding adults in drink being abusive to staff or taxi and bus drivers and abusive beggars.

Crime

Comparing the totals each year for all crime shows that between 2015 and 2017 there was an increase of 55 offences. 2017 was the highest recorded year for offences in the Horsforth cumulative impact over the last three years. There was a 30% increase in offences between 2016 and 2017.

During 2017 offences peaked between the months of May and August and October and December. Offences over these periods averaged at around 21 offences per month, however there was a significant drop in offences in September to just 8 crimes. When comparing by crime types year on year, Violence with Injury reported a notable drop in offences in 2017, however violence without injury doubled in offences over the noted period. Burglary Residential saw a steady increase over the three years, the remaining crimes types' year on year saw very little fluctuation.

Year on Year comparison of each crime type. (Jan - Dec period) showing the columns with the % change to the left of the relevant year.

Row Labels	2015	Change +/-	Change %	2016	Change +/-	Change %	2017	Total
Criminal damage	28	-7	-25%	21	9	43%	30	79
Violence without injury	15	1	7%	16	20	125%	36	67
Violence with injury	29	-13	-45%	16	2	13%	18	63
Other theft	15	11	73%	26	-5	-19%	21	62
Burglary - residential	12	9	75%	21	2	10%	23	56
Theft from motor vehicle	11	7	64%	18	1	6%	19	48
Burglary - business	9	1	11%	10	1	10%	11	30

Location	Burglary - business and community	Criminal damage	Other theft	Violence with injury	Violence without injury	Total
STREET/ROAD		3		10	3	16
PUBLIC HOUSE	1	2	4	2	3	12
CLUB LICENCED			6			6
RESTAURANT	3	1	2			6
FOOTPATH/BRIDLEWAY			1	2	1	4
BANK	1	2				3
OTHER (COMMERCIAL)		1			1	2

Antisocial Behaviour

There were similar levels of ASB recorded in 2015 and 2016 and a slight increase in recorded incidents in 2017 which was an increase from 49 incidents in 2016 to 61 incidents in 2017. There was a decline in recorded incidents in the first few months of 2017 when incidents fell from 12 recorded incidents in January to 3 recorded incidents in March. There was a spike in the level of ASB incidents in October 2017 when 9 incidents were recorded.

Figure 17: Year on Year Comparison ASB related incidents (Jan-Dec)

ASB Type	2015	Change +/-	2016	Change +/-	2017	Total
YOUTH RELATED	26	-3	23	8	31	80
ADULT NUISANCE - NON ALCOHOL RELATED	11	0	11	3	14	36
NEIGHBOUR RELATED	12	-5	7	-2	5	24
ALCOHOL	0	6	6	0	6	12
FIREWORKS/SNOWBALLING	1	0	1	1	2	4
NUISANCE CAR/VAN	1	0	1	1	2	4
NUISANCE MOTORCYCLE/QUAD BIKE	0	0	0	1	1	1
Grand Total	51	-2	49	11	61	161

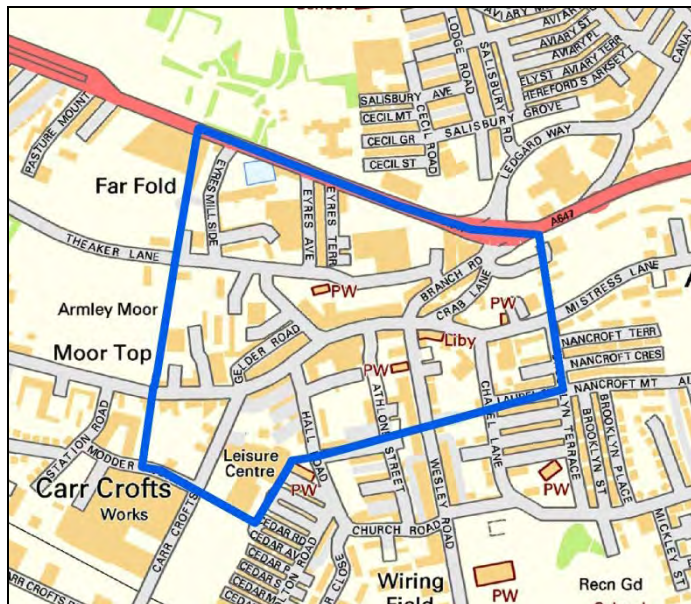
Youth related ASB saw a slight increase in incidents over the three years which ended 2017 with just 5 more calls. Neighbour related saw steep drop in calls over the three years (-58%).

The southern tip of Town Street between Kerry Hill and Drury Lane was the main ASB hot spot area with Town Street accounted for 60% of all ASB related calls within the Horsforth cumulative impact area. Youth related calls were by far the highest reported incident (60%) which consisted of groups of youths kicking balls against business properties, throwing stones at passing vehicles, being verbally abusive to shop owners, and damaging cars and vehicles. Adult nuisance saw 23% of all calls and mainly consisted of beggars and aggressive customers at shops and banks.

There were notably few alcohol related calls (9%), they were predominately adults in drink being abusive to staff or taxi and bus drivers and abusive beggars. Adult Nuisance (non-alcohol related), and youth nuisance saw similar peak times which occurred between 16:00 – 22:00.

Armley

This area relates to the main shopping areas of Armley, known as Armley Town Street and Branch Road.



In recent years Armley has been highlighted due to levels of deprivation, poor health outcomes and, more recently, an increase of disorder in the main shopping areas.

In 2014 the council recognised this as an area that would benefit from Local Licensing Guidance due to poor health outcomes of people living in LS12. This gives potential businesses extra information about the problems in Armley and encourages new businesses to think about the impact they are having in the area.

In the last few years residents have reported to the local councillors and MP their concerns about large groups of mostly male street drinkers gathering on Town Street. Residents find this intimidating and have reported feeling that this area is becoming a no-go zone. West Yorkshire Police, Leeds Antisocial Behaviour Team and the council are working with these two groups to stop the antisocial behaviour and have issued injunctions to stop a number of people from coming back to Town Street.

In the cumulative impact area, by the end of 2016, there were a total of 12 premises licensed to sell alcohol for consumption off the premises (convenience stores, mini-markets and off licences) and 6 premises licensed to sell alcohol for consumption on the premises (pubs, bars and clubs).

At the same time licensed premises have increased reports of antisocial behaviour, disorder and domestic violence have also increased in the wider Armley area.

In areas where there is an excessive accumulation of on-licensed premises, it is easy to provide a direct correlation between those premises and crime and disorder in the area, through an analysis of the operating hours of the premises and the peak times for incidents and calls for service.

It is harder to provide a direct correlation between the accumulation of off licensed premises and disorder in the same way as people are not drinking on the premises where they purchased the alcohol, and may delay drinking the alcohol until they arrive at home.

However in this area there is an issue with people drinking on the street and causing disorder and anti-social behaviour issues. West Yorkshire Police have identified that smaller independently owned off licences in the area are selling strong and cheap alcohol popular with street drinkers as they are finding bottles and cans as litter that are only available in certain shops. However as the shops aren't committing any offences selling these products they would not be subject to enforcement action.

Common sense would denote that new off licensed premises opening in the area where street drinking and the associated anti-social behaviour is most problematic would add to the problems already being experienced in the area and this view is supported by officers from LASBT and West Yorkshire Police.

It is the council's policy, on receipt of relevant representations to refuse all applications (new and variation) for premises licences which authorise the sale of alcohol for consumption off the premises in the cumulative impact area. It is for the applicant to demonstrate that their application would not add to the cumulative impact of such licensed premises in the Armley area.

Evidence

Licensing Statistics

The number of off licences in the Armley area has steadily increased over the last ten years. This table show the number of licences issued as at 1st January each year.

		2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
LS12 Postcode	On	50	49	44	41	41	42	38	40	36	34	35
	Off	43	49	51	54	56	56	57	57	61	57	60
Armley Ward	On	27	27	24	23	25	24	23	24	20	19	18
	Off	30	31	34	37	38	38	37	38	41	39	40
Cumulative Impact Area	On	7	7	6	6	6	6	6	8	6	5	5
	Off	5	5	7	8	9	9	9	11	12	12	12

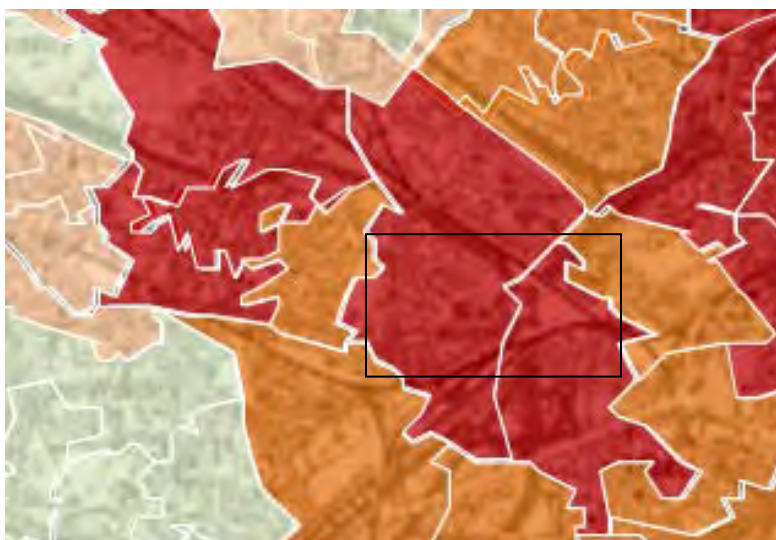
Since the cumulative impact area has been in place the council has received 3 applications for new premises licences and all 3 were refused.

Alcohol Licensing Data Matrix

A LSOA is Lower Layer Super Output Areas are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales. Public Health have produced and maintain a licensing matrix which rank LSOAs (lower level super output area) against each other.

By entering postcodes the matrix displays the ranking of this postcodes LSOA against certain data sets. This allows responsible authorities and the licensing authority to establish the problems being experienced in the LSOA.

This map shows the Armley area. Dark red denotes the 15 highest ranked LSOAs, followed by dark orange, light orange and green being the lowest ranked LSOAs.



The council has reviewed 2 postcodes in the Armley area:

LS12 3AB – this is at the northern end of Town Street and includes Branch Road. It is within the Mistress Lane, Nancroft Lane, Brooklyns, Models LSOA. It is ranked 5th of all 482 LSOAs and is considered very high risk. This area is ranked highest in Leeds for the children not in education, employment or training. It also ranks high for alcohol related admissions to hospital (14th), density of off licences (6th), alcohol related antisocial behaviour (6th) and person seeking treatment for alcohol dependency (8th).

LS12 3HD – this is in the middle of Town Street. It is within the Carr Crofts, Cedars, Wesley Road LSOA. It is ranked 4th of all 482 LSOAs and is considered very high risk. This area is ranked highest in Leeds for the children not in education, employment or training. It also ranks high for alcohol related admissions to hospital (14th), density of off licences (6th), alcohol related antisocial behaviour (3rd) and person seeking treatment for alcohol dependency (14th).

This table shows the ranking for each of the data sets. Dark red denotes super high, dark orange for high, light orange for medium, and green for low.

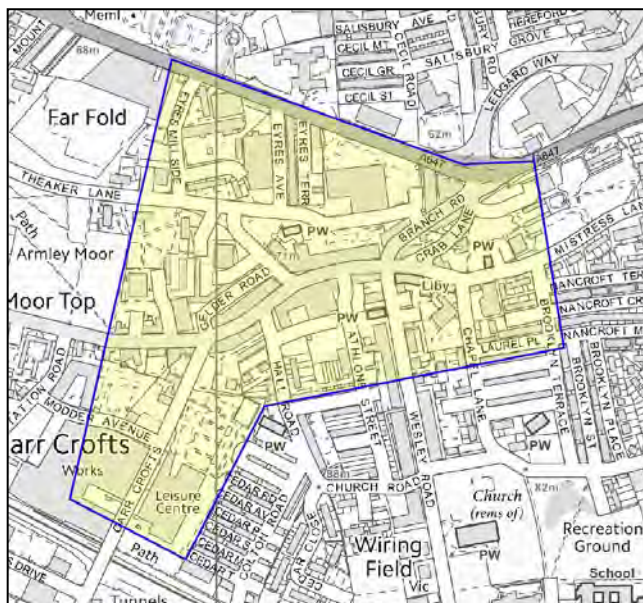
	LS12 3AB	LS12 3HD
	Top	Middle
Overall Ranking (out of 482)	5	4
Deprivation score	74	30
Alcohol specific hospital admissions - all ages	28	28
Alcohol related hospital admissions - all ages	14	14
Population aged 16 and under	60	116
Audit-C scoring >7 more units (GP recorded alcohol habit)	251	179
Looked After Children	45	45
NEET (Young people not in education, employment or training)	1	1
Youth offences	59	59
Education - % DID NOT achieve grade 9-5 in English and Maths	195	102
Alcohol Licensing - Off licensed premises density	6	6
Alcohol Licensing - On licensed premises density	29	34
Alcohol related Anti-Social Behaviour	6	3
Alcohol flagged total crime - excluding violent crime	36	26

Alcohol flagged violent crime	12	12
Drunk and disorderly or over prescribed limit	27	17
Clients who use alcohol services	8	14
Licensing risk scores	42	122

Police Report

West Yorkshire Police produce a statistical report titled “Armley CIP area: Analysis: Crime and Nuisance Related Calls for Service October 2012 to December 2017” dated 14th March 2018 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.

This report has been commissioned to analyse crimes and nuisance incidents both alcohol related and non-alcohol related to support the continuation of the cumulative impact area. The report analyses crime and nuisance incidents for the period 01/10/2012 – 31/12/2017 on the area shown.



Summary

- During the examined period 01/10/2012 – 31/09/2017 total crime in the Armley ward has risen year on year; this was also the trend within the Armley cumulative impact area.
- Offences in the Armley cumulative impact area peaked during July 2015 and were lowest in January 2015. The average per month was 32 crimes. The largest increase was during Oct 2015 – Sep 2016 compared with the previous 12 months.
- Overall Shoplifting recorded the highest number of offences within the Armley cumulative impact area, followed by Violence without injury, Other Theft, Criminal Damage and Violence with injury. Shoplifting and Criminal Damage were the crime types that increased year on year.
- Overall Violence with injury and Violence without injury recorded the highest number of offences that were related to alcohol. The top two occurrence types were Assault and Domestic Crime. Assault on a person thereby occasioning them actual bodily harm recorded the highest number of offences followed Assault by beating. 109 crimes (5%) of crimes recorded were flagged as alcohol related. Alcohol related crimes peaked during October 2016 – September 2017.
- There were 139 (7%) crimes that were recorded at licensed premises within the cumulative impact area. The top two crimes types were Violence with injury and Violence without injury. Offences peaked during October 2014 – September 2015 and October 2015-September 2016.
- Analysis of the crime types generally linked to Licensed Premises namely, Violence with injury, Violence without injury, Public Order offences, Robbery, Other Theft and Theft from Person increased year on year. Overall for these crime types, the area of concern is in the vicinity of Town Street, followed by Theaker Lane.

- The peak time for Violence with injury and Violence without injury within the cumulative impact area was between 15:00 – 00:00. The most prevalent day was Saturday.
- Alcohol related crimes were centred on or in the vicinity of Town Street. Further offending was around Crab Lane, Theaker Lane and Burnsall Grange. The peak time was between 20:00 – 00:00. There was a smaller peak between midnight and 03:00. Saturday was the most prevalent day.
- There are concerns relating to the reliability of the alcohol related flag and the use of the flag when crimes are recorded. In the majority of other theft crimes, it was alcohol that had been stolen rather than being a contributory factor in the commission of the offence. On reviewing the data, it was also evident that not all offences involving the influence of alcohol was recorded with an alcohol related flag.
- The number of Nuisance related calls for services have fluctuated during the examined period, peaking during October 2016 – September 2017. Nuisance related calls peaked during August 2017.
- Alcohol related nuisance recorded the highest number Nuisance related calls, followed by Youth Nuisance. Alcohol related nuisance peaked during October 2013 – September 2014, then remained at similar levels during the last three year period. The main issue has been with street drinkers in the area of Town Street and Hall Road. These two streets contributed to 59% of all Alcohol related nuisance within the cumulative impact area.
- The number of domestic related calls for service have fluctuated during the examined period, peaking during October 2014- September 2015. Domestic Incidents (non-crime) were located mainly around Burnsall Grange, Wesley Road, Westerly Rise and Stocks Hill. 32% calls referred to the suspect/s being under the influence of ‘alcohol’, in ‘drink’ or ‘drunk’. Overall the peak time was 16:00 -22:00. Peak times for incidents where the offender was under the influence of ‘alcohol’, in ‘drink’ or ‘drunk’ were between 20:00 - 21:00 and 23:00 - 02:00.

Armley Ward

Year	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Oct 12 - Sep 13	222	225	214	240	172	210	184	253	251	221	239	236	2667
Oct 13 - Sep 14	225	243	245	218	218	275	211	219	227	233	271	271	2856
Oct 14 - Sep 15	241	288	280	274	219	273	310	321	348	353	314	299	3520
Oct 15 - Sep 16	293	382	352	403	321	359	333	375	391	411	391	410	4421
Oct 16 - Sep 17	448	393	432	473	377	385	385	425	385	393	347	366	4809
Total	1849	1937	1908	1608	1307	1502	1423	1593	1602	1611	1562	1582	19484

Crime in the Armley ward between October 2012 and December 2017

Armley cumulative impact area

Year	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Oct 12 - Sep 13	13	21	19	26	22	30	20	22	27	16	25	19	260
Oct 13 - Sep 14	21	28	26	24	19	30	22	28	32	21	23	26	300
Oct 14 - Sep 15	31	33	22	11	17	37	44	32	25	53	39	30	374
Oct 15 - Sep 16	26	40	36	45	51	50	25	42	43	50	43	42	493
Oct 16 - Sep 17	24	38	50	51	52	45	38	42	47	49	41	39	516
Total	158	186	182	157	161	192	149	166	174	189	171	156	2041

Crime in the Armley cumulative impact area between October 2012 and December 2017

	Oct 12-Sep 13	Change +/-	% Change	Oct 13-Sep 14	Change +/-	% Change	Oct 14-Sep 15	Change +/-	% Change	Oct 15-Sep 16	Change +/-	% Change	Oct 16-Sep 17
All Crime	260	40	15%	300	74	25%	374	119	32%	493	23	5%	516

Year on Year comparison per year (October to September period)

Year on Year Comparison

Crime Category	Oct 12-Sep 13	Change +/-	% Change	Oct 13-Sep 14	Change +/-	% Change	Oct 14-Sep 15	Change +/-	% Change	Oct 15-Sep 16	Change +/-	% Change	Oct 16-Sep 17	Total
Shoplifting	91	3	3%	94	26	28%	120	37	31%	157	5	3%	162	640
Violence Without Injury	14	10	71%	24	24	100%	48	-3	-6%	45	25	56%	70	213
Other Theft	34	2	6%	36	-6	-17%	30	17	57%	47	-18	-38%	29	189
Criminal Damage	27	2	7%	29	3	10%	32	7	22%	39	9	23%	48	185
Violence With Injury	17	7	41%	24	0	0%	24	26	108%	50	2	4%	52	178
Burglary - Business & Community	16	-1	-6%	15	-3	-20%	12	16	133%	28	9	32%	37	114
Public Order Offences	6	5	83%	11	9	82%	20	13	65%	33	-1	-3%	32	111
Theft From Motor Vehicle	14	0	0%	14	5	36%	19	3	16%	22	-4	-18%	18	92
Possession Of Drugs	10	-4	-40%	6	3	50%	9	-1	-11%	8	1	13%	9	42
Robbery	3	3	100%	6	2	33%	8	1	13%	9	-3	-33%	6	33
Theft From The Person	3	3	100%	6	6	100%	12	-9	-75%	3	3	100%	6	32
Burglary - Residential	2	1	50%	3	-2	-67%	1	12	1200%	13	-5	-38%	8	27
TOMV / TWOC	4	1	25%	5	-1	-20%	4	1	25%	5	0	0%	5	26
Sexual Offences	1	5	500%	6	0	0%	6	-4	-67%	2	6	300%	8	24
Vehicle Interference	0	4		4	-3	-75%	1	7	700%	8	-6	-75%	2	17
Possession Of Weapons	0	2		2	3	150%	5	-2	-40%	3	1	33%	4	16
Arson	4	-4	-100%	0	2		2	2	100%	4	1	25%	5	15
Trafficking In Controlled Drugs	1	-1	-100%	0	4		4	-2	-50%	2	0	0%	2	9
Rape	1	0	0%	1	0	0%	1	0	0%	1	1	100%	2	7
All Crimes	260	40	15%	300	74	25%	374	119	32%	493	23	5%	516	2041

Year on Year comparison of each crime type per year (October to September period)

Alcohol Related Crimes

Crime Category	Oct 12-Sep 13	Change +/-	% Change	Oct 13-Sep 14	Change +/-	% Change	Oct 14-Sep 15	Change +/-	% Change	Oct 15-Sep 16	Change +/-	% Change	Oct 16-Sep 17	Total
Violence With Injury	4	2	50%	6	3	50%	9	-5	-56%	4	4	100%	8	33
Violence Without Injury	3	4	133%	7	3	43%	10	-5	-50%	5	3	60%	8	33
Criminal Damage	2	3	150%	5	-5	-100%	0	5		5	-1	-20%	4	17
Public Order Offences	1	-1	-100%	0	3		3	-1	-33%	2	3	150%	5	12
Shoplifting	2	-1	-50%	1	0	0%	1	-1	-100%	0	1		1	5
Other Theft	1	-1	-100%	0	0		0	0		0	1		1	2
Robbery	0	1		1	-1	-100%	0	0		0	1		1	2
Burglary - Business And Community	0	0		0	0		0	1		1	-1	-100%	0	1
Burglary - Residential	0	0		0	0		0	0		0	1		1	1
Possession Of Weapons	0	0		0	0		0	0		0	1		1	1
Rape	0	0		0	0		0	1		1	-1	-100%	0	1
Sexual Offences	0	1		1	-1	-100%	0	0		0	0		0	1
Total	13	8	62%	21	2	10%	23	-5	-22%	18	12	67%	30	109

Year on Year comparison of alcohol related crimes per year. (October to September)

Licensed Premises

Crime Category	Oct 2012 - Sep 2013	Oct 2013 - Sep 2014	Oct 2014 - Sep 2015	Oct 2015 - Sep 2016	Oct 2016 - Sep 2017	Oct 2017 - Dec 2017	Total
Violence With Injury	6	4	8	11	12	4	45
Violence Without Injury	1	2	6	3	6	3	21
Other Theft	4	2	6	4		2	18
Burglary - Business & Community	2	1		6	5		14
Criminal Damage	3	2		4	4		13
Public Order Offences	3		2	4	2	1	12

Theft From The Person	1	1	1	1	1	1	6
Theft From Motor Vehicle			1	1	1		3
Arson				1	1		2
Tomv / Twoc			1		1		2
Possession Of Drugs					1		1
Trafficking In Controlled Drugs			1				1
Sexual Offences					1		1
Total	20	12	26	35	35	11	139

Crimes type that occurred at Licensed Premises between 01/10/2012 - 31/12/2017

During the five year period Shoplifting recorded the highest number of offences within the Armley cumulative impact area, followed by Violence without injury, Other Theft, Criminal Damage and Violence with injury. The largest increase was during October 2015 – September 2016 compared with the previous 12 months. Shoplifting and Criminal Damage were the crime types that increased year on year.

Overall Violence with injury and Violence without injury recorded the highest number of offences that were related to alcohol. 109 crimes (5%) of crimes recorded within the analysed area were flagged as alcohol related.

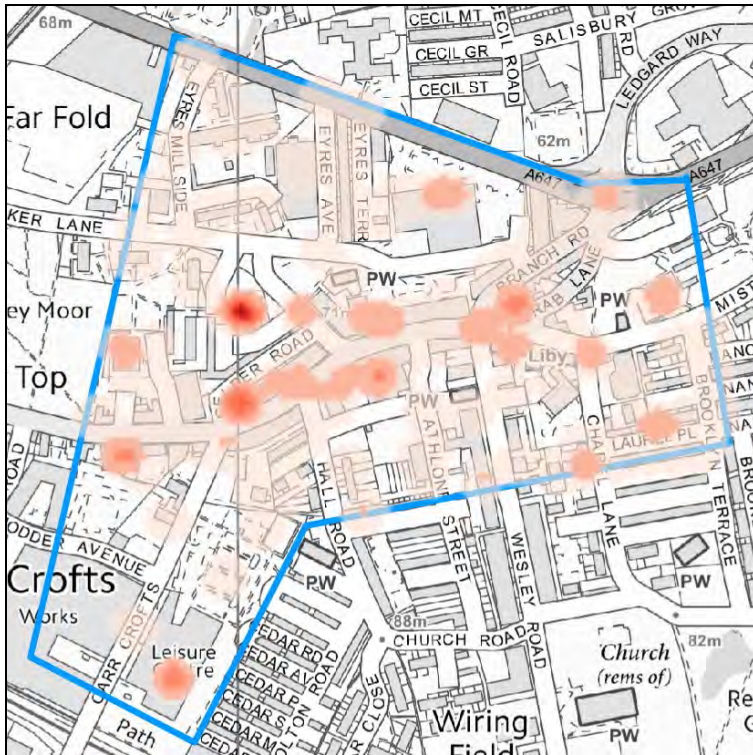
There were 139 (7%) crimes that were recorded at licensed premises within the cumulative impact area. The top two crimes types were Violence with injury and Violence without injury. Offences peaked during October 2014 – September 2015 and October 2015 – September 2016.

The crimes that may be linked to licensed premises are generally Violence with injury, Violence without injury, Public Order offences, Robbery, Other Theft and Theft from Person.

Crime Category	Oct 2012 - Sep 2013	Oct 2013 - Sep 2014	Oct 2014 - Sep 2015	Oct 2015 - Sep 2016	Oct 2016 - Sep 2017	Oct 2017 - Dec 2017	Total
Violence without injury	14	24	48	45	70	12	213
Other theft	34	36	30	47	29	13	189
Violence with injury	17	24	24	50	52	11	178
Public order offences	6	11	20	33	32	9	111
Robbery	3	6	8	9	6	1	33
Theft from the person	3	6	12	3	6	2	32
Total	77	107	142	187	195	48	756

Violent Crime, Robbery, Public Order Offences, Other Theft and Theft from Person per year

Hotspot mapping relating to Violent Crime, Public Order, Robberies, Other Theft and Theft from Person offences in the Armley cumulative impact area between 01/10/12 - 31/12/2017.



Overall offences were centred on or in the vicinity of Town Street and Theaker Lane.

Violent Crime was clustered around Town Street. Further offending was in the area of Burnalls Grange, Theaker Lane, Crab Lane and Branch Road. Within the crime type Violence with injury and Violence without injury, the top two occurrence types were Assault and Domestic Crime. Assault on a person thereby occasioning them actual bodily harm recorded the highest number of offences followed Assault by beating. The peak time for Violence with injury and Violence without injury was between 15:00 – 00:00. The most prevalent day was Saturday.

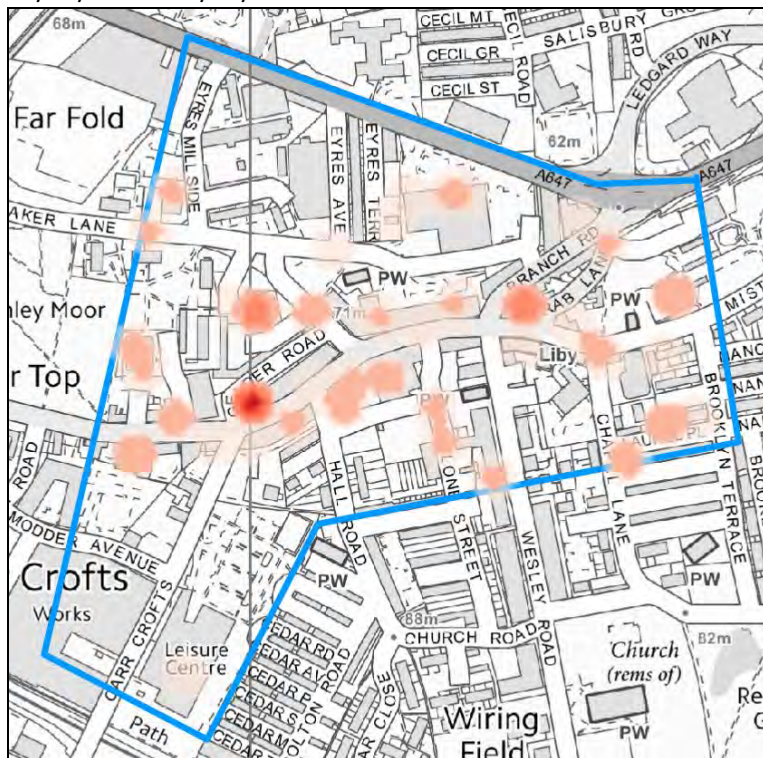
Other Theft offences were clustered around Town Street, Carr Crofts (Leisure Centre), Burnalls Grange and Stocks Hill. The peak time was between 12:00 – 16:00. Monday – Thursday were the risk days.

Theft from Person offences were primarily along Town Street and the most common MO was to ‘snatch’ or ‘grab’ the victim’s bag or mobile phone. The peak times were between 22:00 – 00:00 and 14:00 – 17:00. Friday, Saturday, Sunday and Monday were the risk days

Robberies were located mainly along Theaker Lane and Town Street. The peak times were between 15:00 - 17:00 and 00:00 - 03:00. Monday, Tuesday and Sunday were the risk days.

Public Order offences were predominantly on Town Street. The peak time for all Public Order offences were between 15:00 – 21:00. The most prevalent day was Saturday.

Hotspot mapping relating to alcohol related crimes in the Armley cumulative impact area between 01/10/2012 - 31/12/2017



Alcohol related crimes were centred on or in the vicinity of Town Street. Further offending was around Crab Lane Theaker Lane and Burnsall Grange. The peak time was between 20:00 – 00:00. There was a smaller peak between midnight and 03:00. Saturday was the most prevalent day.

