

Background Information

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.

Main issues

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 the annual review of the City Centre Cumulative Impact Policy in January 2018, Licensing Committee 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 met twice in February and the two main issues discussed by the working group were the review of the six cumulative impact areas and the matter of local licensing guidance and its replacement with special area policies.

The working group tasked officers with meeting with the relevant ward members and locality teams and drawing up a cumulative impact assessment for review by Licensing Committee taking into consideration the crime statistics provided by West Yorkshire Police and 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 CIP in the red zone to put emphasis on operation during peak hours.
- Headingley – split the Headingley CIP 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 – CIPs 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 into the draft Statement of Licensing Policy and draft Cumulative Impact Assessment and to start pre-consultation work with the locality teams and community committees, as well as the responsible authorities.

Officers met with Members and officers of the Locality Team for Harehills and Gipton and officers from West Yorkshire Police, Environmental Health, Public Health and Entertainment Licensing. The group discussed the tenet of cumulative impact policies, 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 Harehills should be included as a cumulative impact area.

Officers met with the three ward members for Chapel Allerton to discuss the cumulative impact policy. Officers explained that the evidential bar had been raised. Ward members expressed disappointment that the cumulative impact policy had not delivered the results that were expected and that licences had been granted in the area. Officers and ward members discussed alternatives to a cumulative impact policy included 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 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

These meetings resulted in amendments to the current Statement of Licensing Policy in line with the outcomes of the meetings. This revised Statement of Licensing Policy, with the changes shown, is available on the council's website at www.leeds.gov.uk/lpc.

Summary of changes

- Update of various fact and figures, i.e. population statistics
- Update of local strategies and names of external bodies
- Removal of reference to obsolete guidance
- Update and move information on the matters applicants should consider especially in relation to the local area and contacting their local ward councillor in line with changes to the S182 guidance
- Removal of reference to Local Licensing Guidance and replace with a section titled Local Concerns
- Amended to section on cumulative impact in line with the S182 Guidance issued by the Home Office and Section 5A of the Licensing Act 2003
- Updated references to the legislation around closure orders
- Removal of Appendix 1 – Further Reading and Useful Information

Purpose of the consultation

The consultation has been designed to provide a wide selection of the Leeds population with the opportunity to comment on the revised content detailed in the draft policy. The responsible authorities as well as organisations concerned with the social impact of gambling, faith groups, national bodies representing the gambling trade, plus representatives of local businesses are also being consulted.

Public consultation

The following activities are planned:

- The public consultation will commence on 9th July and will run for 11 weeks until 30th September.
- The draft policy and the cumulative impact assessment are available on the council's website at www.leeds.gov.uk/lpc.
- All elected members, Parish Councils and MPs will be sent a copy of the policy along with the summary of changes.
- A letter (or email where known) will be sent out to an extensive list of identified stakeholders. This includes existing licence holders, national trade associations, responsible authorities, organisations concerned with the social impact of gambling, support organisations and faith groups to name just a few.
- A press release will be issued by the press office advertising the consultation.

How to Respond

Anyone can respond to this consultation. The list of consultees listed at the end of this document indicates those organisations that we will contact to suggest that they may wish to respond but should not be considered exhaustive. If you would like to respond to this consultation, please email your response to entertainment.licensing@leeds.gov.uk.

If you prefer, you may submit your response in writing to **Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR**. The last date for comments is **30th September 2018**.

If you have any queries about this consultation, or require additional copies, please contact Entertainment Licensing at the above address or by telephone on 0113 378 5029

Disclosure

Normal practice will be for responses to this consultation to be anonymised by removing the name and address. We would not normally redact information disclosed in the body of the consultation unless it obviously identifies the sender. Please identify any information that you or any other person involved do not wish to be disclosed. Conversely if you or your organisation would like to be identified please include a statement in your response that states that your identity can be disclosed in the follow up reports to this consultation.

Confidentiality and Freedom of Information

It is possible that requests for information contained in consultation responses may be made in accordance with access to information regimes. If you do not want your response to be disclosed in response to such requests for information, you should identify the information you wish to be withheld and explain why confidentiality is necessary. Your request will be acceded to if it is appropriate in all the circumstances.