The top two occurrence types were Assault and Domestic Crime. Assault a person thereby occasioning them actual bodily harm recorded the highest number of offences followed Assault by beating.

Calls for Service

Total calls for service in the Armley ward between 01/10/2012 - 31/12/2017

Year / Month	Total
Oct 12 - Sep 13	9,890
Oct 13 - Sep 14	10,837
Oct 14 - Sep 15	10,857
Oct 15 - Sep 16	11,302
Oct 16 - Sep 17	11,115

Total Calls for service within the Armley cumulative impact area

Year / Month	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Oct 12 - Sep 13	64	71	57	58	51	60	73	53	46	57	75	55	720
Oct 13 - Sep 14	52	71	54	54	55	60	64	56	71	68	87	77	769
Oct 14 - Sep 15	80	48	52	40	42	45	72	55	75	94	91	65	759
Oct 15 - Sep 16	101	69	59	69	49	62	68	68	61	74	79	83	842
Oct 16 - Sep 17	91	60	67	67	64	72	58	64	66	85	89	71	854

Total calls for service in the Armley cumulative impact area between 01/10/2012 - 31/12/2017

Nuisance Calls for Service (Disposition Codes 801, 802,803, 804, 805)

Year / Month	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Oct 12 - Sep 13	15	10	7	9	7	9	12	12	6	10	12	9	118
Oct 13 - Sep 14	5	8	7	5	7	13	13	17	4	12	17	18	126
Oct 14 - Sep 15	6	6	6	4	2	2	6	2	16	18	17	11	96
Oct 15 - Sep 16	15	10	9	3	7	13	18	12	8	18	21	11	145
Oct 16 - Sep 17	17	7	15	6	7	12	13	11	16	21	30	15	170

The breakdown of Nuisance related calls by month between 01/10/2012 - 31/12/2017

Nuisance related calls for services have fluctuated during the examined period, peaking during October 2016 – September 2017. Nuisance related calls peaked during August 2017. Nuisance behaviour was the most recorded ASB type as shown the table below.

ASB Type	Oct 12 - Sep 13	Oct 13 - Sep 14	Oct 14 - Sep 15	Oct 15 - Sep 16	Oct 16 - Sep 17
Nuisance	93	100	83	125	154
Personal	15	18	12	12	12
Environment	8	5	1	8	3
Personal (Hate)	2	1			
Nuisance (Hate)		2			1
Total	118	126	96	145	170

Year on Year comparison of ASB related calls

ASB Qualifier	Oct 12 - Sep 13	Oct 13 - Sep 14	Oct 14 - Sep 15	Oct 15 - Sep 16	Oct 16 - Sep 17
Alcohol	33	64	51	54	50
Youth Related	33	25	18	39	63
Adult Nuisance - Non Alcohol Related	26	24	7	20	30
Neighbour Related	18	9	8	10	11
Nuisance Motorcycle/Quad Bike	1	1	6	11	8
Littering/Drugs Paraphernalia	4		3	6	3
Fireworks/Snowballing	2	1		4	2
Nuisance Car/Van	1	2	3	1	3
Total	118	126	96	145	170

ASB related calls broken down by qualifier

Alcohol related nuisance recorded the highest number of calls for service, followed by Youth Nuisance. Alcohol related nuisance peaked during October 2013 - September 2014, and then remained at similar levels during the last three year period. Youth related nuisance peaked during October 2016 – September 2017.

Alcohol Related Nuisance

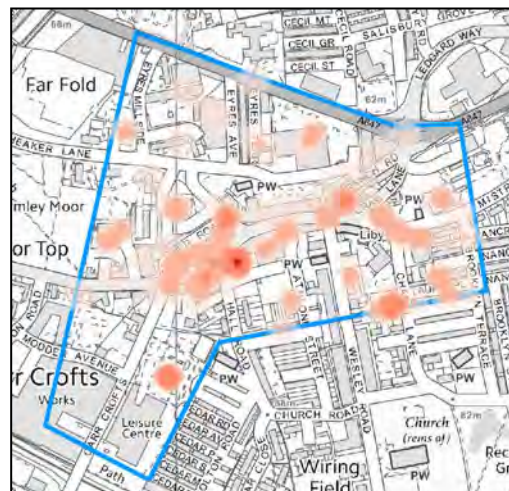
The main issue has been with street drinkers in the area of Town Street and Hall Road. Town Street and Hall Road contributed to 59% of all Alcohol related nuisance within the cumulative impact area. There have been report of lone males causing a nuisance, being abusive and urinating in the street as well as groups of males and females. Groups of males and some females gather in the area to drink alcohol. Generally the groups are described as aged between 30 and 40 years old. The street drinkers become highly intoxicated, are aggressive to shop owners/customers and on occasions have been laid out on the floor outside businesses. The groups of drinkers sometimes become involved in verbal disagreements, resulting on occasions into violence. There have been safeguarding concerns with males in the road putting themselves and drivers at risk. The street drinkers were reported to put their alcohol into soft drinks bottles and coffee cups, due to the area being a designated non-drinking zone. There were also reports of fighting inside and outside licensed premises. Incidents occurred throughout the day and night time. The peak time was between 14:00 – 18:00.

Geo - Spatial Analysis: Nuisance

Area of concern for Nuisance Related calls for service in the Armley cumulative impact area between 01/10/12 - 31/12/2017

Within the Armley cumulative impact area, the main cluster of Nuisance related calls was centred on Town Street and Hall Road.

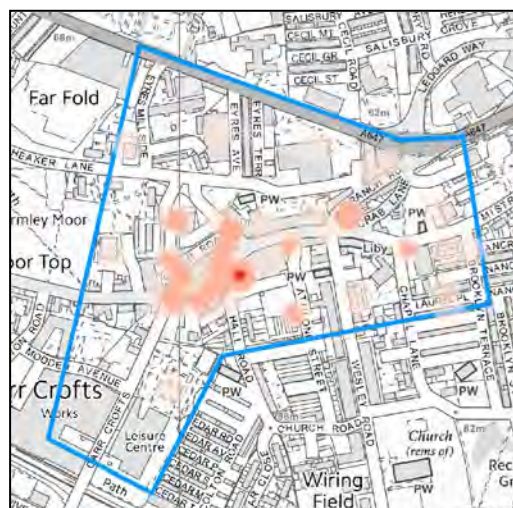
Alcohol related nuisance was the main issue (see below map) followed by Youth Nuisance. The peak time for all Nuisance related calls was between 16:00 – 21:00.



Area of concern for Alcohol related nuisance in the Armley cumulative impact area between 01/10/2012 - 31/12/2017

The main cluster for Alcohol related nuisance was in the vicinity of Town Street and Hall Road. The peak time in this area was between 14:00 – 17:00.

There was also a cluster around Crab Lane. On Crab Lane alcohol related nuisance occurred between 17:00 - 01:00, peaking between 20:00 - 00:00.



Domestic Incidents (Code 620 non crime) Incident Analysis

Incident Type	Oct 12 - Sep 13	Oct 13 - Sep 14	Oct 14 - Sep 15	Oct 15 - Sep 16	Oct 16 - Sep 17
DOMESTIC (NON CRIME)	33	32	38	22	27

The number of domestic related calls for service have fluctuated during the examined period. Incidents remained at similar levels during the first two year periods, then peaked during October 2014 - September 2015. Incidents were lowest during October 2015 – September 2016, then increased during October 2016 – September 2017. 32% calls referred to the suspect(s) being under the influence of ‘alcohol’, in ‘drink’ or ‘drunk’. Overall the peak time was between 16:00 -22:00. Peak times for incidents where the offender was under the influence of ‘alcohol’, in ‘drink’ or ‘drunk’ were between 20:00 - 21:00 and 23:00 – 02:00.

Hotspot mapping for Domestic Related incidents recorded in the Armley cumulative impact area between October 2012 and December 2017



Domestic Incidents (non-crime) were located mainly around Burnsall Grange, Wesley Road, Westerly Rise and Stocks Hill. The majority occurred at residential addresses. There were number of repeat addresses during the examined period. 5% were recorded at licensed premises within the cumulative impact area.

Harehills

Harehills is an area to the east of Leeds city centre. It is an area that crosses two wards – Gipton and Harehills and Burmantofts and Richmond Hill. This area has many streets of terraced houses which offers cheaper housing. The area is cultural and ethnically diverse. It is situated in the country's top 5% of areas of deprivation. Unemployment is high at 9%.

Harehills is a deprived area with a high crime rate. Along Harehills Lane and Harehills Road there are a high number of off licensed premises, far more than is usual. In the last 10 years 24 new off licences have been granted, with 10 being surrendered or lapsed. For a primarily residential area this is a high turnover of applications.

The predominant nuisance problems in the area are around neighbour and youth nuisance. Anecdotally street and back yard parties are common, noisy and disruptive with the peak time for nuisance being in the evening.

There were 1710 recorded crimes between 01/12/2016 – 30/11/2017 which was a 26.7% increase from the previous year and violent crime accounts for 37% of recorded crimes in the area.

Residents have been active in trying to improve the area for many years but there is concern that with an increasing crime rate, and unrestricted licensing possibilities the problems being experienced in Harehills will only increase despite their best efforts. One resident, who has lived in Harehills for 23 years describes the problems they experience:

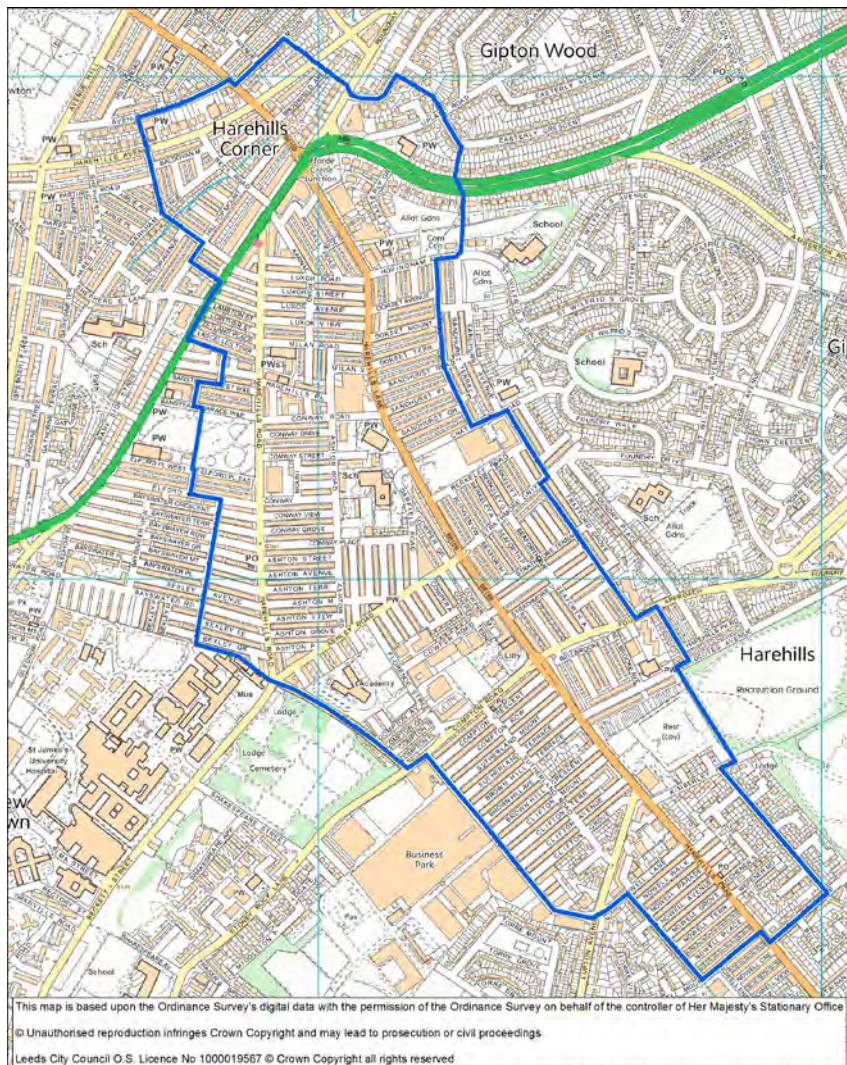
In recent years there has been an exponential rise in the number of businesses selling alcohol in the Harehills area. From specialist off-licences to corner shops, big name supermarkets and independent general stores, within an area covering less than 2 square miles, approximately 70% of shops are selling alcohol of some kind.

Drunkenness and anti-social behaviours associated with drinking alcohol are increasingly affecting the daily lives of local residents. Whether it be putting up with lewd, bawdy and salacious behaviour from large groups congregated round these shops and local green-spaces, protecting children from having to listen to foul and inappropriate language, witnessing violent interactions taking place in your street and having to deal with the subsequent damage to property such as demolished walls and damaged cars, to clearing up cans and broken glass from discarded bottles before tyres are punctured and children and pets are hurt or hosing down sick and urine spattered pavements and garden walls, the results of uncontrolled alcohol consumption are having an extremely negative affect on the local area.

These are the depravities being experienced on a daily basis by local people who are trying hard to provide a wholesome and safe environment in which their children can develop into responsible and respectful adults. Would you want to bring children up within sight and sound of this type of behaviour? Would you want to watch an adult man unzip his flies and urinate into your neighbour's garden? Would you want to clean up human excrement from the pavement outside your gate deposited in broad daylight in full and shameless view of your children?

Please do not disadvantage our community even more by swamping us in a sea of alcohol and the ensuing tsunami of antisocial behaviour that it brings. Decent people are being put off from moving into this area, desperate people are moving out and those who can't are living out their lives in resigned despair. Vulnerable people are being lured into addictions, debt and crime and young people are being exposed to negative influences. We are a community in crisis and we need Leeds City Council to assume some responsibility for the decline of this area by reviewing its licensing policies to support us in trying to improve our area and build a better future.

It is the council's recommendation to introduce a cumulative impact area for Harehills for the area around Harehills Lane and Harehills Road as shown on the map below. This will be specific to applications for new licences or variations to existing licences seeking a licence to sell alcohol for consumption off the premises at any time.



Evidence

Licensing History

The area examined for a cumulative impact area is predominantly around Harehills Lane and Harehills Road, which are the area's main shopping streets. Overall the numbers of on licensed premises have remained stable for the last 10 years, however off licences have continued to increase in number in the proposed cumulative impact area, rising from 10 to 36 in the last ten years.

USE	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
On Licence	2	3	3	3	4	4	2	2	4	4
On Licence (Secondary Use)	1	1	1	2	2	2	2	2	2	2
Off Licence	10	11	14	19	22	30	32	35	33	36
Late Night Refreshment	15	17	17	18	18	19	18	19	19	19
Private Members Club	3	3	3	3	3	3	2	2	2	2

Gipton and Harehills Ward

Licences granted

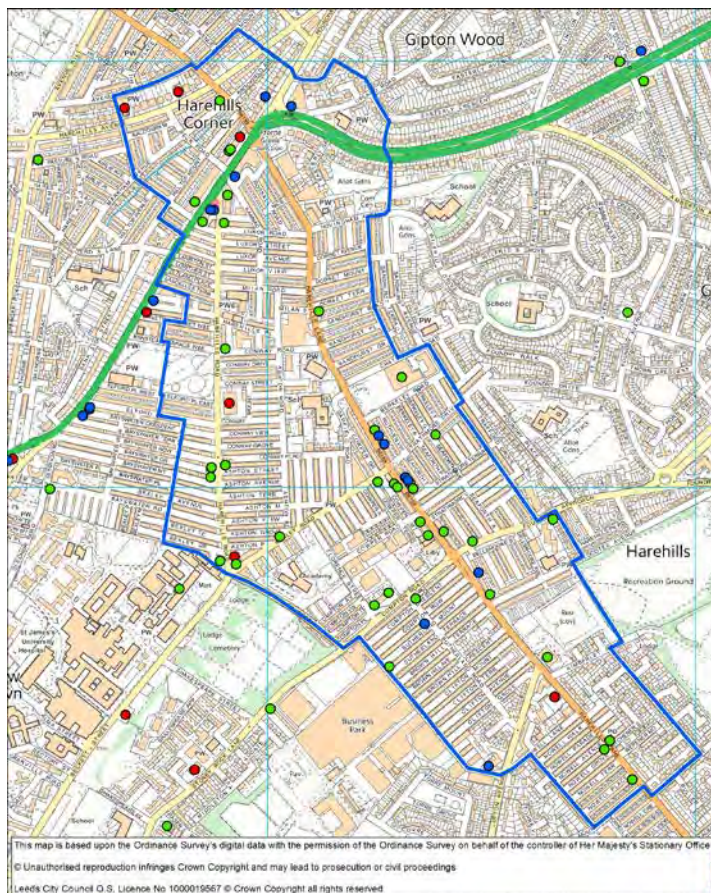
Alcohol sales	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
On the premises		1								1	
Off the premises	1	1	3	2	4	5	3	2		2	1
Both on and off			1								
Late night refreshment only	1					1			1		
Total	2	2	4	2	4	6	3	2	1	3	1

Licences surrendered/suspended/lapsed

Alcohol sales	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
On the premises									1		
Off the premises			1		1	3	2	1			2
Both on and off						2					
Late night refreshment only		1		1		1	1	3			1
Total		1	1	1	1	6	3	4	1		3

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Net	2	1	3	1	3	0	0	-2	0	3	-2
Aggregate	42	43	46	47	50	50	50	48	48	51	49

This turnover of premises provides an opportunity to reduce the overall number of premises without affecting existing viable businesses through natural wastage.

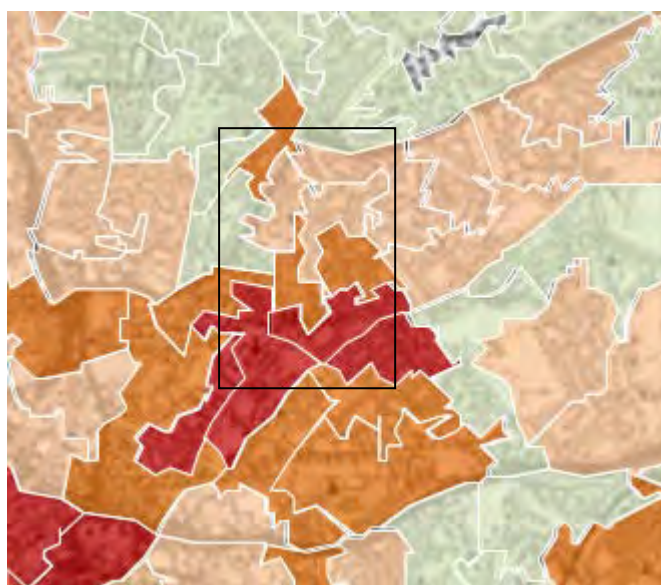


Alcohol Licensing Data Matrix

A LSOA is Lower Layer Super Output Areas are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales. Public Health have produced and maintain a licensing matrix which rank LSOAs (lower level super output area) against each other.

By entering postcodes the matrix displays the ranking of this postcodes LSOA against certain data sets. This allows responsible authorities and the licensing authority to establish the problems being experienced in the LSOA.

This map shows the Harehills area. Dark red denotes the 15 highest ranked LSOAs, followed by dark orange, light orange and green being the lowest ranked LSOAs.



The council has reviewed 3 postcodes in the Harehills area:

LS8 5HR – this is at the apex of Harehills Lane and Harehills Road. It is within the Harehills Road, Conway Drive, Luxors LSOA. It is ranked 109 of all 482 LSOAs and is considered medium risk. This area is ranked highest in Leeds for the percentage of the population aged under 16, and the highest ranked datasets in this area are looked after children, NEETs, youth offences, alcohol related antisocial behaviour and drunk and disorderly offences.

LS8 5BW – middle of the proposed cumulative impact area, at the lower end of Harehills Road. It is within the Comptons, Ashtons, Cowpers LSOA. It is ranked 7 of all 482 LSOAs and is considered one of the 'super max' LSOAs. This is the description given to the top 15 LSOAs for risk. This area scores highly for deprivation, looked after children, density of off licences, alcohol related antisocial behaviour, alcohol flagged non-violent crime and alcohol flagged violent crime (ranked 6th in Leeds).

LS9 6HU – this is at the most southern end of Harehills Lane. It is within the Cliftons, Nowells LSOA. It is ranked 16 of 482 LSOAs and is considered high risk. This LSOA is ranked especially highly for deprivation, population under 16, looked after children (highest ranked in Leeds), alcohol flagged non-violent crime and drunk and disorderly. It is also ranked high for density of off licensed premises.

This table shows the ranking for each of the data sets. Dark red denotes super high, dark orange for high, light orange for medium, and green for low.

	LS8 5HR	LS8 5BW	LS9 6HU
	Top	Middle	Bottom
Overall Ranking (out of 482)	109	7	16
Deprivation score	85	14	6
Alcohol specific hospital admissions - all ages	203	116	49
Alcohol related hospital admissions - all ages	171	154	35
Population aged 16 and under	1	8	13
Audit-C scoring >7 more units (GP recorded alcohol habit)	475	467	296
Looked After Children	41	9	1
NEET (Young people not in education, employment or training)	56	48	48
Youth offences	18	22	87
Education - % DID NOT achieve grade 9-5 in English and Maths	66	142	35
Alcohol Licensing - Off licensed premises density	83	11	52
Alcohol Licensing - On licensed premises density	117	26	117
Alcohol related Anti-Social Behaviour	49	11	55
Alcohol flagged total crime - excluding violent crime	64	12	10
Alcohol flagged violent crime	110	6	35
Drunk and disorderly or over prescribed limit	59	21	8
Clients who use alcohol services	66	110	78
Licensing risk scores	99	25	44

Police Evidence

West Yorkshire Police have produced a statistical report titled "Cumulative Impact Policy Harehills Analysis – December 2017" dated 8th December 2017 which has been referred to when reviewing this area. Extracts from this report are included below. A full copy of the report is available from Entertainment Licensing.

The key findings of this report are:

- There were 1710 crimes recorded in 'Harehills' during 2016-2017 (01/12/2016 – 30/11/2017).
- The 2016-2017 total crime figure was a 26.7% increase from the previous year.
- Violent Crime accounts for 37% of recorded crimes in the examined area.
- Violence without injury and Public Order offences increased by 123 and 53 offences respectively in 2016-2017.
- There were 361 Nuisance incidents recorded in Harehills during 2016-2017, an increase of 35.2% on the previous year.
- The peak times for Nuisance incidents in the last twelve months was 17:00 – 23:00.
- The number of recorded alcohol related incidents reduced from 30 to 28 in 2016-2017.
- The peak times for alcohol related incidents in the last twelve months was 15:00 – 23:00.
- There were 81 crimes recorded with an 'Alcohol Involved' flag in the last 12 months, a decrease from the 87 recorded the previous year.
- Most offences with an 'Alcohol Involved' flag were Violent Crimes.

- The peak times for crimes with an 'Alcohol Involved' flag in the last twelve months was 18:00 – 23:00.

Harehills Area

This report examines crime and disorder occurring in the Harehills area. The last report analysing this problem was compiled in 2015. To ensure consistency this report will examine the same geographical area set out by the 2015 report. The area examined is as follows:



Performance Analysis

Crime Data

There were 1710 crimes recorded in the examined area of Harehills during the last twelve months (01/12/2016 – 30/11/2017), an increase from the 1350 recorded the previous year.

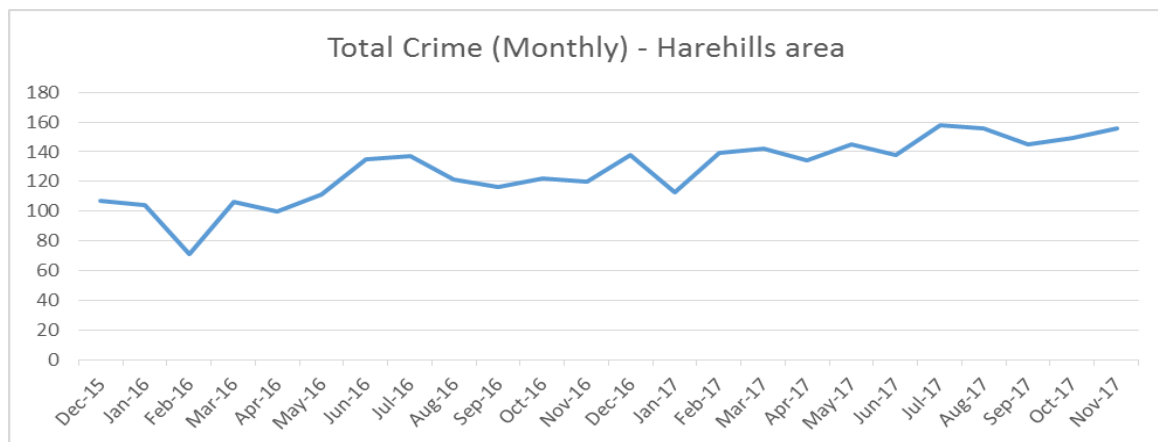


Figure 1: Total Crime recorded in the examined area of Harehills (01/12/2015 – 30/11/2017)

Figure 1 shows the total number of crimes in the examined area, broken down by the monthly figure. The number of offences has increased steadily over the two year period.

Crime Category	2015-2016	2016-2017	% Change
Arson	8	12	50.0
Bicycle theft	17	21	23.5
Burglary - business and community	16	17	6.3
Burglary - residential	66	71	7.6
Criminal damage	167	209	25.1
Homicide	1	1	0.0
Miscellaneous crimes against society	41	47	14.6
Non-crime	18	20	11.1
Other sexual offences	26	23	-11.5
Other theft	113	138	22.1
Possession of drugs	41	36	-12.2
Possession of weapons	16	20	25.0
Public order offences	93	146	57.0
Rape	24	14	-41.7
Robbery	32	61	90.6
Shoplifting	23	34	47.8
Theft from motor vehicle	38	82	115.8
Theft from the person	41	46	12.2
Theft of motor vehicle	29	26	-10.3
Trafficking in controlled drugs	37	40	8.1
Vehicle interference	4	14	250.0
Violence with injury	215	225	4.7
Violence without injury	284	407	43.3
Grand Total	1350	1710	26.7

Figure 2: Harehills Area offence – Crime Category Breakdown (01/12/2015 – 30/11/2017)

Figure 2 breaks down the annual offence performance in the Harehills area by Crime Category. In the last year the greatest proportional increases have been in 'Vehicle interference' (250%) 'Theft from Motor Vehicle' (115%), Robbery (91%) and 'Public Order' Offences (36%); the largest actual increases in terms of volume have been in 'Violence without Injury' (+123) and 'Public Order Offences' (+53).

In the last year violent crime made up 37% of the total crime in the Harehills area, this is the same proportion as 2015-2016. The three years prior to this, the level of violent crime increased as a proportion of total crime year on year.

As Violent Crime makes up such a large proportion of crime in the area, it has a large effect on the overall crime rate. Figure 3 compares Violent Crime rates to the Total Crime rate in the examined area of Harehills.

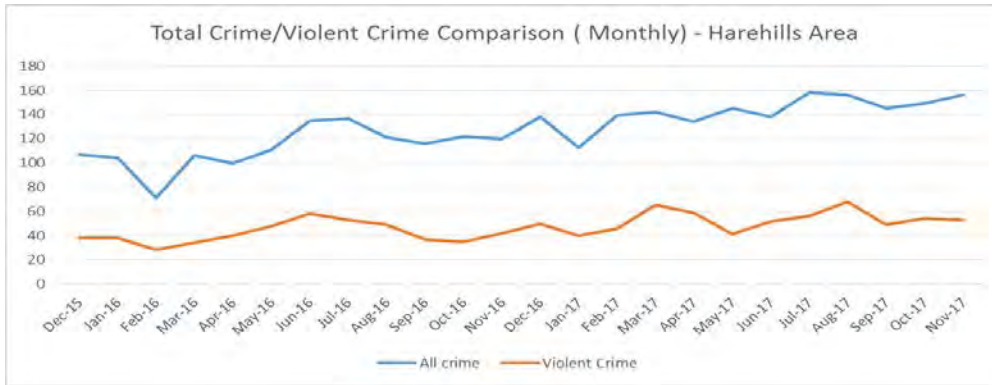


Figure 3: Violent Crime / Total Crime in the Harehills Area (Monthly figures) (01/12/2015 – 30/11/2017)

Figure 4 details the annual performance of violent crime broken down by occurrence type (Top 9). As demonstrated below, there have been increases in most of the occurrence categories.

Occurrence Type	2015-2016	2016-2017	% Change
Assault	212	251	18.4
Domestic - Crime	160	237	48.1
Child Protection - Crime	45	35	-22.2
Nuisance Telephone Calls / Texts / Emails	16	34	112.5
Threats To Kill	19	31	63.2
Harassment	15	11	-26.7
Hate - Crime	4	7	75.0

Figure 4: Violent Crime broken down by Occurrence Type (top 9) - Harehills (Annual) (01/12/2015 - 30/11/2017).

Incident Data

The following section will examine incidents with an "800" disposition code; these incidents are those graded as 'Nuisance', 'Personal', or 'Environmental'. The "800" code incidents are generally considered to encompass anti-social and nuisance behaviour.

There were 361 recorded ASB / Nuisance incidents in the examined area of Harehills during the last twelve months (01/12/2016 – 30/11/2017), an increase from 267 recorded the previous year.

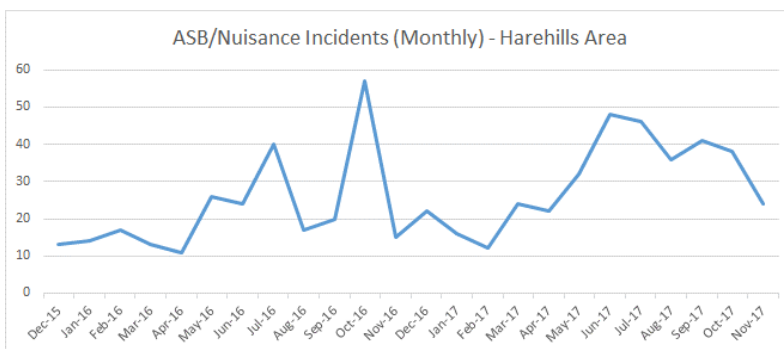


Figure 5: ASB / Nuisance Incident in the Harehills area (Monthly) (01/12/2016 – 30/11/2017)

Figure 5 illustrates the ASB / Nuisance incidents recorded per month in the Harehills area. During the examined period the number of incident recorded has fluctuated. There was a sharp increase in

October 2016, a dip from November 2016 to January 2017 and a steady increase from then until June 2017 when a reduction can be observed until the end of the period.

Disposition 2 Full	2015-2016	2016-2017	% Change	Grand Total
Adult Nuisance - Non Alcohol Related	55	82	49.1%	137
Alcohol	30	28	-6.7%	58
Fireworks/Snowballing	40	41	2.5%	81
Littering/Drugs Paraphernalia	2	3	50.0%	5
Neighbour Related	57	72	26.3%	129
Nuisance Car/Van	5	11	120.0%	16
Nuisance Motorcycle/Quad Bike	5	15	200.0%	20
Traveller Related	0	1		1
Youth Related	73	108	47.9%	181
Grand Total	267	361	35.2%	628

Figure 6: Harehills Area 800 Code Incidents –Disposition 2 Code Breakdown (01/12/2015 – 30/11/2017)

Figure 6 is a breakdown of the ASB / Nuisance incidents, into their secondary categories, and by year. Youth related nuisance is the most notable issue, accounting for 30% of all ASB / Nuisance logs in the last year (108). This is followed by 'Adult Nuisance – Non Alcohol Related' (82), which accounts for 23% of these incidents in the last year. Nearly all the categories recorded more incidents in the last year than the previous 12 months.

Alcohol Flag Analysis

There were 81 crimes recorded in the examined area of Harehills during the last twelve months (01/12/2016 – 30/11/2017) with a "Drink Involved" (Alcohol) Flag. This was a slight decrease from the 87 recorded the previous year (01/12/2015 – 30/11/2016).

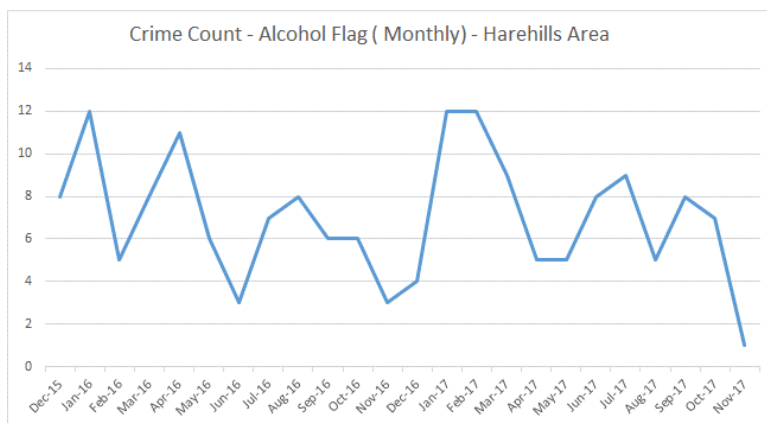


Figure 7: Crime with an Alcohol Flag recorded in the examined area of Harehills (01/12/2016 – 30/11/2017)

Figure 7 details the number of flagged offences per month during the examined period. The number of crimes with a 'drink involved' flag has fluctuated, but does not represent a cohesive seasonal pattern. The most notable increase can be seen from December 2016 – February 2017. A dip sample has revealed the Alcohol flag is under used.

Conclusion

This cumulative impact assessment has been carried out in accordance with Section 5A of the Licensing Act 2003. The council intends to publish the cumulative impact assessment because it considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty to grant any further relevant authorisations in respect of premises in that part or those parts.

In order to identify the areas that should be included in this assessment, and the types of authorisations that the assessment should relate to, the council completed the following actions:

The council issued a Call for Evidence through the Licensing Enforcement Group which comprises of responsible authorities and other interested agencies. Following this call for evidence West Yorkshire Police provided crime statistical data for each of the existing cumulative impact areas.

A number of working groups met to discuss the individual areas that are being assessed. The outcome of these meetings, the analysis of the police crime statistics, licensing statistics and the use of the Licensing Matrix provided by Public Health has led to the following conclusions:

- City Centre – remove the green area, contract the amber area to the areas where the night time economy is the most active, change the scope of the cumulative impact area in the red zone to put emphasis on operation during peak hours.
- Headingley – split the Headingley cumulative impact area into two. One are to be focused on North Lane, removing the top and bottom of the Otley run, and a second area focused round Hyde Park and Brudenell but concentrating on late night refreshment and night time opening off licences.
- Woodhouse Corridor – to be removed
- Chapel Allerton and Horsforth – cumulative impact areas to be removed and replaced with Special Area Policies
- Armley – to remain as it is currently
- Harehills – to introduce Harehills Lane and Harehills Road as a cumulative impact area, based on crime and disorder, public nuisance and the protection of children from harm, due to the increase in off licensed premises and the increase in all crime over the last 12 months and the high proportion of violent crime.

The reason why the council is considering publishing a cumulative impact assessment is because the licensing objectives are being affected by the cumulative impact of licensed premises as indicated by the Police Statistical Report, the Alcohol Licensing Data Matrix and evidence provided by ward members, responsible authorities and residents:

- City Centre
- Headingley
- Hyde Park
- Armley
- Harehills

In general the assessment relates to both premises licences and club premises certificates unless expressly stated otherwise in the specific area assessment.

The council is required to consult upon this Cumulative Impact Assessment before publication, and this will be undertaken alongside the consultation for the Statement of Licensing Policy 2019-2023.

This page is intentionally left blank

Statement of Licensing Policy 2019 - 2023

Licensing Act 2003



Further copies of this document can be obtained from:

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Tel: 0113 378 5029

Fax: 0113 336 7124

Email: entertainment.licensing@leeds.gov.uk

Web: www.leeds.gov.uk/licensing

Please note:

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

CONTENTS

Executive Summary	5
Section 1 The purpose and scope of the licensing policy	6
Section 2 The Leeds district	8
Section 3 Integrating other guidance, policies, objectives and strategies	10
Section 4 Promotion of the licensing objectives	12
Section 5 General principles	16
Human Rights	16
Protection of Privacy and Data	16
Equality Act 2010	17
Impact of licensed activity	17
Special events	18
Community applicants	19
Other regulatory regimes	19
Application process	19
Licensing committee	19
Representations	20
Reasons for decisions	20
Section 6 Premises Licences and Club Premises Certificates	21
Planning	21
Licensing hours	21
Local, National and international events	22
Drinking up time	22
Operating schedules	23
Risk assessments	24
Local Concerns	24
Dispersal	26
Excessive consumption of alcohol	26
Conditions	26
Designated premises supervisor	27
Staff training	27
Club Premises Certificate	27
Community halls	27
Minor variations	28
Alcohol deliveries	28

Section 7	Cumulative Impact	29
	Cumulative Impact Assessments	30
	Cumulative Impact Areas	30
	Applications within a cumulative impact area	32
	Representation based on cumulative impact outside cumulative impact areas	34
Section 8	Early Morning Restriction Orders	35
	EMRO Request	35
	Evidence	36
	Consultation	36
	Formal Decision	37
Section 9	Personal Licences	38
Section 10	Temporary Event Notices	39
	Police and HEAS Intervention	40
	Additional limitations	40
Section 11	Enforcement and reviews	41
	Prosecution of breaches	41
	Review of licences	41
	Matters to be considered	42
	The Violent Crime Reduction act 2006	42

The Licensing Act 2003 came into effect in 2005.

Under Section 5 of the Licensing Act 2003 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every five years.

Any decision taken by the Council in regard to determination of licences, certificates and notifications should aim to promote the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The policy covers the licensable activities as specified in the Act which are:

- Sale by retail or supply of alcohol
- Regulated entertainment
- Late night refreshment

The policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Additionally the council has regard for a number of other local strategies such as Vision for Leeds and the Leeds Community Safety Strategy.

The council has the ability to grant licences for premises and certificates for club premises. It also grants personal licences and accepts temporary event notices.

Applicants for premises licences should be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. In addition to this policy the council has included guidance specific to certain areas of the city to assist applicants in preparing their applications and operating schedules.

Where relevant the council consults with the responsible authorities as described in the Act.

Local people and Members of the council are able to have their say and their opinion heard through public consultation on this policy and by making representations about applications for premises licences or requesting reviews of licences for problem premises.

The policy includes information on the areas that the council considers to be suffering from the cumulative impact of licensed premises.

Enforcement of the legislation is a requirement of the Act that is undertaken by the council. This policy describes the council's enforcement principles and the principles underpinning the right of review.

Section 1 The purpose and scope of the licensing policy

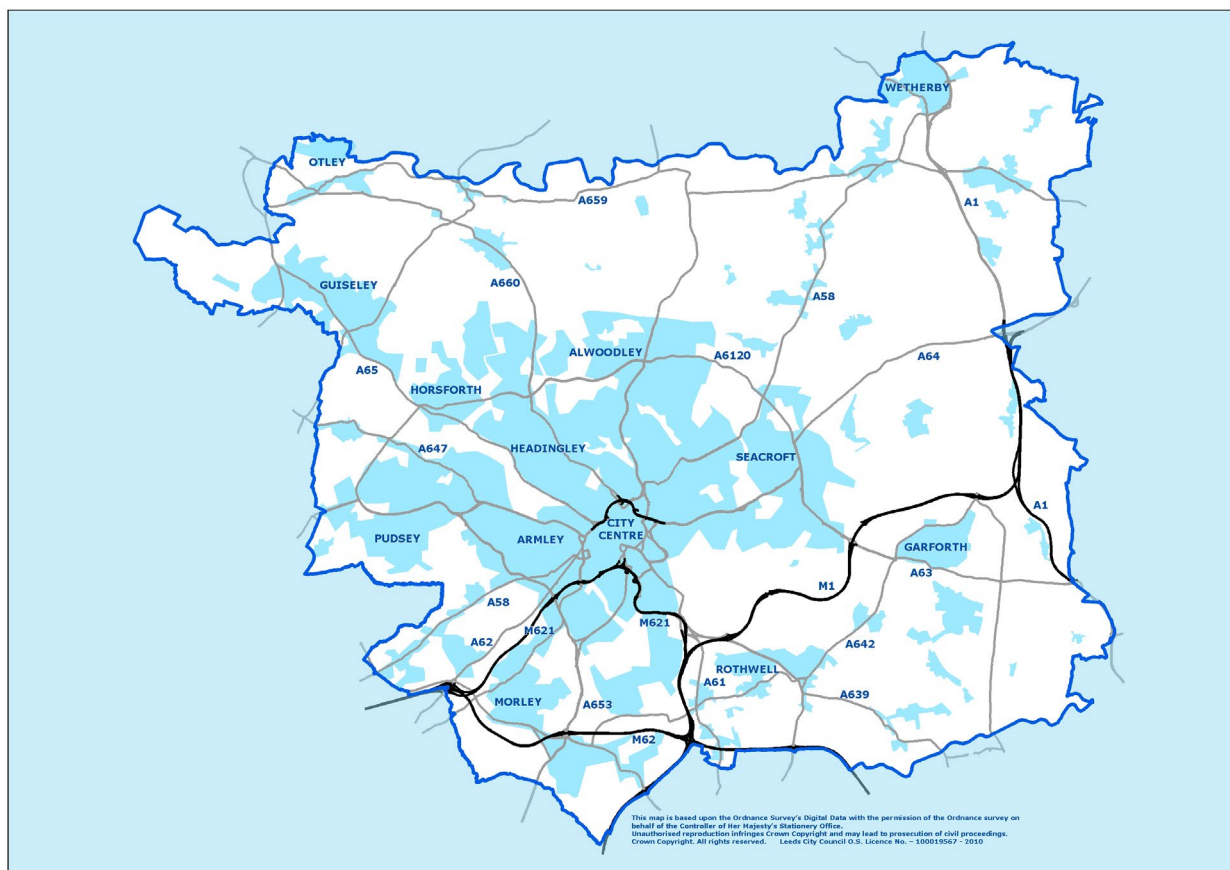
Purpose of the policy

- 1.1 This policy is prepared under Section 5 of the Licensing Act 2003 and was approved by Leeds City Council as Licensing Authority on 14th November 2018 to come into effect on 15th January 2019. It will be kept under review and as a minimum will be reviewed no later than 2023, with a new policy in place by 15th January 2024 unless statute changes. Unless otherwise stated any references to the council are to the Leeds Licensing Authority.
- 1.2 In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
- Representatives of local business
 - Local residents and their representatives
 - Parish and town councils
 - Local members of parliament
 - Representatives of existing licence holders including
 - The British Beer and Pub Association
 - Licensing solicitors
 - The responsible authorities namely:
 - West Yorkshire Police
 - West Yorkshire Fire and Rescue Service
 - Leeds City Council – Health and Environmental Action Service
 - Leeds City Council – Children and Young People Social Care
 - Leeds City Council – City Development
 - Leeds City Council – Director of Public Health
 - West Yorkshire Trading Standards
 - Secretary of State (Immigration Enforcement)
 - Charitable organisations that deal with the social impact of alcohol misuse
 - Other charitable organisations including Mencap and Victim Support Leeds
- 1.3 This policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 1.4 The council will carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives namely:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.5 The council adopts the overall approach of encouraging the responsible promotion of licensed activities. However, in the interests of all its residents, it will not tolerate irresponsible licensed activity. Following relevant representations the council will refuse applications, restrict hours and activities or impose conditions where it is appropriate to do so to promote the licensing objectives and/or use effective enforcement to address premises where there are problems, in partnership with key agencies such as West Yorkshire Police, West Yorkshire Fire and Rescue Service, Health and Safety Executive, Crime and Disorder Reduction Partnerships, Director of Public Health and West Yorkshire Trading Standards.

- 1.6 This policy is concerned with the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events. The conditions that the council attaches to the various licences will focus on matters that are relevant to the four licensing objectives and will centre upon the premises that are being used for licensable activities.
- 1.7 The council will monitor the effect of this policy throughout the period it covers through licensing liaison meetings with representatives of licence holders such as PubWatch meetings and also by way of regular meetings with the responsible authorities.

Scope of the policy

- 1.8 This policy covers licensable activities within the Leeds district as defined by the Licensing Act 2003. These are:
- The sale of alcohol
 - The supply of alcohol by or on behalf of a club, or to the order of a member of the club
 - The provision of regulated entertainment
 - The provision of late night refreshment
- 1.9 Advice on whether a licence is required for premises or an event can be obtained from Entertainment Licensing.
- 1.10 Throughout this policy the wording will refer to ‘applicants’ for licences. However it should be noted that the principles set out within this policy apply equally to new applications, applications for variations and consideration of any request to review a licence.
- 1.11 The scheme of the Licensing Act is that applicants should make applications and assess what matters, if any, need to be included within the operating schedule to address the licensing objectives. If an application is lawfully made and no relevant representations are received then the council must grant the application. Only if relevant representations are made will the council’s discretion be engaged.
- 1.12 Applicants for premises licences should be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. This policy seeks to provide advice to applicants about the approach they should take to making applications and the view the council is likely to take on certain key issues where representations have been made.



- 2.1 Leeds City Council has sought to establish Leeds as a major European City and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within 30 minutes drive of the City Centre.
- 2.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 784,846 (ONS Mid-year population estimates 2017). It includes the city centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with their very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 2.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the city coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes has many benefits including the creation of a vibrant 24-hour city.
- 2.4 Leeds is a city with many cultures, languages, races and faiths. A wide range of minority groups including Black Caribbean, Indian, Pakistani, Irish and Chinese as well as many other smaller communities make up 18.9% of the population (2011 Census).

2.5 Each area of the district has its own character and challenges. The council has provided general advice in this policy to assist applicants in preparing applications. Applicants are also expected to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. To assist them the council has provided links to data sources where information specific to localities in Leeds in which there is concern relating to impact of licensed premises on the four licensing objectives can be found. Applicants may also consult with Entertainment Licensing to ensure they have as much information as possible before making their application.

Cultural Activities in Leeds

- 2.6 Leeds has strong artistic and sporting traditions and has the best attended outdoor events in the country. The success of arts and heritage organisations including the Grand Theatre, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackeray Medical Museum. The city also boasts a wealth of community based sports heritage and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.
- 2.7 Leeds City Council (in common with other local authorities) is a major provider of facilities for public recreation. The Council has a tradition of promoting a wide range of cultural activity for the benefit of the city and district.
- 2.8 Leeds Town Hall is the dedicated public concert hall/performance area in Leeds and the Carriageworks Theatre is dedicated to amateur performance and public use for Leeds. Millennium Square in the city centre is used for public events and entertainment such as the Christmas market and 'Icecube' (a temporary ice rink). The parks at Roundhay, Woodhouse Moor, Potternewton and Middleton are in use for community organised gatherings, fairs and carnivals and Temple Newsam Park is the venue for council promoted public events attracting upwards of fifty thousand people.
- 2.9 Commercially promoted events take place in a variety of locations throughout the district.
- 2.10 Within local communities, groups and associations use church and village halls and community centres for social and fund raising activities. Within the district there are 120 church halls, village halls and schools licensed for regulated entertainment and/or the sale or supply of alcohol.
- 2.11 Leeds has a long established reputation for the encouragement of community and diverse cultural events and public entertainment as an essential aid to community involvement and an increasing sense of common identity.

- 3.1 In preparing this licensing policy the council has had regard to, and sought to integrate the licensing policy with, the following strategies:
- Vision for Leeds 2011 to 2030
 - Best Council Plan 2015 to 2020
 - Leeds Local Development Framework
 - Leeds City Council – Anti-Social Behaviour Statement
 - Leeds City Council – Environmental enforcement policies.
- 3.2 The council (through its Licensing Committee) may, from time to time, receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in this policy and the overriding need to promote the four licensing objectives it may have regard to them when making licensing decisions.
- 3.3 The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy. This may include recommendations to amend the licensing policy itself.

Vision for Leeds

- 3.4 *Best city in the UK* that is the key aim of the Vision for Leeds 2011 to 2030. This means:
- Leeds will be fair, open and welcoming.
 - Leeds' economy will be prosperous and sustainable.
 - All Leeds' communities will be successful.
- 3.5 Leeds, like other national and international cities, is faced with a number of key challenges. The city's population is set to rise to around one million, its economy is still recovering from the effects of global recession and the consequences of a changing climate have become all too apparent.
- 3.6 In addressing these challenges, Leeds must continue to be a forward-looking city and have a clear plan for the future, and this is why the Vision for Leeds is important.
- 3.7 This licensing policy seeks to promote the licensing objectives within the overall context of the three aims set out in Vision for Leeds 2011-2030.

Best Council Plan 2018/19 – 2020/21

- 3.8 The Best Council Plan aims to address poverty and inequalities by maintaining a long-term strategic focus on strengthening the economy whilst supporting the most vulnerable. This policy seeks in particular to support the Best Council Plan priorities around, 'Safe, Strong Communities', 'Inclusive Growth', 'Health and Wellbeing' and 'Child-friendly City'. The Best Council Plan is supported by a number of key strategies including the Health and Wellbeing Strategy 2016-2021, Inclusive Growth Strategy 2018-2023 and Children and Young People's Plan 2018-2023.

Leeds Health and Wellbeing Strategy 2016-2021

- 3.9 The Leeds Health and Wellbeing Strategy describes the council's vision... to be healthy. [i.e. no other changes to what you've already included]

Leeds Inclusive Growth Strategy 2018-2023

3.10 The Leeds Inclusive Growth Strategy aims to further deliver growth across the city that is inclusive, draws on the talents of, and benefits all our citizens and communities. The strategy sets out how everyone can contribute to the city's growth. It provides a framework for how all parts of the council will work with partners from all sectors across Leeds, the region and with national government to grow the economy. The strategy sets out 12 'big ideas' to act as an action plan to encourage inclusive growth focusing on supporting people, places and productivity. This policy links in particular to the following 'big ideas':

- Best City for Health and Wellbeing
- Working together to create better jobs, tackling low pay and boosting productivity
- Putting children at the heart of the growth strategy

Children and Young People's Plan 2018-2023

3.11 The UN convention on the rights of the child set out the basic rights for children worldwide. The UN developed the model for the child-friendly city model: a place where children's rights are known and understood by children and adults alike and where these rights are reflected in policies and budgets.

3.12 The Leeds Children and Young People's Plan helps deliver Leeds' 'child-friendly city' aspiration, whereby the voices, needs and priorities of the more than 190,000 children and young people (aged 0-19 years) in Leeds are heard, responded to and inform the way we make decisions and take action. We aim to improve outcomes for all our children, whilst recognising the need for outcomes to improve faster for children and young people from vulnerable and deprived backgrounds. The Plan is focused on delivering five outcomes whereby all children and young people:

- Are safe from harm
- Do well at all levels of learning and have skills for life
- Enjoy healthy lifestyles
- Have fun growing up
- Are active citizens who feel they have a voice and influence

3.13 This policy contributes to all these outcomes and also a number of the priorities within the Children and Young People's Plan, including:

- Ensuring that the most vulnerable are protected
- Improving social, emotional, and mental health and wellbeing
- Supporting young people to make good choices and minimise risk-taking behaviours

Section 4 Promotion of the licensing objectives

- 4.1 The council will carry out its functions under the Licensing Act 2003 with a view to promoting four licensing objectives. These are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 4.2 Each objective is of equal importance, and the four objectives will be paramount considerations for the council at all times.
- 4.3 It is for the applicant to decide what, if any, measures to suggest in its operating schedule in order to address any potential concerns that might arise in the promotion of the licensing objectives. Applicants are reminded that measures proposed in the operating schedules will be converted into conditions on their licence.
- 4.4 The council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.
- 4.5 Applicants are reminded that responsible authorities or other people may make representations if they feel that the applicant's proposals do not adequately promote the licensing objectives. An applicant who proposes no measures to promote the licensing objectives may therefore face more representations than an applicant who risk assesses their operation and proposes necessary and proportionate measures.
- 4.6 The council recommends early consultation with responsible authorities. Many responsible authorities have produced guidance which applicants can take into account when assessing whether they need to include any measures in their application to promote the licensing objectives. In addition, many responsible authorities would be prepared to discuss matters on site with an applicant with a view to reaching agreement on measures to be proposed. Contact details for the responsible authorities are available from Entertainment Licensing. Guidance issued by the responsible authorities can be found on the council's website or by contacting Entertainment Licensing.

Crime and Disorder

- 4.7 Under the Crime and Disorder Act 1998, the council must exercise its functions, having regard to the likely effect on crime and disorder in its area, and must do all it can to prevent crime and disorder.
- 4.8 Where its discretion is engaged, the council will seek to promote the licensing objective of preventing crime and disorder in a manner which supports the Safer Leeds Plan and any local crime reduction strategy.
- 4.9 There are many steps an applicant may take to prevent crime and disorder. The council will look to the Police for the main source of advice on these matters.
- 4.10 If relevant representations are made in relation to a premises licence or club premises certificate, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave.

- 4.11 Conditions will be targeted on deterrence and the prevention of crime and disorder. The council may consider:
- The need for and location of CCTV cameras
 - The need for door supervision
 - The need for a text or radio pager system allowing communication between premises and with the Police
 - Conditions setting capacity limits where this is necessary to prevent overcrowding likely to lead to disorder and violence
 - Membership of a recognised pub watch or similar scheme
- 4.12 Crime and disorder conditions will not seek to control adult entertainment involving striptease and lap dancing, which will be governed by laws in relation to indecency and obscenity, and will be licensed under the Local Government (Miscellaneous Provisions) Act 1982. However, conditions for such adult entertainment may be imposed for reasons of public safety, or the protection of children from harm if they relate to the occasional use of the premises for adult entertainment.

Public Safety

- 4.13 The public safety objective is concerned with the physical state of people using the premises. Public safety includes safety of performers appearing at any premises.
- 4.14 On 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. The council will not seek to impose fire safety conditions as conditions on licences where the Order applies.
- 4.15 Capacity limits will only be imposed where appropriate for the promotion of public safety or for reasons of crime and disorder. Capacity limits will not be imposed as a condition of the licence on fire safety grounds.
- 4.16 Applicants are advised to consult with the Environmental Health, Health and Safety Team, who can offer advice as to appropriate measures to be included in risk assessments, and potentially in operating schedules. On receipt of relevant representations the council will have regard to the views of the Health and Safety Team. The team can also offer advice in relation to workplace health and safety matters, including compliance with the Health Act 2006 (smokefree).
- 4.17 Conditions requiring possession of certificates on the safety or satisfactory nature of equipment or fixtures on premises will not normally be imposed as those are dealt with by other legislation. However, if it is considered necessary in light of the evidence on each individual case, conditions may be imposed requiring checks on the equipment to be conducted at specified intervals, and evidence of the checks to be retained. Conditions may also seek to require equipment of particular standards to be maintained on premises.
- 4.18 Special events in the open air or temporary structures raise particular issues. Applicants are referred to other sections of this document where guidance on holding these types of event is given.

Public Nuisance

- 4.19 In considering the promotion of this licensing objective, applicants need to focus on the effect of licensable activities on people living and working in the area around the premises which may be disproportionate and unreasonable.

- 4.20 The council is aware that the prevention of public nuisance is not narrowly defined in the Act and can include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include, in appropriate circumstances, the reduction of the living and working amenity and environment of other people living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 4.21 Where applicants are completing operating schedules the council encourages them to have regard to the location of the proposed or actual premises, and in particular whether proposals may have a disproportionate impact in dense residential areas or near to sensitive premises such as nursing homes, old people's accommodation, hospitals, hospices or places of worship.
- 4.22 Applicants are recommended to consult Environmental Health Services for advice on measures that may need to be incorporated into an operating schedule.
- 4.23 If relevant representations are made, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to reduce the impact of the behaviour of customers entering or leaving the premises on people living or working near to the premises. The council considers that patrons who are using external smoking areas or shelters are there as a direct result of the licensed premises and are within the control of the licensee.
- 4.24 The council will consider whether issues relating to public nuisance can be effectively dealt with by necessary and appropriate conditions. These conditions will normally focus on the more sensitive periods, for example, noise from premises in the late evening or early morning when residents may be attempting to sleep.
- 4.25 When considering such matters, the council will have regard to representations made by Environmental Health Services, and by local residents.
- 4.26 The council may consider the following matters:
- Whether doors and windows will or can be kept closed after a particular time.
 - Whether other noise control measures such as acoustic curtains or other speaker mounts are required.
 - The fact that lighting outside the premises may help to prevent crime and disorder, but may give rise to light pollution for neighbours.
 - Signs placed at the exit to buildings can encourage patrons to be quiet until they leave the area, and to respect the rights of residents.
 - The size and location of smoking areas and any facilities provided may encourage patrons to use the external areas more extensively than for just smoking.
 - Provision of litter bins in the vicinity of premises serving hot food after 11pm.
 - Display of contact details or a direct telephone link to a private hire/taxi firm.
- 4.27 The council recognises that it is necessary to balance the rights of local residents businesses and others with those wishing to provide licensable activities, and those who wish to use such facilities.
- 4.28 Ultimately if it is necessary for the prevention of public nuisance where conditions do not adequately address the issues an application can be refused.

Protection of children from harm

- 4.29 The council recognises the Leeds Safeguarding Children Partnership as the responsible authority for the protection of children from harm.
- 4.30 The protection of children from harm includes protection from physical and psychological harm.
- 4.31 The council notes that the admission of children to premises holding a premises licence or club premises certificate should be freely allowed unless there is good reason to restrict entry or exclude children completely.
- 4.32 Issues about access of children to premises may give rise to concern:
- where adult entertainment is provided on an occasional basis and is not already licensed under other legislation;
 - where there have been convictions of the current management for serving alcohol to minors;
 - where the premises have a reputation for allowing under-age drinking;
 - where requirements of proof of age is not the norm;
 - where premises have a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises; and
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided.
- 4.33 Such situations can be identified through a risk assessment of the operation. In these circumstances, applicants are advised to consider offering appropriate conditions through their operating schedule. In addition, licensees may identify that the access of children to particular parts of the premises poses more risk than others, and seek only to exclude children from areas of highest risk.
- 4.34 On receipt of relevant representations, the council will consider whether conditions are necessary. If conditions are necessary these may include:
- limitations on the hours when children will be present
 - limitation upon the presence of children of certain ages when specified activities are taking place
 - limits on the parts of the premises to which children may have access
 - age limitations
 - limitations or exclusions only when certain activities are taking place
 - requirements for an accompanying adult
 - full exclusion of people under the age of 18 when any licensable activities are taking place
- 4.35 In such cases, representations by the Leeds Safeguarding Children Partnership and the Police will be given considerable weight where they address issues regarding the admission of children.
- 4.36 It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25/Check 25 type schemes and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.
- 4.37 No condition will be imposed by the council requiring the admission of children to any licensed premises except in the case of exhibition of film where a mandatory condition is applied to all licences with this activity.

Section 5 General principles

- 5.1 In determining a licensing application the overriding principle will be that each application will be determined on its own merit, having regard to the need to promote the four licensing objectives and taking into account this licensing policy and the guidance issued under Section 182 by the Secretary of State. Where it is necessary to depart from the guidance or this policy the council will give clear and cogent reasons for doing so.
- 5.2 Nothing in this policy will undermine any person's right to apply for a variety of permissions under the Act.

Human Rights

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

Protection of Privacy and Data

- 5.4 In line with General Data Protection Regulation and Data Protection Act 2018, the Council and the West Yorkshire Police are Joint Data Controllers of the information you provide as part of your licence application. The Council and the West Yorkshire Police have a statutory duty to process and maintain licences and permissions and conduct enforcement activities in accordance with the Licensing Act 2003 as part of a legal obligation to meet the statutory requirements for the licensing of the sale of alcohol, regulated entertainment and late night refreshment.
- 5.5 We may share the following information with the third parties listed below: details of the licensed premises, licence status, the names, addresses and company numbers of persons and companies named on a licence. This may be shared with services in the Council, for example, City Development, Environmental Action Services and Community Safety.
- 5.6 In addition we will share with external third party organisations including Government departments, Information Commissioners Office (for National Fraud Initiative), the Health and Safety Executive, West Yorkshire Joint Services, Businesses Against Crime in Leeds, Leeds BID and West Yorkshire Fire and Rescue Service to make further enquiries regarding your application under the Licensing Act 2003 or where required by law for the detection and prevention of crime.
- 5.7 The personal information you provide as part of your application for a premises licence, club premises certificate or personal licence will be held for a period of 6 years following the termination of the licence/permit. The personal information held for Temporary Event Notices will be held for a period of 2 calendar years following the event. Details of all transactions are recorded permanently as an entry on the licensing register.
- 5.8 The Council's corporate privacy notice, which includes details of the authority's Data Protection Officer and your information rights is available at: <https://www.leeds.gov.uk/privacy-statement/privacy-notice>.

- 5.9 The West Yorkshire Police full privacy notice can be found here
<https://www.westyorkshire.police.uk/privacy>

Equality Act 2010

- 5.10 The council is committed to eliminating unlawful discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations within and between our communities.
- 5.11 It is recommended that licensees make themselves familiar with the requirements of this Act for the access and provision of services for persons within the protected groups identified by the legislation. The Act makes it unlawful to discriminate against anyone because of:
- age
 - being or becoming a transsexual person
 - being married or in a civil partnership
 - being pregnant or on maternity leave
 - disability
 - race including colour, nationality, ethnic or national origin
 - religion, belief or lack of religion/belief
 - sex
 - sexual orientation
- 5.12 In order to promote equality, and to fulfil its statutory duties under the Equality Act 2010, the council asks that applicants aim to achieve inclusive access to their venues and events. For example discrimination will be experienced if access to the venue is denied due to lack of a ramp or if the venue does not provide means for someone to book a ticket who cannot speak. Further guidance is available at <https://www.gov.uk/guidance/equality-act-2010-guidance#guidance-on-the-equality-act>
- 5.13 The council cannot enforce the Act but those who experience discrimination may take legal action following a complaints procedure. Where complaints are received by the council we advise the complainant of their rights under the Equality Act.
- 5.14 In addition, the planning process, which is likely to be relevant to new premises or events, will also seek to support the council's objective of making Leeds a city which is fair and sustainable, ambitious, fun and creative for all. The Council's Best Council Plan 2015-2020: updated 2017-2018 states that "Design requires new development to be accessible to all users".
- 5.15 Further guidance on how the Equality Act affects pubs is available from the British Beer and pub association. <http://beerandpub.com/wp-content/uploads/2017/Briefings/BBPA-guidance-accessibility-in-pubs.pdf>

Impact of Licensed Activity

- 5.16 Where no representations are made the council will grant a licence subject to conditions consistent with the operating schedule.
- 5.17 When determining any application where relevant representations are made, the council will consider it in the light of the four licensing objectives and in order to support a number of other key aims and purposes as set out in this policy. The requirement to promote the licensing objectives will be the paramount consideration. The council will focus upon the impact of the activities taking place on members of the public living, working or engaged in normal activity near the premises.

- 5.18 Where relevant representations are made in relation to a premises licence, club premises certificate or temporary event notice the following factors will normally be taken into account when the council is looking at the impact of the activities concerned:
- the style of operation, the numbers of customers and customer profile likely to attend the premises
 - the location of the premises and the proximity of noise sensitive properties
 - the proposed hours of operation
 - any proposed methods for the dispersal of customers
 - the scope for mitigating any impact
 - the extent to which the applicant has offered conditions to mitigate the impact
 - how often the activity occurs
- 5.19 In considering any application for a variation to a premises licence or club premises certificate where a relevant representation has been received, the council may take into account, in addition to the above matters, any evidence:
- of past demonstrable adverse impact from the activity especially on local residents or businesses
 - that if adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact
- 5.20 Other relevant matters may be considered as the individual case dictates.

Special Events in the Open Air or in Temporary Structures

- 5.21 The promotion and the organisation of live musical and similar entertainment in the open air or in temporary structures like marquees etc. can provide opportunities for community involvement, civic pride and can attract visitors to the district.
- 5.22 However, the success of such events by way of contribution to the council's cultural and tourist strategies depends upon the quality, levels of safety and consideration for the rights of people who live or work in the vicinity and the standard of provision of facilities for those coming to enjoy the event.
- 5.23 In recognition of the special factors that are relevant, particularly with respect to major open air events such as a concerts or festivals, the council has established a multi-agency safety advisory group to assist organisers in co-ordinating such events. This includes council departments who have an interest in, or legislative role relevant to, such events, together with representatives of the emergency services.
- 5.24 Members of the forum are notified about all proposals to hold such events and where necessary a special meeting will be organised in order to consider any issues that will require to be addressed and to open up lines of communication with organisers.
- 5.25 The Health and Safety Executive provide specialist guidance on event safety through their website at www.hse.gov.uk.
- 5.26 Guidance on the planning of such events is available to organisers but it is important that substantial notice is given so that proper preparations and precautions can be put in place for the event. This also applies if the event is proposed under a Temporary Event Notice.

Community Applicants

- 5.27 Whilst this policy is aimed at all licensable activities under the Licensing Act 2003 it should be noted that the council sees a distinction between large or permanent activities, such as those proposed by commercial operators and small or temporary activities such as those which might be proposed by cultural or community groups.
- 5.28 Where events are proposed by cultural or community groups, it is recognised that those groups may not have the same skill or expertise or access to professional advice. Such groups may seek assistance and guidance from the council by contacting Entertainment Licensing.
- 5.29 Whatever the nature of the applicant and activity proposed, the overriding matter is that the council will consider the individual merits of the application and act so as to promote the licensing objectives.

Other Regulatory Regimes

- 5.30 The licensing policy is not intended to be the primary mechanism for the general control of nuisance, anti-social behaviour and environmental crime but nonetheless is a key aspect of such control and the licensing policy and licensing decisions are intended to be part of an holistic approach to the delivery of the council plan and the management of the evening and night time economy of the Leeds district.
- 5.31 In preparing this policy the council has sought to avoid unnecessary duplication of existing legislation and regulatory regimes. However on occasions it has been necessary to set out some of the detail in this policy for ease of understanding. Nothing in this policy is intended to revoke or replace the need for applicants to act in accordance with legal requirements. All applicants are advised to seek proper advice to ensure that the activities they propose are within the boundaries set by existing legislation and regulations.

Application Process

- 5.32 Applications must be made to the council in the form prescribed by Regulations. Guidance is available to applicants setting out the detail of the process.

Licensing Committee

- 5.33 The council has appointed a licensing committee of 15 Councillors. Licensing functions will often be delegated to a licensing subcommittee of 3 Councillors or, in appropriate cases to officers of the council.
- 5.34 Councillors will have regard to the Leeds City Council Code of Conduct for Members. Where a Councillor who is a member of the Licensing Committee or subcommittee has a disclosable pecuniary interest in the application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision making process in respect of that application.
- 5.35 A subcommittee may refer an application to another subcommittee or to the Licensing Committee where it is unable to deal with the application because of the number of members unable to vote on the matter in question.
- 5.36 The Licensing Committee will refer an application to the council where it is unable to deal with the application because of the number of members unable to vote on the matter in question.

Representations

- 5.37 Depending on the type of application representations may be made by a responsible authority or other people (as defined by the Licensing Act 2003). The council has agreed protocols with responsible authorities and issued guidance to other people making representations, setting out the detail of the process. Guidance is available on the council website or by contacting Entertainment Licensing.
- 5.38 Members of the public who wish to submit a representation in regards to a premises licence or club premises certificate application need to be aware that their personal details will be made available to the applicant. If this is an issue they may contact a local representative such as a ward, parish or town councillor or any other locally recognised body such as a residents association about submitting the representation on their behalf. The council is not able to accept anonymous representations. In addition the council cannot accept petitions which do not follow the guidance on the council's website.
- 5.39 Where a representation is received which is not from a responsible authority the council will in the first instance make a judgement on whether it is relevant, i.e. based upon one or more of the four licensing objectives.
- 5.40 'Relevant representations' are representations:
- about the likely effect of the premises licence on the promotion of the licensing objectives;
 - which have not been withdrawn and are not, in the opinion of the council, frivolous or vexatious.
- 5.41 Where relevant representations are received about an application the council will hold a hearing to consider them unless the council, the applicant and everyone who has made representations agree that the hearing is not necessary. Applicants and those making representations should seek, in advance of any hearing, to try to reach agreement or to narrow the areas in dispute, particularly where both are professionally represented.
- 5.42 Where hearings are required as a result of relevant representations, the council may extend the time limits involved in calling hearings in order to allow the parties to negotiate suitable conditions to be added to the operating schedule and avoid the need for a hearing. Such an extension of time is considered to be in the public interest.

Reasons for Decisions

- 5.43 Every decision made by the Licensing Committee, subcommittee or officers shall be accompanied by clear reasons for the decision.

- 6.1 A premises licence and club premises certificates authorises the sale or supply of alcohol, regulated entertainment and late night refreshment (sale of hot food and drink after 11pm). Businesses wishing to apply for a licence or certificate must use the prescribed form which includes details of the hours of operation, any hours for licensable activities and an operating schedule.

Planning

- 6.2 The use of premises for the sale or provision of alcohol, regulated entertainment or late night refreshment is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.
- 6.3 In line with the S182 Guidance the planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.
- 6.4 Where businesses have indicated, when applying for a licence under the Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers will consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.
- 6.5 Where relevant representations are received, any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct. It will take into account what the impact of granting the application will be on the four licensing objectives.

Licensing Hours

- 6.6 The government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The Act gives the Council the power to make decisions regarding licensed opening hours based on local knowledge and in consultation with other responsible authorities.
- 6.7 In some circumstances, staggered licensing hours with regards to the sale of alcohol are important to ensure that the concentration of customers leaving premises simultaneously is reduced. The intention behind this is to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which currently lead to disorder and disturbance.
- 6.8 Providing the customers with greater choice is an important consideration in the development of a thriving and safe evening and night-time economy in Leeds. However any licensable activity has the potential to impact adversely on the surrounding area due to disturbance or crime and disorder. Customers may be noisy when leaving, leave litter or use on-street car parking. The impact of these activities can be particularly intrusive at night when ambient noise levels are much lower.
- 6.9 The council supports the development of a wide ranging and culturally diverse night-time economy. However this must be achieved whilst promoting the four licensing objectives and without compromising local services associated with the night-time economy such as street cleansing.

- 6.10 Under the Act there are no permitted hours for the sale of alcohol. Applicants are able to suggest in their operating schedule the hours they wish to open and to apply to vary their existing licences if they wish to open beyond their current permitted hours. However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives will be the paramount consideration at all times.
- 6.11 If relevant representations are made the council will only grant the hours of use proposed where the operating schedule and any risk assessment adequately demonstrates that:
- the applicant has properly considered what is appropriate for the local area when considering what hours and activities to apply for
 - the potential effect on the licensing objectives is not significant
 - the agreed operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on local residents and businesses
- 6.12 Restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not impact on the licensing objectives, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.
- 6.13 As a general rule shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

Local, national and international occasions

- 6.14 It should be possible for applicants for premises licences and club premises certificates to anticipate special occasions which occur regularly each year, for example bank holidays, and to incorporate appropriate opening hours for these occasions in their operating schedules.
- 6.15 Additional occasions for which extensions may be required may be covered by a Temporary Event Notice.

Drinking up time

- 6.16 The traditional 'drinking up time' was not carried over into the Licensing Act 2003. However the hours during which applicants are licensed to sell or supply alcohol and the opening hours need not be identical and therefore applicants of premises licensed for the on-sale of alcohol are recommended to consider a drinking up/cooling down period during which music volume may be reduced, customers may consume their drinks and make arrangements for transport from the premises. The council considers that a 30 minute drinking up time will assist in the gradual dispersal of customers and consequently reduce impact on the area.
- 6.17 Where relevant representations are made the council will consider imposing a condition on drinking up time where such a condition is appropriate in order to promote the licensing objectives in any individual case.

Operating Schedules

- 6.18 Under the Licensing Act 2003 applicants are required to complete an 'operating schedule'. They are expected to have regard to the council's Statement of Licensing Policy. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.
- 6.19 Operating schedules are the key to ensuring that the four licensing objectives are promoted. An operating schedule should include enough information to enable any responsible authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.
- 6.20 Applicants should make their own enquiries and demonstrate how they have considered the following in their operating schedule:
- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young people may congregate;
 - Any risk posed to the local area by the proposed licensable activities; and
 - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes such as local taxi-marshalling schemes, street pastors and other schemes), which may help mitigate potential risks.
- 6.21 Whilst applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. The council encourages co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.
- 6.22 Applicants may find contacting their local ward councillor helpful. Leeds councillors provide a voice to the people living in the ward that they represent. They are aware of the needs of their community and are in touch with the issues that local people face. As well as influencing council decisions on funding and development, they work with other organisations, such as the police, local schools and health services to help bring about improvements to services and the environment for their local community.
- 6.23 Other publicly available sources which may be of use to applicants include:
- the Crime Mapping website;
 - Neighbourhood Statistics websites;
 - websites or publications by local responsible authorities;
 - websites or publications by local voluntary schemes and initiatives; and
 - on-line mapping tools.
- 6.24 In Leeds specific websites are:
- www.tinyurl.com/LeedsMappingTool which shows a searchable map with layers of recent crime and nuisance statistics as well as the deprivation index, locations of licensed premises, schools and early years centres
- <https://datamillnorth.org/> which provides a number of useful datasets including licensed premises
- https://www.police.uk/west-yorkshire/LDT_CI/ which is a crime mapping website run by the Police

<http://observatory.leeds.gov.uk/> Leeds Observatory is a tool for everyone to explore strategic data, information and intelligence about Leeds' communities and geographies. The observatory provides a clear evidence base for communities and professionals to determine the needs of people in Leeds which will shape decision making and services.

- 6.25 The council expects individual applicants to complete the operating schedule in a manner that is specific to the application being made in respect of those premises and the licensable activity to be carried on rather than in general or standard terms. Information should be given to demonstrate how the individual application proposes to address and promote the licensing objectives. Applicants are referred to the paragraphs in this section which contain information on carrying out a risk assessment.
- 6.26 Any application or operating schedule not completed in accordance with the Act and the regulations may be returned to the applicant unprocessed with a request to complete the forms correctly before the application is accepted by council.

Risk assessments

- 6.27 The council recommends that applicants complete a risk assessment of their business in order to understand what steps are required to complete the operating schedule in a manner which enables the council and responsible authorities to assess how they will seek to promote the licensing objectives.
- 6.28 The council is aware that any risk assessment will vary according to the nature of the business. It is for applicants to decide what is appropriate in each case. To assist applicants in completing their operating schedules the council has devised a risk assessment proforma and suggested wording for volunteered conditions. A copy may be obtained from the Entertainment Licensing Section. A special risk assessment proforma designed for outdoor events and broadly based on the 'Purple Guide' is also available.
- 6.29 The risk assessment contains many of the key factors which the responsible authorities will be expecting applicants to meet in order to fulfil the licensing objectives. The contents are not exhaustive but the risk assessment approach will reduce the possibilities of adverse representations.
- 6.30 It is recognised that some areas of the risk assessment may duplicate issues which applicants have previously addressed in order to satisfy other legislation. Where this does occur the operating schedule may cross reference to alternative documents.
- 6.31 The council recognises that it cannot insist on a risk assessment. However an applicant who decides not to complete or provide a risk assessment may face additional representations and the expense of hearings as a result. If a risk assessment is not completed then applicants will need to demonstrate how these matters have been addressed through the operating schedule provided.

Local Concerns

- 6.32 It is a fact (Joint Strategic Needs Assessment 2012, NHS Leeds) that if you live in some of the more deprived areas of Leeds (Beeston, Holbeck, Gipton, Harehills, Burmantofts, Richmond Hill, Armley) you can expect your life expectancy to be lower than that of residents in other parts of Leeds. The three contributory factors to a reduced life expectancy are alcohol, obesity and smoking. The Licensing Act 2003 authorises the activities of the sale by retail of alcohol, the provision of late night refreshment and therefore the question is whether reducing people's access to alcohol and high fat content takeaway food will have a positive outcome on life expectancy in these areas.

6.33 In these more deprived areas there is concern about:

Sale of alcohol

- The wide and obvious availability of alcohol in convenience stores, newsagents, corner shops and off licences.
- The contributory factor and possible links between violent crime and domestic violence which may be exacerbated by the availability of alcohol sold in these areas.
- The higher proportion of premises licensed for alcohol for consumption off the premises.
- The ability for people with mental health or alcohol problems to easily obtain alcohol.
- The ability for people who are already intoxicated to easily obtain more alcohol.
- The pack size super strength white cider is sold in, which leads to people with alcohol dependency issues to drink more than they need to.

Protection of children

- The normalisation of alcohol abuse and the effect this has on children living in the area
- The sale and supply of alcohol to young people and children and the impact this has on the behaviour in the community and impact on their health.

Public nuisance

- The accumulation of premises providing takeaway food and off sales of alcohol
- Littering of food wrappers and waste food originating from takeaways
- Harassment of women and girls by groups of men drinking in the streets

6.34 The availability of alcohol is a major concern, as harmful and hazardous drinking is a contributory factor in many of the concerns mentioned in this policy. As such the council would expect anyone wishing to open or extend premises that sell alcohol, or sell hot food to provide extra measures to ensure these problems are not exacerbated.

6.35 An application for premises in deprived areas which includes the sale by retail of alcohol or the sale of hot food and drink may attract representations from a number of interested people. Applicants are encouraged to contact Entertainment Licensing, West Yorkshire Police, Environmental Health and Public Health to see if there are any specific measures that can be included in the operating schedule to mitigate local concerns.

6.36 Entertainment Licensing provides a Proforma Risk Assessment which is a list of suggested measures applicants may like to include in their operating schedule. Applicants in the deprived areas should carefully consider if the measures relating to the following concerns could be offered as part of their operating schedule:

Crime and disorder

- Measures that control the display of alcohol including proximity to the door, display of spirits and high strength alcohol
- The sale of high-strength lager and cider
- CCTV coverage of alcohol displays

Prevention of public nuisance

- Hourly checks of the surrounding area and removal of litter

Protection of children

- Display of alcohol, name of premises and windows advertising which normalise the availability of alcohol

Dispersal

- 6.37 There has been concern for many years that a lack of transport provision in the city centre during the early hours of the morning may contribute to an increase in disorder incidents. One of the initiatives to address this problem in the past has been to provide night buses, however these were not well used as they do not provide a door to door service.

Excessive Consumption of Alcohol

- 6.38 The council is acutely aware of the link between the supply of alcohol that is subject to certain promotions and the possibility of resultant incidents of alcohol related crime and disorder and implications for public safety, public nuisance and the risk of harm to children.
- 6.39 The council also recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an indirect impact on public health.
- 6.40 The British Beer and Pub Association states that a promotion is irresponsible where it encourages or incites individuals to drink to excess, behave in an anti-social manner or fuels drunkenness. The council, as the licensing authority, will use the powers contained within the Licensing Act to ensure operators' promotional activities do not undermine the licensing objectives.
- 6.41 In April 2010 mandatory conditions came into effect which:
- Ban irresponsible promotions;
 - Ban the dispensing of alcohol directly into the mouth; and
 - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.42 The legislation makes it clear that an irresponsible promotion is one that is "carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children".
- 6.43 As a consequence any on-trade premises that participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council's "Leeds Responsible Authority Liaison and Joint Enforcement Protocol - Licensing Act 2003" which is available from the council's website and may be subject to a review of their licence.

Conditions

- 6.44 The council may only impose conditions where relevant representations are made following an application to grant or vary a licence or where a review request is being considered.
- 6.45 The council recognises that the only conditions that should be imposed on a licence are those which are appropriate and proportionate to the promotion of the licensing objectives. There may be circumstances where existing legislation and regulations already effectively promote the licensing objectives and no additional conditions are required.
- 6.46 Where conditions are imposed they will be tailored to the individual style and characteristics of the premises and events concerned.
- 6.47 Applicants are strongly encouraged to make early contact with the appropriate responsible authorities to discuss proposed conditions in advance of the submission of their application to the council.

Designated Premises Supervisor

- 6.48 An applicant for a premises licence which includes the sale and supply of alcohol must nominate a Designated Premises Supervisor (DPS). That person will normally have been given day to day responsibility for running the premises. The DPS will also be in possession of a personal licence.
- 6.49 The Act does not require the presence of the DPS at all material times and the authorisation for the sale of alcohol may be made by another personal licence holder. It is the council's preference that this authorisation is made in writing.
- 6.50 If a DPS is not specified on the licence no sale or supply of alcohol may be made. Similarly no sale or supply of alcohol can be made if the DPS does not hold a personal licence.

Staff Training

- 6.51 The council recommends that all people employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Similarly people employed at on-licensed premises should be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all staff involved in managing or supervising the premises.
- 6.52 It is also recommended that people employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety, and if appropriate have the necessary DBS checks.
- 6.53 All people employed on licensed premises should be provided with in-house training on basic public safety and the housekeeping arrangements relative to those premises.

Club Premises Certificate

- 6.54 The Act recognises that premises to which public access is restricted and where alcohol is supplied other than for profit, give rise to different issues for licensing law than those presented by commercial enterprises selling direct to the public. For this reason qualifying clubs may apply for a Club Premises Certificate as an alternative to a premises licence.
- 6.55 A Designated Premises Supervisor and Personal Licence Holders are not required where a Club Premises Certificate is in force. However, an applicant for a Club Premises Certificate is still required to act in a manner which promotes the licensing objectives. An application for a Club Premises Certificate must be in the form prescribed by regulations.
- 6.56 Any qualifying club may choose to obtain a Premises Licence if it decides that it wishes to offer its facilities commercially for use by the public, including the sale of alcohol. Any individual on behalf of the club may also provide Temporary Events Notices. The council has issued guidance to clubs on applying for a Club Premises Certificate.

Community Halls

- 6.57 The management committees of community premises can apply to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder. If they do so all sales of alcohol are authorised by the management committee. The council has issued guidance to community premises on this process which is on the council's website.

Minor Variations

6.58 It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives. The council has issued guidance on this process which can be accessed on the council's website.

Alcohol Deliveries

6.59 An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:

- The person they are selling alcohol to is over the age of 18
- That alcohol is only delivered to a person over the age of 18
- That a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

- 7.1 The concept of “cumulative impact” has been described in the Section 182 guidance issued by the Home Office since the commencement of the Licensing Act 2003. Cumulative impact assessments were introduced at Section 5A in the Licensing Act 2003 by the Policing and Crime Act 2017. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.
- 7.2 In some areas, where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 7.3 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.
- 7.4 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town or city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.
- 7.5 Once away from the licensed premises, a minority of customers will behave badly. Other mechanisms for addressing such concerns may be more appropriate than cumulative impact, or may work alongside licensing policy. For example:
- Planning control
 - Positive measures to create a safe and clean town or city centre environment in partnership with local businesses, transport operators and other departments of the local authority, including best practise schemes such as Pubwatch or BIDs
 - Community Protection Orders
 - The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleansing and litter patrols
 - Public Spaces Protection Orders
 - Police enforcement of the law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
 - Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale)
 - Late Night Levy
 - Early Morning Restriction Orders
 - Other licensing measures such as fixed closing times, staggered closing times and zoning

Cumulative Impact Assessments

- 7.6 A cumulative impact assessment (CIA) may be published by a licensing authority to help it limit the number or type of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 7.7 The council first published a cumulative impact assessment under section 5A of the Licensing Act 2003 in November 2018 which relates to new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in specific areas.
- 7.8 In this assessment the council reviewed the evidence for all existing cumulative impact areas (city centre, Headingley and Hyde Park, Woodhouse, Chapel Allerton, Horsforth and Armley). The council also reviewed the evidence for Harehills.
- 7.9 This assessment included a call for evidence from the responsible authorities, crime statistic reports commissioned from West Yorkshire Police and nuisance statistics provided by the council's Entertainment Licensing and Health and Environmental Action Services. Local residents have been given the opportunity to comment on the proposals through the relevant elected ward councillors and Community Committees during the development of the cumulative impact assessment.
- 7.10 As required by the law, the council has undergone a formal consultation process on the cumulative impact assessments with:
- the responsible authorities
 - licensees and those representing licensees
 - local residents and businesses
 - those representing local residents and businesses
- 7.11 Responses from these consultations have been reviewed and reports are available from Entertainment Licensing.
- 7.12 The council will review the cumulative impact policy areas at least every three years, as required by the legislation. Some areas may be reviewed more frequently. Cumulative Impact Assessments are available on the council's website. Applicants should contact Entertainment Licensing to ensure they are in possession of the latest information before making their application.

Cumulative Impact Areas

- 7.13 The cumulative impact assessment has shown that the number or type of licence applications granted in the following areas are having a cumulative impact and this is leading to problems which are undermining the licensing objectives.

City centre

- 7.14 The council has assessed crime statistics for the area known as the city centre which is located between the A58M motorway and the river Aire and has determined that there is an area that is suffering from the cumulative impact of licensed premises and as a consequence this is leading to problems which are undermining the licensing objectives.

- 7.15 Specifically and in addition to this, there are two areas of special concern designated as red zones where the impact of the licensed premises is so severe that the council considers that any application for a new licence or the variation of an existing licence should be refused unless the applicant can show how their application would not lead to an increase in the impact of licensed premises in this area. Maps showing the exact geographical area included in this area, and specifically the red zones can be found in the cumulative impact assessment.
- 7.16 In this area the nature of the problems are alcohol related violent crime being perpetrated on people visiting and using this area during specific peak hours. More information on the evidence can be found in the cumulative impact assessment.
- 7.17 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence (on sales, off sales and late night takeaways) that seek to operate during the peak hours described in the cumulative impact assessment for the city centre.

Headingley

- 7.18 The council has assessed crime statistics for the area known as Headingley and has determined that there is an area that is suffering from the cumulative impact of licensed premises and as a consequence this is leading to problems which are undermining the licensing objectives. Specifically the area is located around North Lane. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.
- 7.19 In this area the nature of the problems are alcohol related violent crime and nuisance being perpetrated on people visiting this area during specific peak hours. More information on the evidence can be found in the cumulative impact assessment.
- 7.20 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence (on sales, off sales and late night takeaways) that seek to operate during the peak hours described in the cumulative impact assessment for Headingley.

Hyde Park

- 7.21 The council has assessed crime statistics for the area known as Hyde Park and has determined that there is an area that is suffering from the cumulative impact of licensed premises and as a consequence this is leading to problems which are undermining the licensing objectives. Specifically the area is located between Hyde Park Road, Victoria Road, Cardigan Road and Burley Lodge Road. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.
- 7.22 In this area the nature of the problems are alcohol related violent crime and nuisance being suffered by people living in this mainly residential area. More information on the evidence can be found in the cumulative impact assessment.
- 7.23 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence which seeks off sales and/or late night refreshment to operate during the peak hours described in the cumulative impact assessment for Hyde Park.

Armley

- 7.24 The council has assessed anti-social behaviour and crime statistics for the area known as Armley and has determined that there is an area that is suffering from the cumulative impact of off-licensed premises and as a consequence this is leading to problems which are undermining the licensing objectives. Specifically Town Street and Branch Road are the areas affected. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.

- 7.25 In this area the nature of the problems are predominantly anti-social behaviour perpetrated by people purchasing alcohol on Town Street and Branch Road and then remaining in the area to drink it. More information on the evidence can be found in the cumulative impact assessment.
- 7.26 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence which seeks off sales of alcohol at any time.

Harehills

- 7.27 The council has assessed crime statistics for the area known as Harehills and has determined that there is an area that is suffering from the cumulative impact of off-licensed premises and as a consequence this is leading to problems which are undermining the licensing objectives. Specifically the area around Harehills Road and Harehills Lane is particularly suffering from the cumulative impact of too many off licences. Maps showing the exact geographical area included in this area can be found in the cumulative impact assessment.
- 7.28 In this area the nature of the problems are alcohol related violent crime and nuisance being suffered by people living in this mainly residential area. More information on the evidence can be found in the cumulative impact assessment.
- 7.29 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence which seeks off sales and late night refreshment to operate during the peak hours described in the cumulative impact assessment for Harehills.

Other Areas

- 7.30 In previous policies the areas of Woodhouse, Chapel Allerton and Horsforth have been the subject of cumulative impact. At this point, although these areas remain saturated there is less evidence that the number or density of licensed premises in the area is having a cumulative impact leading to problems which are undermining the licensing objectives.
- 7.31 The council is also aware that the police have concerns related to the concentration of premises in the localities of Beeston, Bramley, Pudsey, Otley and Guiseley. The council, in conjunction with the responsible authorities, will be keeping these areas under review during the life of the policy in case it becomes necessary to instigate a formal cumulative impact assessment. Applicants wishing to apply for new licences or variations in these areas should note this paragraph and tailor their operating schedules accordingly.

Applications within a cumulative impact area

- 7.32 Applications for premises situated within a designated cumulative impact area for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received. It is for the applicant to demonstrate that their application would not add to the cumulative impact of such licensed premises in the area and so allow the council to depart from its own policy.
- 7.33 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.

- 7.34 To assist this process applicants are encouraged to submit a full and thoroughly considered application at the earliest opportunity. The onus is on the applicant to demonstrate to the responsible authorities the suitability and detail for their site. The applicant is encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued by the Home Office under section 182 of the Act.
- 7.35 The existence of a cumulative impact assessment for a specific area does not relieve the responsible authorities or any other person of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the cumulative impact assessment, or the fact that a cumulative impact assessment has been published for that area. It remains incumbent on all responsible authorities and other people to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. As with all licensing applications under the Licensing Act 2003, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted as part of the application.
- 7.36 The council recognises that a cumulative impact assessment should not be absolute. The circumstances of each application will be considered properly and applications for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its policy and cumulative impact assessment in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.
- 7.37 When considering an application where the subject premises is in a cumulative impact area, the council will need to be satisfied that the grant of the licence or variation will not impact on the cumulative impact of existing licensed premises in the area and as the burden of proof is on the applicant, they will often suggest measures which they assert will demonstrate there will be no impact. Examples of factors the licensing authority may consider as demonstrating there will be no impact may include, though are not limited to:
- Small premises who intend to operate before midnight.
 - Premises which are not alcohol led and only operate during the day time economy
 - Instances where the applicant is relocating their business to a new premises but retaining the same style of business.
 - Conditions which ensure that the premises will operate in a particular manner such as a minimum number of covers or waiter/waitress service to secure a food led operation.
- 7.38 Examples of factors the licensing authority will not consider as meeting the standard of rebuttal include:
- That the premises will be well managed and run as all licensed premises should meet this standard
 - That the premises will be constructed to a high standard
 - That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint
- 7.39 Any relevant representation of support will be taken into consideration by the council when making its determination.

Representations based on cumulative impact outside cumulative impact areas

7.40 In cases where either responsible authorities or other people seek to establish that an application should be refused on the grounds that it would result in or further contribute to a cumulative impact in an area not designated as a cumulative impact area, which would undermine one or more of the licensing objectives, they shall:

- Identify the boundaries of the area from which it is alleged problems are arising
- Identify the licensing objective which it is alleged will be undermined
- Identify the type of licensable activity alleged to be causing the problem (e.g. sale of alcohol, late night refreshment)
- Provide full details and evidence to show the manner and extent to which it is alleged that the licensing objectives are being, or at risk of being, undermined in the area
- Provide evidence to show that the undermining of the objective is caused by the patrons of licensed premises in the area.

7.41 The reason for this is to ensure that objections are neither frivolous nor vexatious and that there is an evidential basis for the licensing subcommittee to reach a decision.

Section 8 Early Morning Restriction Orders

- 8.1 The power conferred on licensing authorities to make, vary or revoke an EMRO is set out in section 172A to 172E of the Licensing Act 2003. This power was brought into force on 31st October 2012 and the government has provided guidance as part of the S182 Guidance to Licensing Authorities.
- 8.2 An EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.
- 8.3 EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance and other instances of alcohol related anti-social behaviour which is not directly attributable to specific premises.
- 8.4 It is the council's intention to support businesses rather than hinder them whilst ensuring promotion of the licensing objectives. However where this has deemed to fail then an EMRO could be considered as a possible solution.
- 8.5 An EMRO:
- Applies to the supply of alcohol authorised by premises licences, club premises certificate and temporary event notices;
 - Applies for any period beginning at or after 12am and ending at or before 6am. It does not have to apply on every day of the week and can apply for different time periods on different days of the week;
 - Applies for a limited or unlimited period (for example, an EMRO could be introduced for a few weeks to apply to a specific event);
 - Applies to the whole or any part of the licensing authority's area
 - Will not apply to any premises on New Year's Eve (defined as 12am to 6am on 1 January every year);
 - Will not apply to the supply of alcohol to residents by accommodation providers between 12am and 6am, provided the alcohol is sold through mini-bars/room service; and
 - Will not apply to a relaxation of licensing hours by virtue of an order made under section 172 of the Licensing Act 2003.

EMRO Request

- 8.6 It is expected that the need for an EMRO may be identified by a number of different organisations. For example the request for an EMRO may originate at an Area Committee, Health and Environmental Action Service, residents association or the local NPT. It may come via the Licensing Enforcement Group which is a group of partner agencies who meet regularly to discuss issues relating to the sale of alcohol and the provision of entertainment. It is likely that more than one organisation may be involved in the process.
- 8.7 It is anticipated that the request would be referred to Entertainment Licensing where a designated procedure will be applied to determine if an EMRO is appropriate. If appropriate, the request would be referred to the Licensing Committee. Members would be supplied with evidence of the issues being experienced in the area in support of the EMRO. Licensing Committee will decide if, on the strength of the evidence provided, that an EMRO is appropriate for the promotion of the licensing objectives and if further work is to be undertaken to support the case. Members may decide that other measures would be more effective in dealing with the problems, or that licence holders should engage with the authorities in an attempt to rectify matters before the request is considered further.

Evidence

8.8 The Section 182 Guidance to Licensing Authorities states that:

“The licensing authority should be satisfied that it has sufficient evidence to demonstrate that its decision is appropriate for the promotion of the licensing objectives. This requirement should be considered in the same manner as other licensing decisions, such as the determination of applications for the grant of premise licences. The licensing authority should consider the evidence from partners, including responsible authorities and local Community Safety Partnerships, alongside its own evidence, to determine when an EMRO would be appropriate for the promotion of the licensing objectives.”

8.9 The level of evidence Licensing Committee will consider to support an early morning restriction order is:

- Police evidence of reported alcohol related crime
- Nuisance statistics compiled from complaints made to Environmental Health in relation to noise, odour and litter nuisance
- Data gathered from complaints made the Entertainment Licensing on matters which affect the licensing objectives.
- Anecdotal evidence from residents organisations, ward members and other representatives of people living in a specific area
- Evidence obtained during the public consultation and associated public meetings

8.10 In addition the S182 guidance suggests other sources of evidence such as

- Health related statistics such as alcohol-related emergency attendances and hospital admissions

8.11 This should, in part be provided by the organisation or group who are proposing an EMRO should be in force.

8.12 Once the Licensing Committee is satisfied that an EMRO is required to address the issues in an area, and all other measures have been tried and failed to address these issues, the formal process of implementing an EMRO will begin. The design of the EMRO will include:

- The days (and periods on those days) on which the EMRO would apply
- The area to which the EMRO would apply
- The period for which the EMRO would apply
- The date from which the proposed EMRO would apply

Consultation

8.13 The proposed EMRO will be advertised for at least 42 days. The proposal will be published on the council’s website and in a local newspaper. A notice will be sent to all affected people in the area who hold a premises licence or club premises certificate, or people who use TENs or who hold a provisional statement. A notice will be displayed in the area, and sent to responsible authorities and adjacent licensing authorities.

8.14 Anyone affected by the EMRO has 42 days in which to make a representation on any aspect of the EMRO design. If relevant representations are received then a hearing will be held to consider them. If there are a number of representations, the licensing authority may consider whether to hold the hearing over several days. The hearing will be commenced within 30 working days of the end of the notice period.

8.15 As a result of the hearing the licensing authority has three options:

- To decide that the proposed EMRO is appropriate for promotion of the licensing objectives
- To decide that the proposed EMRO is not appropriate and therefore the process should be ended
- To decide that the proposed EMRO should be modified. In this case it may be necessary to advertise again.

Formal Decision

8.16 Once the licensing authority is satisfied that the proposed order is appropriate for the promotion of the licensing objectives, its determination will be put to full Council for its final decision. Once the EMRO is made, the authority will send a notice to all affected people and make it available for 28 days on the website.

8.17 A variation or a revocation of an order will follow the same process. However an order could be applied for a specified time and in this case the order ceases to apply on the final day.

8.18 Once an EMRO is in place, the licensing authority will update this policy as soon as possible to include reference to the EMRO in this section.

8.19 There are currently no EMROs in place in this area.

- 9.1 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a Personal Licence. The Act does not require the presence of a Personal Licence holder at all material times but if any sales are made when a Personal Licence Holder is not present, then they must have been authorised by somebody who holds a Personal Licence. Regardless of whether a Personal Licence holder is present or not he will not be able to escape responsibility for the actions of those he authorises to make such sales.
- 9.2 The council recommends that authorisations for the sale of alcohol be made in writing to ensure that those authorised are clear what their legal responsibilities are. Any premises at which alcohol is sold or supplied may employ one or more Personal Licence holders.
- 9.3 The council recognises it has no discretion regarding the granting of personal licences where
- the applicant is 18 or over,
 - possesses a licensing qualification,
 - has not had a licence forfeited in the last five years and
 - has not been convicted of a relevant offence.
- 9.4 An application for a personal licence to sell alcohol must be made in the form specified in government guidance or regulations. The application form must be accompanied by the requisite fee. The applicant should also produce evidence of the relevant qualifications and their right to work in the UK.
- 9.5 Applicants should produce a Criminal Record Bureau certificate along with the application form. The certificate must be current and comply with the regulations on personal licence applications. Applicants are also expected to make a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or a similar offence.
- 9.6 Where the application discloses relevant unspent convictions the council will notify the police of that application and the convictions. The police may make objection on the grounds of crime and disorder. If an objection is lodged a hearing must be held.
- 9.7 The council will, at such a hearing, consider carefully whether the grant of the licence will compromise the promotion of the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The council will normally refuse the application unless there are exceptional and compelling circumstances which justify granting it.

Section 10 Temporary event notices

- 10.1 The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event (a “temporary event notice” or TEN).
- 10.2 Temporary event notices are subject to various limitations. These are concerned with:
- the number of times a premises user may give a TEN – 50 times in a calendar year for a personal licence holder and five times in a calendar year for other people);
 - the number of times a TERN may be given for any particular premises (12 times in a calendar year);
 - the maximum duration of an event authorised by a TEN is 168 hours (seven days);
 - the maximum total duration of the events authorised by TENS in relation to individual premises (21 days in a calendar year);
 - the maximum number of people attending at any one time (fewer than 500); and
 - the minimum period between events authorised under separate TENS in relation to the same premises (not including withdrawn TENS) by the same premises user (24 hours).
- 10.3 The most important aspect of the system of temporary event notices is that no permission is required for these events from the council. In general, only the police or Environmental Health and Action Service (HEAS) may intervene to prevent such an event or modify the arrangements for such an event. The council will only intervene itself if the limits on the number of notices that may be given in various circumstances would be exceeded.
- 10.4 Many premises users giving temporary event notices will not have a commercial background or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, all of which may stage public events to raise funds, at which licensable activities will take place. The council will ensure that local guidance about the temporary permitted activities is clear and understandable and will strive to keep the arrangements manageable and user-friendly for such groups.
- 10.5 Where a community event takes place and where TEN applications are submitted, time restrictions may be requested to reduce the noise and ASB impact on the local community to support the safe running of the event and promote the licensing objectives.
- 10.6 There are two types of TEN; a standard TEN and a late TEN. These have different notice periods. A standard TEN is given no later than ten working days before the event to which it relates; a late TEN is given not before nine and not later than five working days before the event. In both instances this does not include the date of the event or the date the council receives the notice.
- 10.7 The council encourages notice providers to give the earliest possible notice of events likely to take place. This is particularly relevant to events which are to take place in the open air or in a temporary structure. Assistance with the planning of events can be provided through multi agency forum meetings.
- 10.8 The council will provide local advice about proper respect for the concerns of local residents, of other legislative requirements regarding health and safety, noise pollution, the building of temporary structures, or other necessary permissions, and of the powers to close down events with no notice on grounds of disorder, the likelihood of disorder or noise emanating from the premises.

Police or HEAS intervention

- 10.9 The Act provides that in exceptional circumstances, the police or HEAS may issue an objection notice because they believe the event would undermine the one or more of the four licensing objectives set out in the Act. The police or HEAS must issue an objection notice within three working days of being notified, but they can subsequently withdraw the notice. The issuing of such an objection notice requires the consideration of the objection by the council at a hearing in the case of a standard TEN. If an objection notice is issued in relation to a late TEN then the TEN is cancelled and licensable activities are not authorised.
- 10.10 The ability of police and HEAS to serve such a notice is a further reason why event organisers are strongly encouraged by the council not to rely on giving the minimum amount of notice and to contact the local police and HEAS at the earliest possible opportunity about their proposals.

Additional limitations

- 10.11 The council, on receiving temporary event notices, will also check that the requirements of the Act as to duration and numbers of notices are met. For these purposes, a notice is treated as being from the same premises user if an associate gives it.
- 10.12 The Act defines an associate as being:
- the spouse or civil partner of that person;
 - a child, parent, grandchild, grandparent, brother or sister of that person; or
 - an agent or employee of that person;
 - the spouse or civil partner of a person listed in either of the two preceding bullet points.
- 10.13 A person living with another person as his or her husband or wife is treated for these purposes as his or her spouse.

Section 11 Enforcement and reviews

- 11.1 The Licensing Act contains measures to ensure that the council, and responsible authorities, are able to deal with premises that wilfully and persistently undermine the licensing objectives. The council and responsible authorities are committed to encouraging a thriving day time and evening licensed economy but will not tolerate those premises whose activities infringe upon the quality of life for local residents and businesses.
- 11.2 The council has established a multi agency enforcement protocol which sets out the framework for the risk based enforcement of the Licensing Act 2003 following the principles of better regulation advocated by the Better Regulation Executive. The protocol allows for carrying out of joint inspections with the police, the fire authority and other relevant agencies.
- 11.3 The enforcement protocol's mission statement is to protect the public, interested parties and the environment from harm caused as a result of activities made licensable by virtue of the Licensing Act 2003.

Prosecution of breaches

- 11.4 In accordance with the enforcement protocol, the council adopts a multi-agency approach to the prosecution of offences under the Licensing Act.
- 11.5 Consideration will be given to the appropriate powers that should be used to address a problem where other agencies such as the police, fire authority, environmental protection and trading standards also have their own powers.
- 11.6 The council has adopted the principles of the Hampton Report in its enforcement concordat. Formal enforcement will be a last resort and proportionate to the degree of risk. To this end the key principles of consistency, transparency and proportionality will be maintained.
- 11.7 The council has a zero tolerance to antisocial behaviour and environmental crime.

Reviews of Licences

- 11.8 The council recognises that the ability of the police, other responsible authorities and other people to apply for a review of a premises licence, is an incentive to effective self regulation.
- 11.9 On receipt of a relevant request to carry out a review the council has a range of options available to it under the Act. These include:
- To modify the conditions of the licence including imposing new conditions, altering existing conditions or removing conditions (permanently or temporarily)
 - To exclude a licensable activity from the scope of the licence (permanently or temporarily)
 - To remove the Designated Premises Supervisor
 - To suspend the licence for a period not exceeding three months
 - To revoke the licence
- 11.10 The council will seek to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.
- 11.11 The council has agreed protocols with responsible authorities and published guidance on the review process which is available from Entertainment Licensing or on the council's website.

- 11.12 Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the council must carry out a review of the licence.
- 11.13 Where a Magistrates Court makes a Closure Order under the Anti-Social Behaviour, Crime and Policing Act 2014 (on grounds of the use, supply or production of Class A drugs associated with disorder or serious nuisance) the police will usually ask the council to carry out a review of the licence.
- 11.14 Where a closure order has been made under the Anti-Social Behaviour, Crime and Policing Act 2014 (on grounds of noise) the council's Environmental Health section will normally request a review of the licence.
- 11.15 Where any agency provides evidence of the keeping of smuggled goods, such as counterfeit alcohol or tobacco, or the employment of persons who do not possess the right to work in the UK, the relevant agency may request a review of the premises licence.

Matters to be considered

- 11.16 When considering a review request or the possibility of enforcement action the council will take into account all relevant circumstances but will view the following matters particularly seriously:
- use of the premises for criminal activities such as the supply of drugs or money laundering
 - failure to promptly respond to a warning properly given by a responsible authority
 - failure to engage with the RAs in an effective manner
 - previous convictions for licensing offences
 - previous failure to comply with licence conditions

The Violent Crime Reduction Act 2006

- 11.17 The Violent Crime Reduction Act 2006 has amended parts of the Licensing Act 2003 and now expands police and council powers to deal with problem premises in a more expedient manner.
- 11.18 A power to carry out summary reviews in serious cases of crime and disorder is brought in at section 53A of the Licensing Act 2003. Where a review application is accompanied by a certificate issued by a senior police officer, the Licensing Authority is required within 48 hours to consider whether it is necessary to take any interim steps pending the completion of the review process. This may include the immediate suspension of the premises licence.

**Produced by
Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR
Tel: 0113 378 5029
Fax: 0113 336 7124
Email: entertainment.licensing@leeds.gov.uk
Web: www.leeds.gov.uk/licensing**



Report author: Kevin Tomkinson
Tel: 88659

Report of **City Solicitor**

Report to **Council**

Date: **14 November 2018**

Subject: **Appointments**

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

Summary of main issues

- 1 Appointments to Boards and Panels and to Joint Authorities are reserved to Council.

- 2 The relevant Group Whip has requested a membership change to a Panel/Board or Committee as detailed in paragraph 4 of the report.

Recommendations

- 1 That Council approve the appointments referred to in paragraph 4 of the report.

2 Purpose of this report

- 2.1 To make appointments to various Joint Committees, Committees, Boards and Panels.

3 Background information

- 3.1 Appointments to Boards and Panels and to Joint Authorities are reserved to Council. The relevant group whip has requested that a membership change be carried out as set out in paragraph 4.

4 Main issues

That the following appointments be approved;

- Councillor R Grahame to replace Councillor J Goddard on Scrutiny Board (Strategy & Resources).
- Cllr Harland to replace Cllr Ritchie on Scrutiny Board (Environment, Housing & Communities).

4.1 Consultation and Engagement

- 4.1.1 The relevant Group Whip has been consulted in respect of the appointments.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no specific implications regarding equality, diversity, cohesion and integration arising from this report.

4.3 Council policies and City Priorities

- 4.3.1 There are no specific implications.

4.4 Resources and value for money

- 4.4.1 There are no specific implications regarding resources and value for money arising from this report.

4.4.2 Legal Implications, Access to Information and Call In

- 4.4.1 This report is not subject to Call In, as it is a Council Function.

4.5 Risk Management

- 4.5.1 No specific implications

5 Recommendations

- 5.1 That the appointments referred to in paragraph 4 of this report be approved.

6 Background documents¹ - None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

This page is intentionally left blank

Report author: Helen Cerroti

Tel: 0113 3788039



Report of Chief Planning Officer

Meeting: Full Council

Date: 14 November 2018

Subject: Plans Panels Annual Report, 2017-18

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

Summary of main issues

1. Changes to the Council procedure rules in 2016 required that an annual report in respect of the work of Plans Panels (one report to jointly cover the three panels) be prepared and presented to full Council.
2. The annual report, covering the period 2017-18 is attached as appendix 1 to this cover report.

Recommendation

2. Council is asked to receive and note the annual report.

1.0 Purpose of this report

- 1.1 The purpose of this report is to present to Council the 2017-18 Plans Panel annual report. The annual report is attached as appendix 1.

2.0 Background information

- 2.1 Following changes to Council Procedure Rules agreed by full Council in May 2016, an annual report was to be prepared covering the work of Plans Panels (one report to jointly cover the three panels) for the consideration of full Council. This is the third annual report, covering the period 2017-18.

3.0 Main issues

- 3.1 The report examines the contribution of the Plans Panels and the Development Plan Panel to the Council's Best City Priorities, describes the workload and activity in 2017-18, delivery of key schemes and projects and considers the contribution of the Panels in taking forward service improvements.

4.0 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Plans Panel annual report for 2017-18 has been prepared by Planning Services in consultation with the three Plans Panel Chairs, Development Plan Panel Chair and the Executive Member for Regeneration, Transport and Planning.

4.2 Equality and Diversity / Cohesion and Integration.

- 4.2.1 There are no specific Equality and Diversity / Cohesion and Integration issues arising from the report. All decisions on planning applications are made in accordance with the local plan, which has been through the appropriate Equality Impact assessment process.

4.3 Council Policies and Best Council Plan

- 4.3.1 The annual report illustrates those areas of work undertaken by the Plans Panel which contribute to the delivery of the Council's Best Council Plan

4.4 Resources and Value for Money

- 4.4.1 This report has no specific resource implications.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report has no specific legal implications.

4.6 Risk Management

- 4.6.1 There are no risk management implications relevant to this report.

5.0 Conclusions

5.1 At the request of full Council an annual report has been prepared and presented to Council on the working on the Plans Panels.

6.0 Recommendations

6.1 Council is asked to receive and note the annual report.

7.0 Background papers¹

None used

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

This page is intentionally left blank

Plans Panel Annual Report 2017-18



Introduction

Welcome to the Plans Panels and the Development Plan Panel annual report covering the work of the Panels April 2017- March 2018. This report provides the opportunity to highlight and review last year's activity and describe some of the key achievements in helping deliver the Best City Priorities.

2017- 18 activity levels saw Planning Services' application workload breach the 5,000 mark for the first time since the economic crash in 2008, resulting again in busy Panels; this was the sixth successive year of an increase in application workloads. The Panels have seen some large and strategically important schemes coming forward, particularly for housing sites which are imperative to deliver the homes we need for our local communities.

The long anticipated increase in national planning application fees was implemented in January 2018. The Government's requirement to spend the increased income on planning resources meant the staff establishment could be increased for the first time in a number of years. This additional capacity will assist in delivering the most strategically important sites in Leeds as well as delivering in a timely fashion householder applications, which still account for almost half of the application workload received in Leeds. There is still the need to be mindful however of the increasing demands placed on Planning Services and this is reflected in the work of the Plans Panels, which have a challenging role balancing the needs of the city, delivering the inclusive growth needed, whilst still taking account of local communities. Members feel they have struck the right balance by providing opportunities for pre application presentations and position statements and the ability for community representatives to address the Panel to share their concerns and ideas, in addition to the public speaking rights at the final determination stage.

The Panels have long been considered to be the shop window for planning in Leeds; the way business is conducted, the way decisions are made, as well as the decisions themselves, provide an insight into the culture and attitude to economic growth in Leeds. Therefore, their role is key in delivering growth in Leeds. Planning Services has a long track record of service improvement and given the challenging planning landscape, it was timely to review the role the Plans Panels play in delivering good growth in Leeds. A review has been undertaken, commencing in early 2018.

For the Development Plan Panel it has been a significant and challenging year, particularly given the impact of the DCLG (now MHCLG) consultation *Planning for the right homes in the right places*, in September 2017 on the timescale for the examination for the Site Allocations Plan (SAP) taking place in October 2017. A way forward was found in respect of housing and mixed use sites, with a pause in further SAP hearings until July – August 2018 and we are now awaiting the Inspectors report. Considerable work was required also for the submission of the Core Strategy Selective Review in August 2018 and we anticipate a busy time going forward with the Examination in Public likely in February 2019.



A further challenging but rewarding year is anticipated, but I feel the Plans Panels and Development Plan Panel are best placed to continue to support the Council's ambitions through their focus on delivering high quality outcomes for the people of Leeds.

Councillor Richard Lewis, Executive Member for Regeneration, Transport and Planning

Plans Panels and Development Plan Panel Contribution to Best City Priorities



Housing

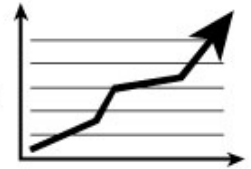
Delivering planning permissions for high quality private homes and social housing



21st Century infrastructure

Helping to deliver the infrastructure to support new homes and businesses

Inclusive growth
Delivering the development to support people and businesses grow



Best City Priorities



Child friendly city
contributing to places where children and young people feel safe and welcome and involved and informed about what goes on around them

Culture
Contributing to the vitality, culture and economy of the City Centre



Health and well being
Delivering high quality homes in safe communities with access to green space where people can enjoy active lives



Safe and Strong Communities
Community involvement in the planning process, helping to deliver cohesive communities



Summary of activity at Plans Panels



39 Plans Panel meetings and 8 Development Plan Panel meetings



119 decisions made



86 site visits made

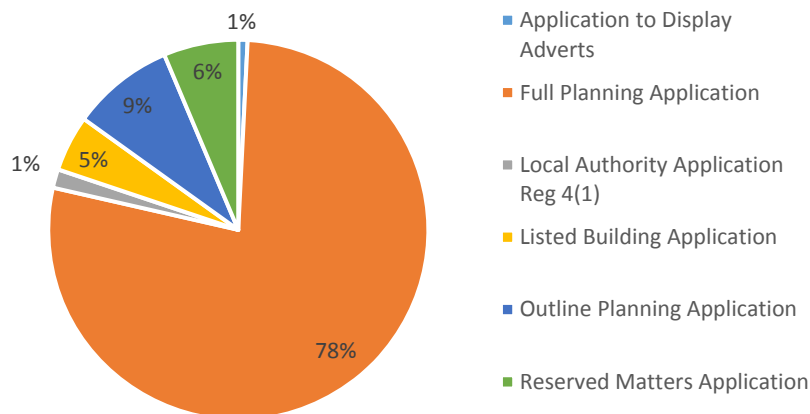


Four decisions contrary to officer recommendation (or 3.3%, as a % of the total number of Panel decisions)



16 pre-application presentations

All Panels- Workload Breakdown





**15 schemes with S106
employment and skills
obligations, creating employment
and apprentice opportunities for
local people**



**Panels granted
permission for
almost 4,500 new
homes, 2,000 more
than in 2016-17**



**Panels granted
permissions for over
£900m investment in
the City**

Significant applications considered by the Plans Panels

Applications are presented to Panel for a variety of reasons: member requests where there are deemed to be wider than local impacts, exceptions to the Chief Planning Officer's Delegation Scheme and applications which are sensitive or strategically important which need steer from elected members prior to determination. In 2017- 18 there have been a number of significant application determined by the Panels:

Temple Newsam Park: Use of woodland as a Go Ape high ropes course with an associated reception cabin. Permission was granted for the use of a portion of woodland (approx. 1.25ha), known as Menagerie Wood, to accommodate the installation of high rope adventure courses. The application site lies within Temple Newsam Estate which is a Grade II Registered Park and Garden and includes the Grade I Listed Temple Newsam House. The estate also contains a range of other Grade II* and II Listed Buildings. The part of the estate to which this application relates is to the north-east of Temple Newsam House (which stands over 400m away) within an area of woodland known as Menagerie Wood.



Land at Wetherby Road, Bardsey: 140 houses, public open space and flood alleviation measures. This was refused as the site is located within the Green Belt. The applicant was the Bramham Estate who submitted a very special circumstances case that they needed the proceeds generated by the development to pay for the upkeep of listed buildings on the Estate.

Land Between Ring Road Shadwell and Thorpe Park, Leeds: Construction of a dual carriageway orbital route incorporating new roundabouts, cycle and pedestrian bridges, underpass and overbridge; laying out of country park. Planning permission was granted for the East Leeds Orbital Road (ELOR), a new dual carriageway which will run north to south around the north-eastern and eastern fringes of the Leeds urban area. It forms an integral part of the East Leeds Extension (ELE), identified as a major development area to the east of Leeds to deliver circa 5000 new homes. The ELOR is a critical element in the delivery of the ELE to provide strategic transport and movement improvements in this part of the city providing connections to Thorpe Park and a potential new rail station to the south.

Northern Development Plots, Land South of Railway Line, Thorpe Park: Reserved Matters



Application for 296 dwellings with layout, scale, appearance, landscape and access. The application relates to the northern half of the employment allocation at Thorpe Park that totalled approximately 65 hectares. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of the A63 Selby Road and the existing Thorpe Park buildings. The scheme was significant as Members encouraged the applicant, Redrow, to depart from their standard house types and to introduce a more contemporary design of dwelling. Redrow

responded on that part of the development facing central park and the main Thorpe Park developments and this was generally well received.

Chevin Park, former High Royds Hospital, Menston LS29 6FS: Phased conversion of the former administration block and workshops to create 46 residential units and one retail unit and erection

of 25 new dwellings, to coincide with the restoration of the listed building. The applicant submitted a very special circumstances case for the new development which revolved around restoration of the main administration block which is a grade II listed building and the most important building on the site architecturally.



Land to the East of Otley Road, Adel: An outline application for residential development for up to 100 dwellings and land reserved for a primary school with the principle of development and means of access applied for and all other matters reserved.

Land at former St Joseph's Convalescent Home, Outwood Lane, Horsforth: 28 apartments and 13 houses. The 28 apartments are affordable housing (68% of all on site) and the buildings will reflect the characteristics of the conservation area. The proposals will deliver redevelopment of a brownfield site and provision of much needed affordable housing for the area.

101-104 Kirkgate, 9-13 Crown Court and Crown Street Car Park, Leeds : retrospective demolition of 101-104 Kirkgate, the demolition of 9-13 Crown Court, and the construction of new residential buildings with ground floor A1 retail, A3 café/restaurant uses and leisure uses, basement car parking and associated public realm. It was the view of Members that once completed the scheme would deliver a very much improved Kirkgate façade.

First White Cloth Hall: Permission granted for external alterations including re-instatement of the west wing, new covered courtyard with atrium, new circulation core to rear, new shopfront and Listed Building Consent. The building is a very important and significant historic building within the city centre and its restoration has been a challenge for many years.



Monk Bridge Viaduct, Leeds: restoration and reuse for a mixed use development including three new residential buildings and the refurbishment of the existing Victorian viaduct for commercial and retail use. Up to 607 apartments in five buildings, with 307 apartments being made available to the Private Rented Sector (PRS).



Leeds Beckett University Creative Arts Building: 14,500sqm scheme will provide a home for academic, creative and cultural activities located at the edge of the Civic Quarter of Leeds



Development Plan Panel



The Development Plan Panel is an Advisory Committee, which makes recommendations to both the Executive and Council regarding the Authority's Local Plan.

The year has been particularly significant for the Development Plan Panel with the culmination of several work streams which had been progressing for a number of years, therefore agendas have largely been dominated with the Site Allocations Plan.

It had proved to be a particularly challenging summer 2017 with the publication of the DCLG (now MHCLG) consultation, *Planning for the right homes in the right places*, on the approach to assess housing needs and the proposed standardised method to calculating housing need. The consultation calculated projected housing need for Leeds at a significantly lower baseline than the adopted Core Strategy figure. This was at a time when the Council had already submitted its SAP to the Secretary of State for Examination and hearings were about to commence. The decision was taken to continue with the examination process to reflect the importance of having an allocations plan for in Leeds, but in the context that further technical work was carried out to ensure that the City was providing the necessary protections for its Green Belt. The October 2017 hearings therefore did not consider housing and mixed use sites consideration of which was paused to a date following the completion of technical work. The view was taken that maintaining progress with the Local Plan creates certainty for investors and prevents speculative development, whilst work on meeting the clear needs for more housing, especially affordable homes continued through to the recent hearings held in July 2018.

Other work areas included:

- Negotiated stopping sites for Gypsy and Travellers
- Technical work on housing numbers
- Core Strategy Selective Review
- Consideration of the activity of the Housing Growth Programme to deliver and accelerate the delivery of new housing supply

Reflecting on the year

Joint Plans Panel

Joint Plans Panel is an informal meeting bringing together the Council's Area Plans Panels, City Plans Panel and Development Plan Panel for consultation and training and to discuss matters relating to development management, planning policy and government initiatives. The Joint Plans Panel has met twice during 2017-18 and covered the following items:

- Performance reporting
- Planning and schools provision
- Buildings at Risk
- Neighbourhood Planning
- Update of the Site Allocations Plan
- Leeds response to the Grenfell Tower tragedy
- Vacant Building Credit
- Update on housing mix

Review of the Plans Panels

During spring 2018, the service commissioned a review of the Plans Panels; this was in the context of the demanding pace of planning reform along with the aspirations for growth in Leeds, increased expectations of what planning should and can deliver by local communities, elected members and the development industry. The review considered the challenging planning landscape, in an environment of diminishing resources and budget challenges. An officer report has been produced and shared with the Joint Member Officer Working Group with a number of recommendations for the service and members to now work through.

Joint Member Officer Working Group

The Joint Member Officer Working Group is a cross party working group meeting throughout the year to discuss matters relating to service improvement and wider operational planning matters. The group met once in 2017-18, but the intention is to refresh this meeting and meet more regularly (it has already met twice in 2018-19). Items discussed in the reporting year included:

- Plans Panel Review
- Planning Protocol- Chamber of Commerce and Planning Services joint protocol
- Member tour of past application sites

Member training

In order to sit on the Panel members must complete mandatory training; 100% of Plans Panel members completed this training in 2017-18. Changes to the Council Procedure Rules to allow greater flexibility around the appointment of substitutes to Plans Panels was agreed by full Council in January 2017, subject to members having the appropriate training and abide by the *Planning Code of Good Practice*. All members substituting on the Plans Panels have received this training. In addition, the service has started on its roll out of workshop style training for members with the first on tall buildings being delivered. A programme of training will be developed for 2018-19.

HEALTH & WELLBEING BOARD MINUTES

There are no Health & Wellbeing Board Minutes for consideration at the November Council Meeting as the next meeting of the Health & Wellbeing Board is not scheduled to take place until Wednesday 12th December 2018.

This page is intentionally left blank

EXECUTIVE BOARD

WEDNESDAY, 19TH SEPTEMBER, 2018

PRESENT: Councillor J Blake in the Chair

Councillors A Carter, R Charlwood,
D Coupar, S Golton, J Lewis, R Lewis,
L Mulherin, J Pryor and M Rafique

49 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) That Appendix 2 to the report entitled, 'Right to Buy Replacement Funding: Investment to Support the Delivery of New Supply Affordable Housing', referred to in Minute No. 54 be designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information which relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through grant application forms, then it is not in the public interest to disclose this information at this point in time.
- (b) That Appendix 1 to the report entitled, 'Sovereign Square: Final Development Plot', referred to in Minute No. 59 be designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information is subject to one to one discussions and further negotiation, it is not in the public interest to disclose this information at this point in time. Also, it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in

disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

- (c) That Appendix 2 to the report entitled, 'Holt Park District Centre - Asda', referred to in Minute No. 61 be designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information is subject to one to one discussions with Asda, it is not in the public interest to disclose this information at this point in time. It is also considered that the release of such information would, or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.
- (d) That Appendices 3 and 5 to the report entitled, 'Disposal of Middleton Park Complex to the Ministry for Housing, Communities and Local Government', referred to in Minute No. 62 be designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that this information relates to the financial or business affairs of the Council. It is considered that it is not in the public interest to disclose this information at this point in time because it is considered that the release of such information would, or would be likely to prejudice the Council's commercial interests in relation to this or other similar transactions in that prospective purchasers of this or other similar properties would have information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of any transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

50 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting, however, during the consideration of agenda item 15 (Holt Park District Centre – Asda), Councillor Golton drew the Board's attention to the fact that

the North West Leeds Liberal Democrat office was located in the district centre (Minute No. 61 refers).

51 Minutes

RESOLVED – That the minutes of the previous meeting held on 25th July 2018 be approved as a correct record.

ECONOMY AND CULTURE

52 City Centre Vision and Our Spaces Strategy

The Director of City Development submitted a report which provided an overview of the City Centre Vision to date and which also introduced the draft 'Our Spaces' Strategy, with a view to obtaining approval to commence stakeholder engagement, prior to the formal adoption of the strategy, currently scheduled for early 2019.

Members welcomed the proposals, and in response to specific enquiries the Board received further information on the actions being taken to build upon the ongoing work to ensure that the city centre continued to be an accessible, inclusive and safe environment for all, whilst also being an attractive location for employers and employees.

Members also discussed the importance of accessible green spaces within the city centre and in the wider community. Members also discussed the potential provision of street trees in future city centre developments, with the Board also considering alternative ways in which to promote greenspaces, with the example of 'living walls' being provided.

The Board considered the need for the further provision of shopmobility services as the city centre expanded. Members also emphasised the importance of maximising the benefit of the waterfront infrastructure within the city centre and the wider community.

In conclusion, the collaborative approach being taken with partners to progress this strategy was highlighted.

RESOLVED –

- (a) That the Vision to be the "Best City Centre by 2030" be reaffirmed, and that the aspirations for the City Centre, as contained within the submitted report, be endorsed;
- (b) That the contents, vision and ambition for the draft 'Our Spaces' Strategy be noted, and that the request to commence stakeholder engagement be approved, with a view to seeking its formal adoption in early 2019, once consultation is complete;
- (c) That it be noted that the Chief Asset Management & Regeneration Officer will be responsible for progressing the consultation on the 'Our Spaces' Strategy.

COMMUNITIES

53 Street Support: Safeguarding People in Need on the Streets, and addressing Criminality and Anti-Social Behaviour in Leeds City Centre

The Director of Communities and Environment submitted a report providing an overview of the developing 'Street Support' programme which looked to address a range of issues regarding street users and associated activity in the city centre. In addition, the report also highlighted the significant 'step-change' in how the city collectively approached such issues, with an emphasis on the establishment of an integrated, multi-agency approach for the delivery of services through 'Street Support'.

Responding to a Member's enquiry, the Board received reassurance that the aim of the initiative was not to simply relocate individuals from the city centre, but to provide a compassionate and at the same time, case management approach whereby actions would be taken to find the appropriate solutions for those affected.

Again, responding to a specific enquiry, the Board received further information regarding the provisions in place to deal with any potential issues arising from dogs which were in the care of the homeless or street users.

Members welcomed the multi-agency approach being taken with this initiative, and its links to other projects such as 'Big Change Leeds'. The Board extended its gratitude to partners for the collaborative approach and also to street cleaning teams for the valuable work they undertook.

RESOLVED –

- (a) That the 'Street Support' approach as part of the city's compassionate response towards people in need on the streets of Leeds, be endorsed;
- (b) That the progress made on introducing the new Street Support Team, to be fully effective from early autumn 2018 and which is to be led by the Chief Officer (Safer Leeds), be noted.

54 Right to Buy Replacement Funding: Investment to support the delivery of new supply Affordable Housing

Further to Minute No. 45, 17th July 2013, the Director of Resources and Housing submitted a report which provided an overview of the 'Right to Buy' Replacement Programme and which sought approval for funding contributions towards a number of affordable housing schemes being delivered by Registered Providers and the Third Sector.

Responding to a Member's enquiry, officers undertook to provide the Member in question with information on the level of Section 106 commuted sums that the Council had received arising from developments, which were ring fenced for affordable housing provision, together with details regarding geographic restrictions of where such sums could be spent.

In addition, responding to a Member's enquiry, the Board received further information on the level of Right to Buy receipts which were allocated for the delivery of affordable housing and also received details of the difficulties which were experienced when allocating Right to Buy replacement funding on the provision of affordable housing, due to the regulations in place.

When considering the difficulties associated with the allocation of Right to Buy funding for the provision of affordable housing, it was noted that such matters had been acknowledged in the Government's related Green Paper. It was highlighted that the consultation period for the Green Paper was ongoing and a response on behalf of the Council was being prepared. It was then undertaken that officers would share the proposed response with all Group Leaders and provide an opportunity to contribute to it prior to its submission.

Following the consideration of Appendix 2 to the submitted report designated as being exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the contents of the submitted report, be noted;
- (b) That approval be given to the use of 'Right to Buy' Replacement grant funding to deliver 50 new affordable housing units and enter into funding agreements for the schemes as listed at paragraph 3.6 of the submitted report and detailed in exempt Appendix 2;
- (c) That the necessary authority be delegated to the Director of Resources & Housing to enable the Director to negotiate detailed terms and also to approve minor amendments to Right to Buy Replacement Programme grant funding allocations (within delegated authority powers).

55 Community Asset Transfer of Kentmere Community Centre & Meanwood Community Centre to Leeds Community Spaces

The Director of Communities and Environment and the Director of City Development submitted a joint report which sought approval for the community asset transfer of Kentmere Community Centre and Meanwood Community Centre to Leeds Community Spaces, and which also sought the Board's approval regarding the provision of associated grant funding.

The Board noted a Member's comments regarding the role of the Council's central lettings service when considering the process of booking community centres, and the suggestion that a review of this booking function could potentially be incorporated into any further review regarding community centres in the future.

RESOLVED –

- (a) That a 50 year full repairing and insuring lease for a peppercorn consideration to Leeds Community Spaces for Kentmere Community Centre, be approved;
- (b) That a 50 year full repairing and insuring lease for a peppercorn consideration to Leeds Community Spaces for Meanwood Community Centre, be approved;
- (c) That associated grant funding for the centres totalling £168,614, funded from the existing community centre budget, be approved and allocated on a year by year basis as follows:-
 - 2018/19 £24,692 (5 months from November 1st 2018);
 - 2019/20 £42,330
 - 2020/21 £38,097
 - 2021/22 £29,631
 - 2022/23 £21,165
 - 2023/24 £12,699
- (d) That it be noted that the Chief Asset Management & Regeneration Officer will be responsible for ensuring the leases are processed and that the Chief Officer Communities will be responsible for awarding the grant funding;
- (e) That it be noted that the estimated market value of the properties is £1.362m.

RESOURCES AND SUSTAINABILITY

56 Best Council Plan Annual Performance Report: Looking Back on 2017/2018

The Director of Resources and Housing submitted a report which presented an end of year review on performance with regard to the delivery of the 2017/18 Best Council Plan.

The Board welcomed the submitted report and noted a point raised by a Member regarding the working practices of a specific company which operated from a Council owned site. In response, it was highlighted that the Council and other organisations such as the LEP Board took matters such as employees' working conditions seriously, and that it was in the interests of all for best practice in this area to be promoted.

In considering the 'Inclusive Growth' data detailed in the report, the Board noted a number of significant and positive statistics which covered: the growth of the Leeds economy, the high employment rate and the economic output per person for Leeds being the highest in the region and above the UK average.

RESOLVED –

- (a) That the annual performance report for 2017/18 as submitted, be received, and that the progress made against the 2017/18 Best Council Plan, be noted;
- (b) That it be noted that a summarised, graphically-designed version of the full annual performance report, as detailed at Appendix 1 to the submitted report, will be produced for the purposes of publication.

(Councillor Coupar left the meeting at 1.50pm and returned at 2.00pm, during the consideration of this item)

57 Financial Health Monitoring 2018/2019 - Month 4

The Chief Officer, Financial Services submitted a report providing an update on the Local Authority's projected financial health position for 2018/19, as at month 4 of the financial year.

Responding to a Member's enquiry, the Board received an update regarding the currently projected overspend within the refuse service, with it being noted that a further update would be provided as part of the next financial health monitoring report submitted to the Board.

With regard to the reported level of legal disbursement costs within the Children and Families directorate, it was noted that a review of such costs was to be undertaken.

Also with regard to the Children and Families directorate, responding to an enquiry, the Board received further information on the progress which had been made in recent years with regard to reducing the number of external residential placements for children and young people.

Responding to an enquiry regarding street lighting, the Board noted the intention for a report regarding street lighting provision to be submitted to the Board in the near future.

RESOLVED –

- (a) That the projected financial position of the Authority, as at Month 4 of the 2018/19 financial year, be noted;
- (b) That Directors be requested to identify and implement appropriate measures so that a balanced budget position can be delivered.

REGENERATION, TRANSPORT AND PLANNING

58 Air Quality Improvement- Office for Low Emission Vehicles Grant for Electric Charge Points

The Director of City Development submitted a report which provided details of the successful grant funding application submitted to the Office of Low Emission Vehicles (OLEV) by the West Yorkshire Combined Authority and the West Yorkshire district councils, whilst it also provided information on the

additional funding from the Local Transport Plan (LTP) which was to supplement the OLEV grant funding. Furthermore, the report sought approval for the injection of such funding into the Capital Programme, for the necessary 'authority to spend' and also for approval to use a framework contract to engage a single supplier to install rapid charge points in Leeds.

It was noted that once the proposed chargers were operational, each would have 2 bays, with 1 being designated for taxi and private hire vehicles only. Responding to a Member's enquiry, the Board noted that no issues were envisaged regarding the split between private vehicle and taxi/private hire use of the facilities, but it was undertaken that the matter would be monitored.

RESOLVED –

- (a) That approval be given to inject into the capital programme, and give authority to incur expenditure of up to £1,152,000, to be grant funded from the Office of Low Emission Vehicles, including up to £360,000 of West Yorkshire LTP grant, via the West Yorkshire Combined Authority, for the installation of between 30-35 twin rapid Electric Vehicle chargers within the Leeds District;
- (b) That approval be given to inject into the capital programme, and give authority to incur expenditure of the additional sum of up to £90,000 LTP capital funding towards the costs associated with site preparation work, such as Distribution Network Operators (DNO) applications and site surveys;
- (c) That the terms of procurement of a single supplier to deliver the project across West Yorkshire following a tender process led by the West Yorkshire Combined Authority, be approved, subject to a separate legal agreement;
- (d) That approval be given to exempt the resolutions arising from this report from the Call In process, on the grounds of urgency, as detailed within section 4.5 of the submitted report.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process if it is considered that any delay would seriously prejudice the Council's, or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, as per resolution (d) above, and for the reasons as detailed within section 4.5 of the submitted report)

59 Sovereign Square - Final Development Plot

The Director of City Development submitted a report providing information on the offers and development proposals received for the final development plot at Sovereign Square. The report advised how the recommended development proposals would complement Sovereign Square and the surrounding area and how it would also contribute towards the links between the city centre and South Bank proposals.

Following the consideration of Appendix 1 to the submitted report designated as being exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That in the Board's capacity as landlord, the selection of the party, as detailed within the accompanying exempt appendix 1 to the submitted report, as purchaser of the remaining development plot at Sovereign Square, be approved;
- (b) That in the Board's capacity as landlord, and in the event of the sale to the first party falling through, the selection of another party as reserve purchaser, as detailed within the accompanying exempt appendix 1 to the submitted report, be approved;
- (c) That the Director of City Development be authorised, under the Council's Officer Delegation Scheme to consider and approve any subsequent changes to the detailed terms for the sale.

60 Leeds Bradford Airport Transport Infrastructure Package

Further to Minute No. 84, 15th October 2014, the Director of City Development submitted a report providing an update on the recent progress made in developing schemes to improve connectivity and surface access to Leeds Bradford Airport (LBA) in the context of airport growth, the proposed Employment Hub and the wider transport strategy. Also, the report sought endorsement of a proposed joint consultation exercise between the Council and the West Yorkshire Combined Authority (WYCA), and which also sought approval to enter into funding agreements with the WYCA, as may be necessary for scheme development.

Responding to a Member's concern regarding the consultation of local Ward Councillors on this issue, it was highlighted that a sub group meeting of the Outer North West Community Committee was scheduled in the near future to consider such matters. However, it was undertaken that if a further consultation meeting with local Ward Members was required, then this too could be facilitated.

It was also noted that some Board Members had received representations on this issue from a member of the public. In response it was noted that such representations would be fed into the consultation process.

RESOLVED –

- (a) That the progress made in relation to the LBA transport infrastructure package to date, be noted;
- (b) That the emerging multi-modal transport strategy for serving LBA and the LBA Employment Hub be endorsed, with the development of the wider transport context in North West Leeds and the surrounding area, being noted;

- (c) That the principle of the joint consultation exercise, covering both the LBA Link Route and LBA Parkway Station, including contacting potentially affected landowners in advance of the general release of alignment plans, be endorsed;
- (d) That engagement with landowners and Leeds Bradford Airport to explore opportunities to expedite early delivery of the LBA Parkway Station and associated LBA Station Link spur road, be endorsed, with the necessary authority being delegated to the Director of City Development to enable the Director to acquire land by agreement, if such opportunity arises;
- (e) That it be noted that officers will return to Executive Board following the consultation in order to seek future direction, including approval for the selection of the preferred option and the submission of the Outline Business Case for the LBA Link Route, and (if appropriate), in principle support for the LBA Parkway Station;
- (f) That approval be given for the injection together with the 'authority to spend' for the expenditure of the development costs of £1.785m, up to approval of the Outline Business Case, subject to the finalisation of a grant agreement with West Yorkshire Combined Authority (WYCA) in accordance with their assurance framework; and that the approval of the terms of any future funding agreements be delegated to the Chief Officer Highways and Transportation;
- (g) That it be noted that the Chief Officer Highways and Transportation is responsible for the delivery of the LBA Link Route, with an anticipated completion date of 2026/27, whilst it also be noted that responsibility for the delivery of the LBA Parkway Station rests with the Combined Authority.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decisions referred to within this minute)

61 Holt Park District Centre - Asda

Further to Minute No. 138, 17th December 2014, the Director of City Development submitted a report providing an update on the proposals emerging for the Holt Park District Centre site and which sought approval to the terms of a land transaction with Asda in order to facilitate their reconfiguration and improvement proposals.

In considering the report, Members noted and discussed the current position regarding the sitting tenants within the centre.

Following the consideration of Appendix 2 to the submitted report designated as being exempt from publication under the provisions of Access to

Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the positive progress achieved to deliver future improvements to the Holt Park District Centre and the surrounding vacant land, be noted, with it also being noted that a further report will be submitted to Executive Board in due course;
- (b) That approval be given for all Council owned land within the site boundaries, as shown in Appendix 1A and 1B to the submitted report, be declared as operationally surplus;
- (c) That the terms of the property transaction with Asda, as set out in exempt appendix 2 to the submitted report, be approved;
- (d) That the approval of the final disposal boundary and the associated terms be delegated to the Director for City Development, with the concurrence of the Executive Member for Regeneration, Transport and Planning;
- (e) That the position with the affected tenants as named within exempt appendix 2 to the submitted report, be noted; and that any future decisions deemed necessary be delegated to the Director for Resources and Housing, with the concurrence of the Executive Member for Regeneration, Transport and Planning.

(During the consideration of this item Councillor Golton drew the Board's attention to the fact that the North West Leeds Liberal Democrat office was located in this district centre)

62 Disposal of Middleton Park Complex to the Ministry for Housing, Communities and Local Government

The Director of City Development submitted a report which sought approval for the disposal of part of the Middleton Park Complex to the Ministry for Housing, Communities and Local Government in order to provide land for the new Laurence Calvert Academy Free School.

Following the consideration of Appendices 3 and 5 to the submitted report designated as being exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the heads of terms as detailed within exempt Appendix 3 to the submitted report, for the disposal of the Middleton Park complex to the Ministry for Housing, Communities and Local Government in order to allow the construction of a new school for the recently approved Laurence Calvert Academy Free School, be approved;

- (b) That the necessary authority be delegated to the Director of City Development in order to enable the Director to negotiate the final freehold disposal terms;
- (c) That the purchase and installation of a new modular unit for South Leeds Family Childcare at 100 Middleton Park Grove, be approved.

HEALTH, WELLBEING AND ADULTS

63 Local Authority Healthy Weight Declaration

The Director of Public Health submitted a report providing details of the Local Authority's proposed Healthy Weight Declaration, which consisted of 14 standard commitments and 6 locally chosen priorities which would look to spearhead the development of the Declaration.

RESOLVED –

- (a) That the Local Authority Healthy Weight Declaration, as detailed within the submitted report, be adopted;
- (b) That the local priorities, which form part of the Declaration, be adopted, and that consideration be given by directorates to the incorporation of these within Council work programmes;
- (c) That it be noted that the Director of Public Health will be responsible for the implementation of this matter.

64 Better Lives for People with Care and Support Needs in Leeds: The 2017-18 Annual Adult Social Care Local Account

The Director of Adults and Health submitted a report which presented the 2017-18 Local Account of Adult Social Care Services in Leeds, which detailed information on the Council's 'Better Lives' priorities for adult social care and the progress made against such priorities. In addition, the report provided details of the progress being made against the adult social care outcomes framework indicators (ASCOF).

Members discussed the composition of, and attendance at the Better Lives Board, highlighted its valuable role and received an update on the work being undertaken to relaunch it.

Responding to a Member's enquiry, the Board received further detail on the work of the Care Quality Team; the support being made available to service providers in the sector and the take-up levels of such support by private care homes. Following further discussion on such matters, officers undertook to submit a report to a future Executive Board meeting in order to provide further detail.

RESOLVED –

- (a) That the contents of the submitted report, be noted; with the Local Account: '*Creating Better Lives for People with Care and Support*

Needs in Leeds, together with the supporting ASCOF and 'Better Lives' measures, also being noted;

- (b) That agreement be given to a published version of the Local Account being produced and made available to public and partners, including being placed upon the Council website.

65 West Yorkshire Financial Exploitation and Abuse Team

The Director of Adults and Health submitted a report providing details of the innovative approach which was being taken across West Yorkshire to create a co-located, specialist, multi-disciplinary team to investigate the financial exploitation and abuse of vulnerable and older residents in West Yorkshire in relation to scams, frauds and door step crime. In addition, the report specifically detailed the work of the team, the outcomes which had been achieved to date and the future plans to progress the initiative.

Susan Betteridge and Linda Davis of West Yorkshire Trading Standards, were in attendance at the meeting in order to provide the Board with a brief overview of the initiative, to outline the achievements to date, to identify future plans and to highlight the level of workload that the team were experiencing.

Responding to a Member's enquiry, the Board received further information on how the impact of the initiative was being monitored.

The Board also received further information regarding the establishment of 'cold calling zones', with it being highlighted that representatives of West Yorkshire Trading Standards could liaise further with Members interested in such matters, as appropriate.

RESOLVED –

- (a) That the positive impact of the West Yorkshire Financial Exploitation and Abuse Team in the early identification of risk, harm and need in respect of the financial abuse of vulnerable adults, be noted;
- (b) That Executive Board support be provided to the planned Leeds Safeguarding Adults Board Campaign in 2019 which will look to address financial abuse, with the aim of ensuring that all parties are engaged in this campaign.

CHILDREN AND FAMILIES

66 Children and Families Services Workforce - progress and next steps

The Director of Children and Families submitted a report which reviewed the progress made in Leeds in developing the Children and Families Services workforce, and which also sought the Board's support for the next steps in the ongoing strategy for improvement.

RESOLVED – That the proposed next steps for continuing to develop the Children and Families workforce, as detailed within the submitted report, be endorsed.

LEARNING, SKILLS AND EMPLOYMENT

67 Outcome of Statutory Notice on a proposal to increase learning places at Moor Allerton Hall Primary School

Further to Minute No. 29, 27th June 2018, the Director of Children and Families submitted a report detailing the outcome of a Statutory Notice which had been published regarding a proposal to expand primary school provision at Moor Allerton Hall Primary School and which sought a final decision in respect of this proposal.

Concern was raised by 2 Members regarding the submitted proposal, with reference being made to the representations which had been received as part of the consultation process and the recommendation of the School Organisation Advisory Board (SOAB), as appended to the submitted report. In considering this matter, Members discussed the level and nature of the responses which had been received to the proposals.

Clarification was provided to Members regarding the pool of membership for the Advisory Board, and that there were the required number of attendees at the meeting of SOAB on 15th August 2018 to make a formal recommendation.

Responding to a Member's enquiry regarding whether SOAB still held the concerns it raised at its meeting, the Board noted that the process was that following SOABs consideration of the proposals and their subsequent recommendation, the recommendation of SOAB was included within the Executive Board report for the Board's consideration as part of the final determination. In considering this, the Board was advised that it was felt that the concerns raised by SOAB had been addressed, and in response to a Member's request, officers undertook to provide further detail to SOAB members confirming that their concerns had been duly considered by Executive Board and also explaining how it was felt that such concerns had been addressed.

As part of the discussion, a request was made that consideration be given to the role of SOAB, with this to be picked up as part of any future review on related matters.

In conclusion, it was confirmed to the Board that no new concerns had been raised further to those referenced by SOAB or which had arisen from the consultation, with the Board noting that it was felt that those existing concerns had been addressed. As such, Members considered the recommendations in the submitted report, and it was

RESOLVED –

- (a) That the proposal to permanently expand primary provision at Moor Allerton Hall Primary School from a capacity of 420 pupils to 630 pupils, with an increase in the admission number from 60 to 90, with effect from September 2019, be approved;

- (b) That it be noted that the implementation of resolution (a) (above) is subject to feasibility and planning permission, as indicated at paragraph 3.9.15 of the submitted report, with it also being noted that the proposal has been brought forward in time to allow places to be delivered for 2019;
- (c) That it be noted that the responsible officer for the implementation of such matter is the Head of Learning Systems.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the decisions referred to within this minute, whilst under the same provisions, Councillor A Carter voted against the decisions referred to within this minute)

ENVIRONMENT AND ACTIVE LIFESTYLES

68 Development of a City Physical Activity and Sport Ambition in Leeds

The Director of City Development and the Director of Public Health submitted a joint report which highlighted the benefits of physical activity, outlined the progress being made on the development of a new physical activity and sport 'ambition', and detailed some of the work being undertaken in this area by the Active Leeds Service.

Members discussed the extent of the new approach that the ambition was proposing and highlighted the need for such an initiative to be undertaken collaboratively across directorates and agencies, with officers reiterating the 'whole system' approach, as detailed within the submitted report.

Members also emphasised the existing commitment to physical activity which had been highlighted via the Health and Wellbeing Strategy and the Best Council Plan for instance, and referenced the valuable and continuing role played by Scrutiny in the development of the ambition.

Emphasis was also placed upon the importance of monitoring the impact of the ambition, with it being noted that the intention was to submit further reports to the Board in future in order to monitor the progress being made.

RESOLVED –

- (a) That the overriding evidence base in support of the importance of physical activity, as outlined in the submitted report, be noted;
- (b) That the development of a new physical activity and sport ambition, together with the need to adopt a systems based approach, be supported;
- (c) That the statement made by the former 'Inclusive Growth, Culture and Sport' Scrutiny Board, as detailed within the submitted report, together with the Scrutiny Board's desire to increase the significance of physical activity in future Council plans, be noted;

- (d) That approval be given for the 'Adults, Health and Active Lifestyles' Scrutiny Board to continue to be engaged in the development of the new Physical Activity and Sport Ambition;
- (e) That the role that the Active Leeds Service together with Public Health are playing in driving forward this agenda, be supported;
- (f) That the final city Physical Activity and Sport Ambition be submitted to Executive Board in due course, with the submitted report highlighting the wider implications of this initiative for the Council;
- (g) That it be noted that the Head of Active Leeds is responsible for the implementation of such matters.

DATE OF PUBLICATION: FRIDAY, 21ST SEPTEMBER 2018

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 5.00 PM, FRIDAY, 28TH SEPTEMBER 2018

EXECUTIVE BOARD

WEDNESDAY, 17TH OCTOBER, 2018

PRESENT: Councillor J Blake in the Chair

Councillors A Carter, R Charlwood,
D Coupar, S Golton, J Lewis, R Lewis,
L Mulherin, J Pryor and M Rafique

SUBSTITUTE MEMBER: Councillor A Lamb

69 Substitute Member

Under the provisions of Executive and Decision Making Procedure Rule 3.1.6, at the point at which Councillor A Carter left the meeting (Minute No. 82 refers), Councillor Lamb was invited to attend for the remainder of the meeting on behalf of Councillor Carter.

70 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) That Appendix 1 to the report entitled, 'Update on the HS2 Growth Strategy, HS2 and Leeds Integrated Station Masterplan', referred to in Minute No. 80 be designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information contained within that appendix is commercially sensitive and relates to the business affairs of the Council and third parties, publication of which at this time may prejudice the Council's negotiating position if published at this stage. It is therefore considered that the public interest in maintaining the exemption at this time outweighs the public interest in disclosing the information.

71 Late Items

No formal late items of business were added to the agenda, however, prior to the meeting, Board Members were in receipt of a revised extract from the 'Improving Air Quality within the City' report which replaced sections 3.33 to 3.36 of the original covering report. (Minute No. 77 refers).

72 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting.

73 Minutes

RESOLVED – That the minutes of the previous meeting held on 19th September 2018 be approved as a correct record.

74 Matters Arising from the Minutes

Minute No. 65, 19th September 2018 (West Yorkshire Financial Exploitation and Abuse Team)

A Member raised a concern regarding the budgetary pressures being experienced by West Yorkshire Trading Standards, with reference to the fact that such issues were not mentioned as part of the above report considered at the previous meeting, and highlighted the need for Executive Members and Members on relevant Boards to be briefed and kept informed on such issues.

In response, officers undertook to provide Executive Board Members with a briefing on such matters, further reinforce to West Yorkshire Joint Services officers the need for timely and accurate reporting procedures for relevant joint committees and keep Executive Board informed and briefed, as appropriate. Also, it was noted that the budgetary pressures which had been referenced largely related to next financial year.

RESOURCES AND SUSTAINABILITY

75 Gambling Act 2005 Statement of Licensing Policy

The Director of Communities and Environment submitted a report providing details of the triennial statutory review of the Gambling Act 2005 Statement of Licensing Policy, which having taken into consideration the outcomes of the review, sought the Board's agreement to refer the proposed Policy to Council for the purposes of adoption in line with the Council's Budgetary and Policy Framework Procedure Rules.

Responding to a Member's enquiry regarding the limited response that the Council had received to the consultation exercise undertaken, the Board was provided with details of the actions which had been taken both in terms of liaising with relevant partners when developing the updated policy and also in the publicising of the statutory consultation.

RESOLVED –

- (a) That having considered the contents of the submitted report, approval be given to refer the Statement of Licensing Policy to Council, with a recommendation that the Policy be approved in line with the Council's Budgetary and Policy Framework Procedure Rules;
- (b) That it be noted that if the policy is approved by Council in November 2018, the Council must advertise the publication of the policy on the Council's website and by way of notices in the public buildings, describing where a copy can be viewed for a period of 30 days before the policy is implemented, with it also being noted that such actions will be implemented by the Principal Licensing Officer, Entertainment Licensing on 2nd January 2019.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions being made in accordance with the Budget and Policy Framework Procedure Rules)

76 Financial Health Monitoring 2018/19 - Month 5

The Chief Officer, Financial Services submitted a report which presented the Council's projected financial health position for 2018/2019, as at month 5 of the financial year. In addition, the report sought the Board's approval to the release of specific reserves.

Responding to Members' enquiries, the Board was provided with further information on the extensive cross-party and cross-boundary political agreement which had been achieved in respect of the Business Rates Retention Pilot 2019/20 submission. Also, clarification was provided to the Board that the proposal to release £1.7m from the general fund reserve in 2018/19 was in response to the Department for Education's re-profiling of the final payment from the Partners in Practice initiative.

In noting the reference in the submitted report to the pressures regarding external residential placements within Children and Families directorate, a Member suggested that consideration be given to the further provision of such placements in Leeds.

Responding to an enquiry, the Board received an update on the current budgetary position regarding the Council's commercial asset portfolio which sat within the City Development directorate.

RESOLVED –

- (a) That the projected financial position of the authority, as at Month 5 of the financial year, be noted;
- (b) That the release of £1.7m from the General Fund Reserve in 2018/19 be approved, in order to address the income pressure in the Children and Families budget arising as a consequence of the re-profiling of the final payment of the Partners in Practice Project by the Department for Education, and that this amount be repaid to the reserve in 2019/20 once received, with it being noted that the officer responsible for the implementation of this resolution is the Chief Officer, Financial Services, and that the release from the reserves will be actioned before the next reporting period;
- (c) That the release of £1.0m from the General Insurance Reserve in 2018/19 be approved, following a review of the level of the reserve, with it being noted that the officer responsible for the implementation of this resolution is the Chief Officer, Financial Services, and that the release from reserves will be actioned before the next reporting period;

Draft minutes to be approved at the meeting
to be held on Wednesday, 21st November, 2018

- (d) That Directors be requested to identify and implement appropriate measures so that a balanced budget position can be delivered.

77 Improving Air Quality within the City

Further to Minute No. 15, 27th June 2018, the Director of Resources and Housing, the Director of City Development, the Director of Communities and Environment and the Director of Public Health submitted a joint report providing an overview of the statutory consultation process undertaken on the Clean Air Zone (CAZ) proposal and the key findings; outlining the details of all of the proposed financial support packages for each affected sector; detailing the key timescales up to the proposed “go live” date of the CAZ, together with the key risks to successful implementation. In addition, the report outlined details of the vehicle anti-idling scheme and other actions to improve air quality.

Prior to the meeting, Board Members had been in receipt of a revised extract from the submitted report, which replaced paragraphs 3.33 to 3.36 of the original covering report.

Responding to a Member’s enquiry regarding whether there was any intention to include private vehicles within the proposed Clean Air Charging Zone (CAZ), the Board was provided with assurance that the basis of the proposals detailed in the submitted report were to deliver compliance with the UK’s objectives without the inclusion of private vehicles in the CAZ initiative.

Also, responding to an enquiry relating to the feasibility of retro-fitting Heavy Goods Vehicles (HGVs), the Board received an update regarding the current position on the development of viable retro-fit options for HGVs and the ongoing liaison with Government on this matter. In addition, Members also noted the work which continued regarding the flexible and responsive approach being taken when considering solutions to such issues.

Responding to a Member’s enquiry, the Board received further information on the issue of potential future legal challenge on the actions being taken to deliver compliance with UK standards in Leeds. In considering this matter, emphasis was placed upon the proportionate approach being taken by the Council.

Members also discussed Leeds’ position when considering the national context for the clean air agenda. The Board also noted the progress being made and the further options available to deliver wider behavioural changes with the aim of improving air quality in the city.

RESOLVED –

- (a) That the necessary authority be delegated to the Director of Resources and Housing to enable the Director to approve the Final Business Case for submission to the Government;

- (b) That subject to Government funding approval, approval be given to a capital injection of up to £24,000,000 to finance the taxi/private hire loan fund scheme;
- (c) That subject to approval of the Final Business Case by Government, the necessary 'authority to spend' be delegated to the Director of Resources and Housing in conjunction with the Chief Officer Financial Services and in consultation with the relevant Executive Members, for the final taxi and private hire loan scheme;
- (d) That the necessary authority be delegated to the Director of Resources and Housing to enable the Director to approve any decisions required to issue the funding received from the Government;
- (e) That the necessary authority be delegated to the Director of Communities and Environment to enable the Director to enforce under the relevant legislation vehicle anti-idling measures and the Clean Air Charging Zone measures;
- (f) That it be noted that the draft Transport Charging Order for the Clean Air Zone will be submitted to the Executive Board in November 2018, including information around its operation as part of the proposals intended to be included in the submitted Final Business Case.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decisions referred to within this minute)

REGENERATION, TRANSPORT AND PLANNING

78 Street Lighting Energy Saving Programme

Further to Minute No. 22, 21st June 2017, the Director of City Development submitted a report which sought approval to the design and implementation of a scheme to convert existing street lighting to LED (light emitting diode) technology. The report also considered the added benefit of incorporating 'Smart City' remote connectivity (Central Management System (CMS)) to the street lights at the same time and sought authority to conclude contract negotiations with the Street Lighting PFI provider and implement the conversion of street lights to LED technology.

Responding to a Member's enquiry, Board Members were assured that liaison would take place with Ward Councillors regarding any operational and roll out proposals.

The Board discussed the proposals to introduce 'Smart City' capabilities as part of the initiative, with Members considering the implications of this and receiving further information on what the 'Smart City' technology would achieve.

The Chair welcomed Dr Paul Marchant, Leeds Beckett University, who was in attendance at the meeting, with it being noted that related technical data had been submitted by Dr Marchant to Board Members, and that such correspondence would be taken into consideration in the development of the programme, as appropriate.

RESOLVED –

- (a) That having considered the submitted information, the business case to invest in the conversion of street lights to LED, at an estimated cost of £25.4m, be approved;
- (b) That having considered the submitted information, the business case and additional benefits to invest in the conversion of street lights to LED with remote control (CMS) at an estimated additional cost of £5m, be approved, subject to assurances from the CMS provider that the data collected can be made openly available to the Council;
- (c) That approval be given to inject £25.4m into the Capital Programme, with 'approval to spend' also being granted, in order to deliver the conversion of 86,000 street lighting units to LED technology;
- (d) That approval be given to inject an additional £5m into the Capital Programme, with 'approval to spend' also being granted, in order to add 'Smart City' remote control (CMS);
- (e) That the Director of City Development be granted approval and the necessary authority to conclude the contractual changes required in the Street Lighting PFI contract (and to agree any related or ancillary documents); with the Director also being provided with the necessary authority to implement the conversion to LED street lighting with or without remote control;
- (f) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of such matters.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the decisions referred to within this minute)

79 Establishment of a Joint Urban Traffic Management and Control Service for West Yorkshire

The Director of City Development submitted a report outlining proposals for the establishment of a West Yorkshire Urban Traffic Management and Control (West Yorkshire UTMC) Service. The report set out the background to the development of the proposal, arrangements for its funding and which also requested endorsement to the principle of Leeds City Council hosting the proposed service and which sought authority to progress arrangements for its establishment.

RESOLVED –

- (a) That the establishment of a joint West Yorkshire UTMC service be approved in principle, subject to the outcome of the consideration of the Outline Business Case by the Combined Authority;
- (b) That should a joint West Yorkshire UTMC service be established, in principle approval be given to Leeds City Council becoming the host authority for service delivery;
- (c) That approval be given to the development of a combined joint service operational resource budget (less traffic signal energy costs) for 2019/20 with the West Yorkshire Councils; and that the contribution from the Leeds City Council annual budget for this service be agreed in the annual budget round; with it being noted that arrangements for an annual review will be captured in the proposed Service Level Agreement between the West Yorkshire Councils and the City Council as the Host Authority;
- (d) That the proposed creation of an organisational unit within the City Development directorate of the Council be approved, which will host the West Yorkshire UTMC service and undertake the development, operation and maintenance of the traffic signal systems in West Yorkshire;
- (e) That the commencement of formal processes, including informing and consulting with Trade Union representatives leading up to the transfer of identified staff via TUPE from Bradford, Kirklees and Wakefield Councils into the employment of Leeds City Council to form the new functional West Yorkshire UTMC service, be noted;
- (f) That the proposal that any potential West Yorkshire UTMC service may be based at the Joint Services building in Morley be noted, with it also being noted that the capital costs for the establishment of the combined service will be met by the West Yorkshire Combined Authority, subject to approval of the Business Case and completion of all necessary legal agreements;
- (g) That the actions as described within the submitted report to progress the establishment of the West Yorkshire UTMC service be noted, and that once final agreement has been reached in relation to the operational and revenue financial arrangements for this service, a further report will be presented to the Executive Board for consideration;
- (h) That it be noted that the Chief Officer, Highways and Transportation will be responsible for the further progression of this proposal in consultation with counterparts in the four West Yorkshire Councils involved.

80 Update on the HS2 Growth Strategy, HS2 and Leeds Integrated Station Masterplan

Further to Minute No. 82, 18th October 2017, the Director of City Development submitted a report providing an update on the preparations for bringing HS2 to the region, and delivering transformational change of the existing train station. In addition, the report included an update on the South Bank Supplementary Planning Guidance, Station Masterplan, the HS2 Growth Strategy, together with delivery arrangements.

In considering the submitted report, Members highlighted the wide ranging benefits that HS2 would bring to both the city and the wider region, emphasising the links between HS2 and the development of key infrastructure to support the growth of the Leeds City Region economy. In discussing such benefits, Members highlighted that the focus should not simply be on improved rail journey times.

Whilst acknowledging the benefits outlined within the submitted report, a Member highlighted the significant impact on some, where the line entered the city. In response, the importance of such concerns and the associated compensation packages for relevant parties were acknowledged, with the significant levels of consultation being undertaken by HS2 with relevant communities being noted.

Following the consideration of Appendix 1 to the submitted report designated as being exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the progress update in respect of the HS2 Growth Strategy, as submitted, which responds to the HS2 design and prepares for the Hybrid Bill process, and also the South Bank Regeneration Framework, be noted;
- (b) That approval be given to the Council and partners submitting the Station Masterplan Strategic Outline Business Case (SOBC) to the Department for Transport and the Ministry of Housing, Communities and Local Government, based on the principles as detailed in exempt Appendix 1 to the submitted report, with the necessary authority being delegated to the Director of City Development (in consultation with the Council's Executive Member for 'Regeneration, Transport and Planning', the Chief Financial Services Officer as section 151 officer, the West Yorkshire Combined Authority and Network Rail) to approve the submission of the final SOBC;
- (c) That the principle of the Council entering into Joint Venture Agreements with London & Continental Railways, be approved, subject to a report on the heads of terms being brought back to Executive Board for approval;

- (d) That the principles, as set out at Appendix 2 to the submitted report, regarding the HS2 Growth Strategy be endorsed; with the necessary authority being delegated to the Director of City Development to enable the Director to endorse the final document;
- (e) That an injection of £150k into the capital programme for 2018-19 to support the establishment of a dedicated delivery team, be approved.

81 City Centre Vehicle Access Management Scheme Phase Two

Further to Minute No. 20, 21st June 2017, the Director of City Development submitted a report which sought an injection into the 2018/19 Capital Programme to cover the budget shortfall for Phase 1 of the City Centre Vehicle Access Management Scheme following an increase in material prices received during the procurement process. In addition, the report also sought an injection into the 2018/19 Capital Programme and associated authority to progress the detailed design and implementation of a system to manage and control vehicular access at Leeds Playhouse courtyard and Greek Street, whilst the report also sought authority to undertake feasibility studies and option appraisals for other locations deemed at risk.

RESOLVED –

- (a) That the injection and expenditure of an additional £490,000 into the 2018/19 Capital Programme to cover the shortfall in funding for the implementation of Phase One of the scheme, be approved;
- (b) That the injection and expenditure of a further £270,000 into the 2018/19 Capital Programme for the detailed design and implementation of Phase Two of the scheme, along with associated works to the Leeds Playhouse, be approved;
- (c) That the undertaking of feasibility studies and options appraisals of an automated vehicle access system to control vehicle access at other key locations within the City Centre, as identified in section 3.2 of the submitted report, where vehicle access is restricted, be authorised;
- (d) That the Director of City Development be instructed to expedite the implementation of all reasonable measures in the most timely manner as possible; with the necessary authority being delegated to the Director of City Development to enable the Director to approve, consult and implement such measures, as identified in section 3.2 of the submitted report;
- (e) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of such matters.

HEALTH, WELLBEING AND ADULTS

82 Leeds Breastfeeding Plan 2016-2021

The Director of Public Health and the Director of Children and Families submitted a joint report which provided a mid-term update and information on the successes and progress made to date in delivering the Leeds Breastfeeding Plan. The report also outlined plans to develop further work based upon consultation and to maintain progress by gaining support for a wider environmental and cultural approach towards the promotion of breastfeeding.

In presenting the submitted report, the Executive Member for 'Health, Wellbeing and Adults' highlighted how Leeds Community Health Care Services, supported by Public Health, had achieved the Unicef Baby Friendly Initiative Gold Award. In addition, emphasis was placed upon the key health and wellbeing benefits arising from breastfeeding, and as such the cultural change which was needed in order to further promote breastfeeding across the city.

RESOLVED –

- (a) That the Leeds Breastfeeding Plan, as detailed within the submitted report, together with the impact of implementing the priority actions to date, be acknowledged;
- (b) That a wider environmental and cultural approach towards the promotion of breastfeeding be supported;
- (c) That Members' comments regarding the proposed Leeds Breastfeeding Plan priority actions for 2018/19 be noted, and that the delivery of the priorities through Council work programmes (e.g. Increasing Breastfeeding Friendly venues and spaces within the Local Authority), be supported;
- (d) That the opportunity to be involved in consultation and engagement about the Breastfeeding Plan priorities for 2019/20, be noted;
- (e) That support be provided for the development of further preventive health initiatives targeting Leeds' most deprived communities, which is in line with the Health and Wellbeing Board's commitment and plan to improve the health of the poorest fastest;
- (f) That the Board's agreement be given to lobby Government to passport the tax raised from the advertising of infant formula, in order to provide more funding for peer support and public health initiatives which support breastfeeding;
- (g) That it be noted that the Director of Public Health and the Director of Children and Families will be responsible for the implementation of such matters.

(At the conclusion of this item, Councillor A Carter left the meeting, and in line with Executive and Decision Making Procedure Rule 3.1.6, and at this point Councillor Lamb was invited to attend for the remainder of the meeting on behalf of Councillor Carter)

83 Making Leeds the Best City to grow old in - Progress report on Age Friendly Leeds including our partnership with the Centre for Ageing Better

The Director of Adults and Health submitted a report highlighting the impact of the 'Making Leeds the Best City to Grow Old' project as one strand of work being undertaken to achieve the priority of Leeds being an age friendly city where people age well. The report also provided an update on the related work being undertaken with partner organisations.

Responding to a Member's comments regarding the 'wheel out' of bins as part of the refuse collection service, officers undertook to look into the actions which could be taken to raise older people's awareness of the 'wheel out' service, so that older people knew that such support was available, should they need it.

Members also discussed and received further information on the proposed pilot scheme, initially to take place in Beeston, with a view to improving community transport provision for older people across the city.

Responding to a Member's enquiry, the Board was provided with further information on the actions being taken to help address the need for further appropriate housing and accommodation provision for older people across Leeds.

RESOLVED –

- (a) That the impact of the age friendly programme of work as part of the International Day of Older People (1st October 2018) detailed within the 'Making Leeds the Best City to Grow Old in' Annual Report, as appended to the submitted report, be noted and celebrated;
- (b) That the contribution that the partnership with the Centre for Ageing Better has already brought to the delivery of plans for Making Leeds the Best City to Grow Old In, be noted and celebrated;
- (c) That consideration be given to key priorities for how the partnership (referenced in (b) above) could develop further in the future;
- (d) That the discussions on the key priorities for how this partnership could develop further in the future, be noted;
- (e) That it be noted that suggested priorities for the partnership together with agreed timescales will be discussed by the Director of Adults and Health, the Director of Public Health, Directors at the Centre for Ageing Better and Leeds Older People's Forum at the formal review of the

partnership in November 2018, with it being noted that the agreed priorities will be implemented by the authors of the submitted report.

CHILDREN AND FAMILIES

84 Families First: Earned Autonomy: The Plan to use New Freedoms to Transform Early Help Services for Children and Families

The Director of Children and Families submitted a report outlining Leeds' success in gaining 'Earned Autonomy' from Government for its work in support of the national programme. The report also sought approval to delegate responsibility to the Director of Children and Families to manage the implementation plans which had been developed with local partners.

Responding to a Member's enquiry, the Board received further information on the ways in which the outcomes from the initiative and the Authority's 'Earned Autonomy' status would be monitored and measured, with assurances being provided that Scrutiny would continue to be involved in such matters.

RESOLVED –

- (a) That the plans for 'Earned Autonomy' be noted and approved;
- (b) That responsibility for the implementation of such matters be delegated to the Director of Children and Families.

85 Healthy Pupil Capital Programme (HPCP) 2018-19

The Director of Children and Families submitted a report which looked to identify and implement a plan for the capital grant programme for community and voluntary aided schools in Leeds, in accordance with the Department for Education's (DfE) requirements around the Healthy Pupil Capital Programme.

In considering the proposed approach towards the allocation of the funding, Members discussed and received further information on the grants based element, as proposed within the submitted report. The Board noted Members' comments in respect of that approach and also regarding a suggested alternative method of allocation.

Responding to a Member's enquiry, officers undertook to provide further information to Board Members regarding the levels of Healthy Pupil Capital Funding grants that had been received by Academies in Leeds.

RESOLVED –

- (a) That the proposed model for the allocation of the Healthy Pupil Capital Fund capital grant for community schools in Leeds, which is in accordance with DfE requirements around the Healthy Pupil Capital Programme, be approved;
- (b) That approval be given to incur capital expenditure of £635,210 from the approved capital programme;

- (c) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning for Life, by March 2019.

LEARNING, SKILLS AND EMPLOYMENT

86 International Holocaust Remembrance Alliance Definition on Antisemitism

The Director of Communities and Environment submitted a report which recommended the adoption of the International Holocaust Remembrance Alliance's (IHRA) working definition on antisemitism. In addition, the report also presented an overview of the Jewish community in Leeds and explained some of its significant contributions to the city. It also defined 'hate crime' and the latest picture in Leeds, and included the full IHRA definition on antisemitism with the IHRA's accompanying examples.

The Board supported the proposed adoption of the IHRA definition on antisemitism, and in response to a Member's request, an assurance was provided that the matter would be submitted to Council, in the form of a 'not for debate' White Paper Motion.

RESOLVED –

- (a) That the International Holocaust Remembrance Alliance Working Definition on antisemitism be adopted for use across the Council;
- (b) That it be noted that the Director of Communities and Environment will be responsible for the implementation of such matters.

87 Chair of the Meeting

At this point, Councillor Blake vacated the Chair and left the meeting. In accordance with Executive and Decision Making Procedure Rule 3.1.5, in the absence of Councillor Blake, Councillor Coupar presided as Chair of the Board for the remainder of the meeting.

88 Outcome of School Admissions Arrangements 2018 and upcoming consultation on Admissions Policy for 2020

The Director of Children and Families submitted a report which provided a summary of the outcomes from the Admissions functions undertaken by the Local Authority in the 2017/18 academic year. The report included statistics on the annual admissions round for entry into Reception and Year 7 for September 2018. In addition, information was provided regarding the admission of pupils 'in-year' during the 2017/18 academic year.

With regard to the forthcoming consultation exercise to be undertaken on admission arrangements for community and voluntary controlled schools, with specific reference to the defining of catchment areas for those schools, an assurance was provided that such consultation would include local Ward Members and also Scrutiny.

Members made reference to statistics which had been published regarding Leeds' performance nationally on the allocation of school places in those instances where parent's preferences were not met.

RESOLVED – That the following be noted:-

- (a) 88% of Reception children and 82% of Year 7 children were offered a place at their first preference school;
- (b) The number of children receiving an offer at one of their top 3 preferred schools was 95.5% for Reception and 92.4% for Year 7;
- (c) Requests for in-year transfers continue to rise, with 7909 (+454 compared to the previous year) children requesting new school places between September 2017 and July 2018 – some being new arrivals in the city and some being requests to move within the city;
- (d) That a consultation on the Leeds City Council Admissions Policy for 2020/21 will be launched in October 2018; and
- (e) That the officer responsible for this area of work is the Lead for the Admissions and Family Information Service.

89 Outcome of consultation to permanently increase learning places at Benton Park Secondary School from September 2021

The Director of Children and Families submitted a report detailing the outcome of a consultation exercise regarding a proposal to expand secondary school provision at Benton Park Secondary School and which sought a decision to publish a statutory notice under the Education and Inspections Act 2006 and in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 in respect of this proposal.

Responding to a Member's enquiry, assurance was provided that the undertaking of associated building works, as referenced within the submitted report, were a priority.

RESOLVED –

- (a) That the publication of a Statutory Notice on a proposal to permanently expand secondary provision at Benton Park Secondary School from a capacity of 1225 pupils to 1500 pupils, with an increase in the admission number from 245 to 300, with effect from September 2021, be approved;
- (b) That it be noted that the implementation of the related decisions are subject to feasibility and planning permission, as indicated at paragraph 4.4.1 of the submitted report, and that it also be noted that the proposal has been brought forward in time for places to be delivered for 2021;
- (c) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Systems.

COMMUNITIES

90 Safer Leeds Community Safety Strategy (2018-2021)

Further to Minute No. 37, 25th July 2018, the Director of Communities and Environment submitted a report which presented the Council's Safer Leeds Community Safety Strategy for the period 2018-2021, for the purposes of endorsement and a recommendation to Council that it formally adopted the proposed strategy.

Regarding the priority around improving road safety, reducing road casualty, enforcement of speed limits and vehicular related anti-social behaviour, the Board received assurance that the Executive Member for 'Communities' had undertaken to progress this as a priority, which included liaison with West Yorkshire Police and also Community Committee 'Community Safety Champions'.

Responding to a Member's enquiry regarding the continued role of the 'Managed Approach' towards prostitution, it was noted that work continued to be undertaken with the local community and businesses on this matter in order to work through any issues which were being experienced, with confirmation being received that the 'Managed Approach' was continuing.

RESOLVED - That approval be given to formally endorse the Safer Leeds 'Community Safety Strategy' for 2018-21, as appended to the submitted report, and that the Strategy be referred to full Council with a recommendation that it is formally adopted by the Council.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions being made in accordance with the Budget and Policy Framework Procedure Rules)

ENVIRONMENT AND ACTIVE LIFESTYLES

91 Run Leeds - Sport England Funding Award

The Director of City Development submitted a report regarding the growth of the Run Leeds programme and outlined plans for how the significant Sport England external funding which had been received was proposed to be programmed.

Responding to a Member's enquiry regarding the proposals within the submitted report, officers undertook to provide the Member in question with a separate briefing on how the initial areas had been prioritised, who were target participants and how further roll out of initiatives was envisaged.

In discussing the submitted report, Members highlighted the wide ranging benefits that increased levels of physical activity and participation in sport would have, and as such, emphasised the need to ensure that the opportunity

of creating a step-change in this area was not missed. In addition, the Board also considered how this initiative was one example of the 'Physical Activity and Sport' ambition which was being developed.

RESOLVED –

- (a) That the successful award of external grant funding from Sport England, be noted;
- (b) That the associated programme of work, as outlined within the submitted report, be supported;
- (c) That a progress report be submitted to Executive Board by June 2021;
- (d) That it be noted that the Head of Active Leeds is responsible for the implementation of such matters.

ECONOMY AND CULTURE

92 Major Events in Leeds

The Director of City Development submitted a report which provided an update on the successful bid to the West Yorkshire Business Rate Pool entitled, 'Transforming Leeds Events' which looked to secure funding over the next 3 years to provide added value to the curation and provision of major events in Leeds, together with providing support to secure existing events and also for the provision of the 'Leeds 2023' initiative.

RESOLVED –

- (a) That the successful bid to the Business Rate Pool be noted, with it also being noted that this has secured the World Triathlon Series in Leeds for a further 2 years, in 2019 and 2020;
- (b) That further to resolution (a) above, the necessary authority be delegated to the Chief Officer, Culture and Sport, in order to enable the Chief Officer to enter into an agreement with British Triathlon to this end;
- (c) That the Director of City Development be requested to return to Executive Board next month (November 2018) with details of Leeds' bid to be a host of the Rugby League World Cup in 2021.

DATE OF PUBLICATION: FRIDAY, 19TH OCTOBER 2018

LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS: 5.00 PM, FRIDAY, 26TH OCTOBER 2018

Draft minutes to be approved at the meeting to be held on Wednesday, 21st November, 2018



Report of: Chief Executive

Report to: Full Council

Date: 14 November 2018

Subject: Devolution, WYCA & Leeds City Region LEP update

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

This report is intended to update Members on matters in the Leeds City Region Local Enterprise Partnership (LEP) and through the West Yorkshire Combined Authority (WYCA).

The main issues described in this report are related to an update on Devolution and from the latest public WYCA meetings in October 2018.

Recommendations

Members are asked to consider the content of this paper and action that might be needed from Leeds City Council as a result.

1. Purpose of this report

- 1.1 This report is intended to update Members on matters related to the progress of Devolution and matters regarding the Leeds City Region LEP and the West Yorkshire Combined Authority.

2. Background information

- 2.1 Following cross party agreement, this is the eighteenth report to Full Council to provide an update to Members on the progress related to Devolution and the work of the WYCA and Leeds City Region LEP.

3. Main Issues

Devolution

- 3.1 Devolution remains an issue of significant importance to the city region; both in terms of using the powers and flexibilities already devolved, and in making progress towards further devolution.
- 3.2 Work has been undertaken over the summer to further progress the proposals. This includes developing detailed governance arrangements and the economic case for One Yorkshire devolution.

Recent developments

- 3.3 On 10th October 2018, Leaders and representatives of the 18 local authorities and the Sheffield City Region Mayor, Dan Jarvis sent the latest submission to the Secretary of State (Ministry of Housing Communities and Local Government) with the findings of an independent study on the economic rationale for devolving to Yorkshire and further developments in relation to the governance proposals – based on a single One Yorkshire Combined Authority which would be overseen by a directly elected Mayor from May 2020.

A proposed route map agreed by One Yorkshire Leaders was also included as part of the latest submission, which sets out the timings of key steps including statutory processes, which would enable the election of a One Yorkshire Mayor in 2020. Delivery of the route map will be dependent on the Government's response.

A summary of the recent One Yorkshire submission to the Government is attached at Appendix 1.

Independent economic study findings

- 3.4 The study highlights that whilst Yorkshire region is geographically diverse encompassing cities, towns, countryside and coast, it is a coherent economic area, with strong interconnections and shared issues and opportunities for the region.
- 3.5 One Yorkshire devolution seeks to identify and unlock the shared economic opportunities in the region, building on the distinctive strengths in key economic

sectors like manufacturing, energy, distribution, transport, food, tourism, health, public administration and education and the competitive location at the geographic centre of the country with national and international connectivity by rail, road, air and sea.

- 3.6 The study further highlights that One Yorkshire devolution has strong local support from residents, businesses, 18 local councils and the Sheffield City Region Mayor.
- 3.7 According to the study, 75% of people in the region identify with Yorkshire, supported by business, who overwhelmingly see the Yorkshire brand as an important benefit especially when trading internationally.
- 3.8 Below are some of the potential economic benefits highlighted in the economic study to the region and UK of the One Yorkshire devolution proposals:
- Up to £5,400 more extra growth per person, per year in the Yorkshire economy
 - Up to £30bn per year added to the Yorkshire economy with the power and scale to narrow the productivity gap with the UK average
 - Up to £10.4bn extra in exports per year
 - Up to £1.3bn a year more for our economy from increased investment in R&D
 - Up to £1.56bn a year more for the region's economy from increased investments in skills

Governance arrangements

- 3.9 The latest developments of on the One Yorkshire governance proposals which respond to the Government's requirement that appropriate governance arrangements are in place that reflect Yorkshire's scale and diversity, were also included in the 10th October 2018 submission to the Secretary of State.
- 3.10 The One Yorkshire governance proposals include:
- Directly-elected One Yorkshire Mayor
 - Supported by a One Yorkshire Combined Authority with representation from all 18 partner councils
 - Delivering a One Yorkshire local industrial strategy, focusing on shared economic opportunities and challenges
 - With strengthened, transparent local enterprise partnerships providing private sector leadership and focus in functional economic areas/ sub-regional economies
- 3.11 New powers and funding for Yorkshire would be overseen by directly elected One Yorkshire Mayor providing strong visible leadership. The only additional elected person would be the Mayor supported by a single inclusive One Yorkshire Combined Authority recognising political plurality and diverse geography, with all leaders round the table with a say. This proposed model will

enable collective agreement on strategic direction and decisions that can promote balanced growth across Yorkshire.

- 3.12 The One Yorkshire governance arrangements would allow the delivery a One Yorkshire local industrial strategy, focusing on shared economic opportunities and challenges. Also, supported by strengthened, transparent local enterprise partnerships providing private sector leadership and focus in functional economic areas/ sub-regional economies. The proposed governance arrangements are designed to work for all parts of the region and ensure decision making at the most appropriate and lowest possible level. A commitment has been made that this will be delivered at no extra cost to the taxpayer.

Next steps

- 3.13 As part of their consideration of Government's stated position that the SCR deal must be fully implemented before progressing the One Yorkshire proposal, Leaders have been advised this would be unlikely to allow sufficient time to deliver the ambition of a One Yorkshire Mayor by May 2020. Leaders have therefore proposed that the implementation of the SCR deal and a One Yorkshire deal could pragmatically be progressed in parallel instead of entirely sequentially.
- 3.14 The Yorkshire Leaders Board met on 25 October 2018 to discuss the progress of the One Yorkshire Devolution proposals. It was noted that no response has yet been received from the Secretary of State (Ministry of Housing Communities and Local Government) to the latest submission from Leaders and representatives of the 18 local authorities and the Sheffield City Region Mayor on 10th October 2018.
- 3.15 Whilst there is not currently an agreed timetable with central government for further devolution to Leeds, it is hoped detailed discussions with relevant Ministers can take place as soon as possible, in order to progress the proposal for a One Yorkshire devolution deal.

West Yorkshire Combined Authority (WYCA)

- 3.16 The following items were among those discussed at the Combined Authority meeting on the 11th October 2018. All WYCA decisions are subject to call-in.
- 3.17 Capital Spending and Project Approvals

WYCA approved the progression of, and funding for, a number of projects, including the West Yorkshire Plus Transport Fund and Growth Deal. Projects progress through a three stage process, from Pipeline Eligibility to Pipeline Development to Delivery and Evaluation.

The total combined funding value for these schemes is £37.821 million when fully approved, with £20.766 million funded by WYCA. A total of £970,000 was sought as part of the report.

Schemes identified below specifically relate to Leeds.

Stage 1: Pipeline Eligibility

Warm Homes Fund round 2a

A scheme which is part of a wider programme to help households across Leeds City Region lower their fuel bills and keep their homes warm. Phase 2a will enable more homes to benefit from modern gas central heating.

The scheme is funded by the National Grid Warm Homes Fund.
--

Superfast Broadband West Yorkshire and York – Contract 3

The project will deploy broadband infrastructure across the West Yorkshire and York geography within some of the hardest to reach urban and rural areas, areas not already targeted through a commercial roll out and areas not targeted by the previous phases.
--

3.18 Budget planning 2019/20

At the 11th October 2018 meeting, the Combined Authority were updated on the business planning process and revenue budget planning for 2019/20.

It was proposed that the 2019/20 business and budget planning process will follow a broadly similar structure to last year, but will also seek to take account of lessons learned. The report stated the main phases of activity to be undertaken:

Aug-Oct 18 - Directorate planning Initial internal review and challenge by officers and members. Public engagement

Nov 18 - Detailed review and challenge by officers and members. Public engagement. Draft final version of budget prepared for Combined Authority.

Dec 18 - Combined Authority consideration of proposed budget. Refining and finalising budget and corporate plan.

Jan 19 - Final amendments. Final version submitted to Combined Authority.

Feb 19 - Combined Authority approval of budget and outline corporate plan. Staff dissemination

Mar 19 - Corporate Plan production

Apr 19 - Corporate Plan approval

In relation to the budget development specifically, the WYCA report states further work has been undertaken on a number of the areas identified in the

report to the 2 August meeting, including revised forecasts being provided by lead officers in the organisation. The draft forecast for 2018/19 shows that the original budget position of a use of reserves of £1.4 million has now reduced slightly to a forecast use of reserves of £1.2 million. The variances are still being reviewed but staffing savings appear to have made the largest contribution to that position.

The budget approved in February 2018 required a programme of reduced expenditure on bus tendered services.

The report further states that the initial budget proposal for 2019/20 is being put together. It assumes the continuation of the £1 million levy reduction and includes a further target for reductions in bus tendered services to continue towards the eventual £15.9 million baseline in 2021. Early submissions indicate a potential use of reserves of £1.4 million which at this stage is slightly above the strategy agreed in February. Further detailed review work is being undertaken which will inform the iteration of the budget for the next meeting.

Work has also been undertaken this year with finance officers from local authority partners of WYCA, involving a review of the budget process and the issues facing the Combined Authority in setting its budget.

A detailed budget will be provided to the meeting of 13 December 2018 and final approval will be sought at the meeting of 14 February 2019.

3.19 Leeds City Region Brexit resilience and opportunities assessment

The Combined Authority was asked to note and endorse the work and progress to date in supporting the city regions businesses and communities ahead of the UK's departure from the EU.

The report also provided information to support future policy planning and to inform discussion on the shape of the services provided to Leeds City Region businesses and communities.

The WYCA report includes a detailed matrix setting out specific actions that have been taken to address the key issues identified in an assessment in December 2016 of headline policy issues. These include the following:

- **Support to businesses** –business support schemes to provide greater resilience
- **Skills** – product development to support upskilling and meet the needs of businesses specifically impacted by Brexit
- **Investor development** – ensuring capacity to respond the needs of key local businesses
- **Trade** – maximising domestic and international trade opportunities in a new and emerging environment
- **Inward investment** – driving investment from key global markets

The LEP Board now receives a detailed Brexit economic report with dedicated commentary on the extent to which current local and national economic data offers insights on the health of the Leeds City Region and wider economy. The Combined Authority has also monitored the impact of UK's withdrawal, having formally responded to the Migration Advisory Committee's consultation on "EEA Workers in the UK Labour Market" in October 2017, whilst providing local insight on business views of Brexit to the DEXU select committee in March 2017.

Furthermore, both the CA and the LEP are working closely with local and regional partners supporting complementary work at both the district and Yorkshire and Humber regional level. Going forward both will look to significantly enhance their evidence base.

European Structural and Investment Funds (ESIF) and the UK Shared Prosperity Fund

The Government has made a commitment to create a new UK Shared Prosperity Fund (UKSPF) to replace ESIF.

The WYCA report highlights that a key task for the Combined Authority is to ensure continuity with the EU funds ending in December 2020 and with UKSPF starting in 2021. Going forward this will mean that the Combined Authority will need to play a key role in shaping and influencing the design of the new fund over the next year

Developing policy the response to maximise opportunities

Building on the progress to date, further work has also been undertaken to consider how to exercise the level of support to businesses and local communities.

The report states that the key message underlying the assessment is that the city region must be prepared to seize the opportunities that flow from its strong investment offer as the UK builds a new trading model, by ensuring that the products and services which allow our business and people to grow in new geographical and human capital markets are in place.

3.20 Strengthened Local Enterprise Partnerships

The Combined Authority was updated on the Leeds City Region Enterprise Partnership's (the LEP's) response to the Government's 'Strengthened Local Enterprise Partnerships' report.

A Review of LEPs was announced in the Industrial Strategy White Paper in November 2017. The LEP Review resulted in Government publishing a paper on 'Strengthened Local Enterprise Partnerships' on 24 July. The Review makes

clear the opportunity for those LEPs that are able to move forward in line with its recommendations, in conjunction with strong local political leadership. As well as additional direct capacity funding to implement improvements, the Review makes clear that the further roll-out of Local Industrial Strategies and access to the UK Shared Prosperity Fund rest on LEPs operating appropriately.

The Review proposes a number of changes to boost the performance of LEPs, increase their diversity and ensure they are operating in an open and transparent way. These include:

- A mandate for LEPs to submit proposals for revised geographies including removing overlaps.
- Supporting LEPs to consult widely and transparently on appointing new Chairs and improve board diversity.
- An aim for women to make up at least one third of LEP boards by 2020 with the expectation of equal representation by 2023.
- Up to £20m of additional funding between 2018/19 and 2019/20 to support the implementation of these changes and embed evidence in Local Industrial Strategies.

The Review requires two responses from LEPs, the first on proposals for the geography requirements and secondly setting out how the LEP will implement the other elements of the Review.

The LEP Board resolved at its meeting on 20 September to propose Government that a new LEP is created by combining the York, North Yorkshire and East Riding LEP, except for the East Riding, and the Leeds City Region Enterprise Partnership, except for Barnsley.

The proposed new LEP would have a population of 3.1 million people and an annual economic output of £70.3 billion with 1.4 million jobs and 137,000 businesses. At almost 4,000 sq miles it covers 8% of England, including the major cities of Leeds, York, Bradford and Wakefield, complemented by diverse and distinctive towns and extensive rural and coastal areas (including three national parks). The rich diversity of places within the new geography means that coastal, rural and urban areas can combine to be stronger together, more effectively delivering inclusive growth, and be more influential with national and international partners. It is likely to be the largest LEP economy in the country outside of London.

The LEP Chair submitted the response on 28 September 2018, which is attached as Appendix 1 of the WYCA report.

The Leeds City Region LEP is also asked to respond by the end of October on how it will implement other improvements about leadership, transparency and performance. Appendix 2 of the WYCA report sets out how the LEP is positioned on those elements. The Combined Authority is the LEP's accountable body, meaning it provides the independent legal basis to implement decisions. Further reports will be brought to the Combined Authority

when it is clearer how the relationship between the LEP and Combined Authority will evolve.

The York, North Yorkshire & East Riding LEP Board submission

The York, North Yorkshire and East Riding Enterprise Partnership Board also submitted their response to government about proposed changes to geographical boundaries, as part of the 'Strengthening Local Partnerships' LEP review.

The York, North Yorkshire & East Riding LEP Board met on 14 September to consider the options and unanimously agreed to retain the current configuration of York, North Yorkshire & East Riding, including the overlaps with Leeds City Region and Humber LEPS, but strengthening and formalising collaboration with neighbouring LEPS.

The current LEP geography of York, North Yorkshire & East Riding comprises two unitary, one county and seven district councils. The LEP footprint overlaps with Humber LEP (East Riding of Yorkshire Council) and with Leeds City Region LEP (City of York Council, Harrogate Borough Council, Craven District Council and Selby District Council).

Next steps

The WYCA report states that the next steps for the Leeds City Region LEP and Combined Authority on the LEP Review are:

- To await response from Government on geography (expected November).
- Step-up joint discussions with partners in the York, North Yorkshire and East Riding LEP to collaboratively identify and develop better ways of working and understand how best practice across both organisations can be emulated. This includes, for example, the Leeds City Region's success in attracting transformative inward investment and how the YNYER LEP has focused on the growth potential of micro and small businesses in rural areas.
- Strengthen collaboration across all neighbouring LEPS, via the NP11 and with Yorkshire Leaders.
- Set out to Government how the LEP and Combined Authority will implement other improvements around Leadership & Capacity and Performance & Accountability.

3.21 Rail Performance and Governance Update

The Combined Authority was asked to note the update on the impact on passengers of the May 2018 rail timetable change and that Councillor Judith Blake, as the Authority's representative on the Transport for the North Rail North Committee, raises the Authority's concerns about the impact of prolonged

rail disruption and urges further action to restore rail performance to the level required by the respective franchises.

Emerging from the events of the summer, the Combined Authority was also asked to endorse the establishment of a West Yorkshire Combined Authority Rail Forum as described in the report. The Forum will enable the Combined Authority members, train operators, Network Rail, Transport for the North and other key bodies to discuss plans and issues affecting local services.

Governance Reviews

At the meeting of the Combined Authority in August, members set out the key points to submit to the review led by Councillor Blake and Rail Minister Jo Johnson into how the devolved franchise management arrangements can be strengthened to prevent the difficulties experienced by passengers since the timetables changed in May. These key points were also included in the 'Devolution, WYCA & Leeds City Region LEP update' report to Full Council on 12 September 2018.

The Review is expected to report its findings to the Transport for the North Board on 6 December 2018.

The Office of Rail and Road (ORR) published an interim report on 20 September 2018 into the national timetable disruption. Headed by ORR Chair Professor Stephen Glaister, its preliminary findings include the following (also stated in the WYCA report):

- Network Rail, Govia Thameslink Railway (GTR), Northern, the Department for Transport (DfT), and the Office of Rail and Road (ORR) all made mistakes, which contributed to the collapse of services, particularly on the GTR and Northern routes.
- There is an apparent gap in industry responsibility and accountability for managing systemic risks, and that needs to change.
- The System Operator (SO) function within Network Rail was in the best position to understand and manage the risks, but did not take sufficient action, especially in the critical period of autumn 2017.
- Neither GTR nor Northern were properly aware of or prepared for the problems in delivering the timetable and they did not do enough to provide accurate information to passengers when disruption occurred.
- Both DfT and ORR are responsible for overseeing aspects of the industry, but neither sufficiently questioned assurances they received from the industry about the risk of disruption.

The Secretary of State has in response launched a major review of the UK rail industry in the light of the failure of several franchises and the problems emerging nationally from the timetable changes. The review will be led by Keith Williams, former British Airways chief executive and deputy chairman of John Lewis Partnership, supported by an expert challenge panel, including Roger Marsh.

3.22 Corporate Planning and performance

The Combined Authority was updated on the corporate performance including progress against corporate plan priorities, risk management and budget position.

The Combined Authority's annual Corporate Plan 2018/19 sets out the vision and mission for the organisation and also highlights the long term regional ambitions. These ambitions fall under the key themes of boosting productivity, enabling inclusive growth and delivering 21st century transport.

A set of 14 headline success measures has been developed in order to measure the Combined Authority's success in contributing towards these regional ambitions. An update on progress against these success measures is provided as part of the performance snapshot report which is provided at Appendix 1 of the WYCA report. This shows that while the majority of indicators are assessed as 'green' (on track to be met), there is currently one indicator assessed as red which relates to the delivery of refurbished floor space through skills capital projects. At present it is estimated that this target won't be fully met in 2018/19, due to an unanticipated delay in the programme for one of the key projects.

Work is continuing on the development of integrated budget and business plan proposals for the 2019/20 financial year.

Corporate risk update

As part of the work to refresh corporate risk management arrangements, each Directorate at the CA has recently undertaken a detailed review of their directorate level risk registers. In light of these updates the corporate risk register for the organisation has subsequently been updated.

This has resulted in one new 'very high' rated risk and six new risks assessed as 'high' being added to the register.

The additional 'very high' risk relates to the possibility of corporate priorities not being met as a result of outdated organisational infrastructure and processes. While the assessment of this risk has resulted in a 'very high' rating being awarded at the current time, the projects which have been approved and are now underway as part of the transformation programme and the corporate technology programme are specifically designed to address this risk. The rating of 'very high' is therefore mitigated by the delivery of these critical organisational change programmes that are now moving forward at pace.

Six additional 'high' risks have been added to the corporate risk register. These include items relating to third party suppliers being unable to deliver against contracts, failure to secure sufficient revenue funding to deliver key services

and risks associated with changing external conditions which are outside of the control of the Combined Authority.

Revenue budget position - 2018/19

A summary of the 2018/19 current spend to budget as at August 2018 is attached at Appendix 2 in the WYCA report. There were no 'red' areas of concern to report in this paper.

The approved annual budget included a £1.4m deficit to be funded from general reserves. Forecasts at the time of the publication of the WYCA report suggest that expenditure is being managed within this figure.

3.23 Channel 4

The Combined Authority was updated on the significant inward investment opportunity and was asked for approval of the CA's bid to attract the Channel 4 National HQ to Leeds City Region.

Earlier in 2018 Channel 4 launched its '4 All the UK' strategy which involves the establishment of a new National HQ and two new Creative Hubs in the nations and regions. Leeds City Region submitted a bid for the Channel 4 National HQ to be in the City Region.

The WYCA report states that the Combined Authority, district partners and regional industry bodies have collaborated closely to develop a compelling offer to Channel 4, engaging with many creative artists, screenwriters, education institutions, film/TV sector professionals and the wider digital community who have lent support to the partnership approach. To support the Leeds City Region bid the #4Sparks social media campaign was created.

Following a strong collaborative bid and site visit, Leeds was shortlisted by Channel 4 for the location of their new National HQ, alongside Birmingham and Manchester.

During August and September, Channel 4 was holding advanced discussions with all of the shortlisted regions and has participated in visits to candidate cities to meet with members of the independent production sector, education providers and community groups from across the region.

Discussions continued to develop to an advanced stage to clarify and confirm the details within the proposals made by Leeds City Region partners. These were set out in Appendix 1 (stated as Exempt in the WYCA October 2018 report).

These proposals have been appraised in line with the Combined Authority assurance process and recommendations on progression of proposals, conditions and future approvals for this scheme have been made by the Combined Authority's Programme Appraisal Team. Approval was sought from the Combined Authority as part of the WYCA report.

Recent developments

On 31st October 2018, Channel 4's Chief Executive, Alex Mahon and the Channel 4 Board confirmed that Leeds will be the location of its new National HQ.

It was also announced, following discussions between Channel 4 and ITN, that a major new Channel 4 News hub will be established in Leeds, following the decision for Channel 4 to be located there in a new building, including a studio with the capability to regularly co-anchor the programme.

The announcement follows an extensive pitch process of two years of discussions with the broadcaster, with Tom Riordan, Chief Executive of Leeds City Council jointly leading the direct negotiations with the Leeds City Region Enterprise Partnership. The Leeds City Region bid also had cross party support, a strong partnership with local authority partners especially Bradford and York, Screen Yorkshire, the creative and digital agencies via the "All in Leeds" initiative, the education sector and many others.

This landmark decision is a sign of confidence in the city and initial forecasts suggest Channel 4's decision could directly contribute to the creation of more than 1,200 jobs and an economic impact of more than £1bn over the next decade across the Leeds City Region although the true impact, taking into account all the added value being home to a major international broadcaster will bring, will be much larger.

The new National HQ is also seen as a key opportunity to build on a fast growing independent production sector, the strong diverse, creative and digital sectors underpinned by world-leading universities in the city region, rebalance the UK broadcasting sector and help better represent the North and East of England in the national conversation.

The new National HQ and Creative Hubs (in Bristol and Glasgow) are to be established in 2019 and will be home to 300 Channel 4 jobs including key creative decision makers.

Further detailed work and discussions will now continue to identify locations and property within the National HQ location and delivery of the potential benefits across the city region. It is envisaged that staff will begin to move to the new location in 2019.

3.24 Corporate Update on Treasury Management

The purpose of this report was to provide an update on the legal claim issued against Barclays Bank PLC (Barclays) in respect of loans held by the Combined Authority and the 2006 regulatory findings made against Barclays on the manipulation of LIBOR.

The CA was asked for authorisation to be given to the Managing Director: to make a decision following consideration of legal advice and in consultation with

the Chair of the Combined Authority and Head of Legal and Governance Services on whether or not to proceed with service of the claim form; to take all necessary steps in relation to the proceedings; and take such action as is necessary to protect the interests of the Combined Authority.

Details of the potential estimated cost of legal proceedings beyond service of the claim were included in confidential Appendices of the WYCA report.

3.25 European Structural and Investment Funds (ESIF) – Sustainable Urban Development (SUD)

The Combined Authority, in its role as the Intermediate Body (IB) for the SUD part of the ESIF programme, was asked to approve the advice included in the outline assessment forms, the decision and any respective conditions outlined, and the prioritisation list for SUD included in the exempt Appendices of the WYCA report. The forms will be then submitted to the Managing Authority (MA), Ministry of Housing, Communities and Local Government (MHCLG).

The WYCA report recommendations also state that the agreement of the final selection of projects, once the MA has reconciled to the budget, is delegated to the Director, Resources in consultation with the Chair of the Combined Authority, as required, to ensure no further delays in progressing applications under the European programme occur.

4. Corporate Considerations

4.1 Consultation and Engagement

As this report is providing an update from a WYCA meeting, there hasn't been any specific consultation and engagement.

4.2 Equality and Diversity / Cohesion and Integration

There are no specific implications as a result of this report

4.3 Council policies and Best Council Plan

The Best Council Plan priorities refer to aspects of the WYCA work and are undertaken in that context.

4.4 Resources and value for money

There are no specific implications as a result of this report.

4.5 Legal Implications, Access to Information and Call In

There are no specific legal implications arising from this report.

4.6 Risk Management

There is currently a risk identified regarding Devolution on the Corporate Risk Register. This takes account of the need to secure a deal and the opportunities this presents, and ensures that any deal to be considered is in the best interests of the people of Leeds.

4.7 **Recommendations**

Members are asked to consider the content of this paper and action that might be needed from Leeds City Council as a result.

4.8 **Background documents**

None

4.9 **Appendices**

Appendix 1 - A summary of the One Yorkshire submission to the Government

This page is intentionally left blank

#OneYorks

One Yorkshire devolution Executive Summary

One coherent economy

One shared identity

One historic opportunity

October 2018

One Yorkshire devolution on a page

Our One Yorkshire devolution proposals are about:

Decisions that affect Yorkshire made in Yorkshire

More investment for all our communities

A Yorkshire that plays its full part in UK prosperity

The case for One Yorkshire devolution:

Cities, towns, rural and coastal areas across Yorkshire share similar economic priorities and challenges:



Growing businesses



More skilled jobs



Better transport



More investment



Trading internationally

One Yorkshire: One shared identity

75% of Yorkshire people identify with Yorkshire – more than any other region in the country according to an independent economic study.

Brand Yorkshire is an important driver of international trade and tourism according to business, and is recognised globally.

One Yorkshire: One historic opportunity

To realise huge economic benefits for the whole region



Government asked... One Yorkshire delivers

Coherent economic area



Directly elected Yorkshire mayor



Local support



Why One Yorkshire?

The UK economy is at a critical juncture. With our exit from the European Union less than six months away, the importance of all parts of the country being able to play their full part in an economically flourishing, globally competitive UK has never been greater.

Yorkshire has a capacity for innovation and reinvention that extends from the Industrial Revolution to the present day. Having played a central role in shaping the UK's economic history, Yorkshire has an equally important role to play in fuelling its future prosperity.

What Yorkshire now needs to fulfil its potential as a contributor to national economic growth – developing a thriving, more productive regional economy that leads to better quality of life for local people – is a devolution deal that matches the scale of its opportunity and local leaders' ambition.

The One Yorkshire devolution proposals – backed by 18 councils and the Sheffield City Region Mayor – aim to:

- ensure that the decisions which affect Yorkshire are made in Yorkshire – not in Whitehall
- create more investment in the areas that would make the biggest difference to Yorkshire's economy
- enable Yorkshire to play its full part in the UK's post-Brexit economic success

This document sets out the case for One Yorkshire devolution, which is based on:

- **One coherent economy**
- **One shared identity**
- **One historic opportunity**
- **One Yorkshire delivers**

One Yorkshire: One coherent economy

The Yorkshire region is geographically diverse – encompassing cities, towns, countryside and coast – but it is also a coherent economic area, according to an independent economic study.

Yorkshire's economy is markedly different from the national economy. Communities across the region share distinct challenges and opportunities, which One Yorkshire devolution would address.

Shared economic challenges	Shared economic opportunities
<ul style="list-style-type: none">• Historic transport under-investment a barrier to growth• Low business investment in R&D• Exports growing but from a very low baseline• A young, fast-growing population but with skills gaps in key areas• Inward investment increasing rapidly but once again from a low baseline• Providing decent living standards for all of our communities	<ul style="list-style-type: none">• Distinctive strengths in key economic sectors: manufacturing, energy, distribution, transport, food, tourism, health, public administration and education• Competitive location at the geographic centre of the country with national and international connectivity by rail, road, air and sea• A large economic area worth £112bn a year to UK plc with 2.5million jobs• Home to 5 million people – half of the Northern Powerhouse population• A globally recognised brand• Outstanding, affordable quality of life

One Yorkshire: One shared identity

One of the main aims of devolution – bringing decision-making closer to the people affected by those decisions – has become even more relevant after the historic Brexit vote.

One Yorkshire devolution has strong local support from residents, businesses, 18 local councils and the Sheffield City Region Mayor.

The strength of the region's identity is well known and according to the independent economic study, 75% of people in the region identify with Yorkshire – more than any other region in the country.

This is also backed by business, who overwhelmingly see brand Yorkshire as an important benefit – especially when trading internationally.

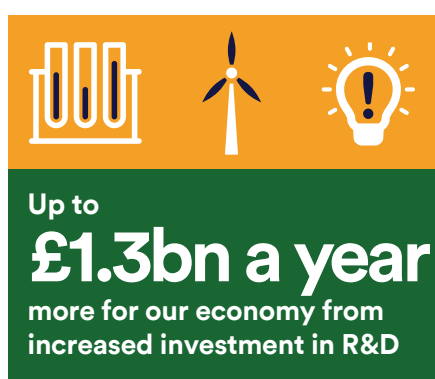
One Yorkshire: One historic opportunity

The 18 councils backing a One Yorkshire devolution deal have agreed ambitious proposals for radical devolution of investment and powers from Whitehall to the region.

The proposals are intended as the first step in transferring more powers and funding from Whitehall to Yorkshire. They would provide:

- £3.75 billion investment fund over 30 years to boost Yorkshire's economy and raise living standards in rural, urban and coastal communities
- Control of adult skills funding to ensure local skills provision responds to local needs
- Responsibility for bus franchising in the region and the creation of a single, Yorkshire-wide smart ticketing system enabling people to travel easily between all of our rural, coastal and urban areas
- A new £500 million devolved housing investment fund to stimulate house-building and regeneration
- 100% of business rates generated in the region stay in the region
- Local control of programmes and budgets to address unemployment, in-work poverty and health barriers to work – targeted local delivery of such programmes has already seen better success rates than one-size-fits-all national schemes

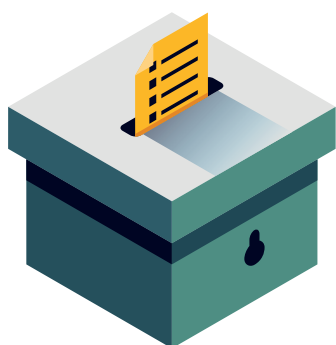
The independent economic study makes clear the economic benefits to the region – and UK plc – of this One Yorkshire devolution approach:



One Yorkshire mayor

New powers and funding for Yorkshire would be overseen by a directly elected One Yorkshire Mayor.

The Mayor would be supported by streamlined and robust governance arrangements, designed to work for all parts of our diverse region and enable the right decisions to be taken, while avoiding creating costly new layers of bureaucracy.



One Yorkshire governance proposals:

- Directly-elected **One Yorkshire Mayor**
- Supported by a **One Yorkshire Combined Authority** with representation from all 18 partner councils
- Delivering a **One Yorkshire local industrial strategy**, focusing on our shared economic opportunities and challenges
- With **strengthened, transparent local enterprise partnerships** providing private sector leadership and focus in functional economic areas/ sub-regional economies

Government asked... One Yorkshire delivers

The One Yorkshire devolution proposals supported by the 18 councils and the Sheffield City Region Mayor could be implemented at the same time as the existing devolution deal for South Yorkshire, enabling the whole of the region to share in the benefits of devolution from 2020.

The One Yorkshire devolution proposals deliver against all of the criteria set by Government:



The One Yorkshire proposals are supported by 18 Yorkshire councils and the Sheffield City Region Mayor



COUNCIL MEETING – 14TH NOVEMBER 2018

NOTICE OF:	Reference No:	Date Received:	Date Forwarded:
White Paper	WP1	05/11/18	06/11/18

Submitted by:	Councillor Amanda Carter
Relevant Board/Regulatory Panel:	Executive Board
Executive Member/Chair:	Executive Member (Communities)
Relevant Director	Director of Communities & Environment

This Council notes the mounting objections to the Managed Approach in Holbeck and further notes growing evidence of resident and business dissatisfaction with this policy. This Council agrees with the concerns of the Member of Parliament for Leeds Central and believes it is time for the ruling administration to prove to residents and businesses that they can make the Managed Approach work, or suspend it.

Councillor Amanda Carter

Deadlines for submission

- White Papers - 10.00 am on the day before the issue of the Summons
- Questions - 10.00 am on Monday before the meeting
- Amendments - 10.00 am on the day before the meeting
(including references back)

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

This page is intentionally left blank



COUNCIL MEETING – 14TH NOVEMBER 2018

NOTICE OF:	Reference No:	Date Received:	Date Forwarded:
White Paper	WP2	5/11/18	6/11/18

Submitted by:	Councillor Debra Coupar
Relevant Board/Regulatory Panel:	Executive Board
Executive Member/Chair:	Executive Member (Communities)
Relevant Director	Director of Communities and Environment

This Council remains deeply concerned by the potentially devastating impact the full roll out of Universal Credit will have on vulnerable people and low income families in Leeds, despite the Chancellor’s recent budget announcement.

Council is appalled by reports that Universal Credit:

- Exacerbates poverty and hardship, including child poverty
- Makes low income working families poorer
- Forces people to choose between food and rent
- Places people into debt because of delayed payments
- Leads to increased rent arrears for tenants in social housing
- Makes it harder for victims of domestic violence to leave abusive relationships
- Disadvantages non-IT literate people

Council notes that Universal Credit is likely to impact 85,000 people/families in Leeds when fully rolled out, with 10,000 affected in the first 12 months.

Council therefore calls on the Government to stop the roll out of Universal Credit without delay.

Deadlines for submission

White Papers	- 10.00 am on the day before the issue of the Summons
Questions	- 10.00 am on Monday before the meeting
Amendments (including references back)	- 10.00 am on the day before the meeting

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

This page is intentionally left blank



COUNCIL MEETING – 14TH NOVEMBER 2018

NOTICE OF:	Reference No:	Date Received:	Date Forwarded:
White Paper (not for debate)	WP 3	5/11/18	6/11/18

Submitted by:	Councillor Judith Blake
Relevant Board/Regulatory Panel:	Executive Board
Executive Member/Chair:	Leader of Council
Relevant Director	Director of Communities and Environment

This Council adopts the full IHRA working definition of antisemitism, including the 11 contemporary examples of antisemitism, as resolved in the May 2016 plenary session of the IHRA.

Deadlines for submission

- White Papers - 10.00 am on the day before the issue of the Summons
- Questions - 10.00 am on Monday before the meeting
- Amendments - 10.00 am on the day before the meeting
(including references back)

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

This page is intentionally left blank