

**Elections and Regulatory Services**

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Leeds LS1 1UR

Private & Confidential

Mr Shamil Khalil
c/o Tony Clarke
Licensing Consultant
JMC Licensing Consultants
[REDACTED]

Contact: Susan Duckworth

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Email: [REDACTED]

Your ref: [REDACTED]

30th January 2019

Dear Mr Khalil

Armley Food Centre, 26-30 Town Street, Armley, LS12 3AB
Application to vary a premises licence under the Licensing Act 2003
Licensing Authority Letter of Representation

Thank you for submitting your application to vary the premises licence for the above premises.

The area in which the subject premises is located is within a cumulative impact area. Specifically your application falls within the cumulative impact area of Armley as described in the Statement of Licensing Policy at paragraphs 7.24 to 7.26 which states:

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.

I refer you to the council's Cumulative Impact Assessment for Armley (pages 44 – 55) for further information.

I refer you to 7.32 to 7.39 of the Policy which describes how 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 and it is for the applicant to demonstrate that their application would not add to the cumulative impact.

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I note that your application is to increase your opening hours, hours for the sale by retail of alcohol and to increase the licensable area. You have offered additional conditions and also offered the use of a night hatch. I am also aware that you have offered to reduce the alcohol hours to 8am to 10pm. However, I am concerned that this application demonstrates a lack of awareness of the issues being experienced in the area and the impact opening earlier will have on these issues. Similarly increasing the licensed area in the premises is very concerning as it could lead to alcohol being stored away from the supervision of the shop assistant. Offering a night hatch shows that you have no conception of the impact the current night hatch being operated in this area is having on public nuisance, with people queuing in the street to purchase alcohol, shouting and creating a nuisance.

Your application does not refer to how you will address the problems being experienced on Armley Town Street which are clearly described in the Statement of Licensing Policy in the excerpt above and in further detail in the Cumulative Impact Assessment.

Specifically, I would refer you to the Cumulative Impact Assessment (CIA) where it describes that Armley has been an area of concern since 2014. In 2018, despite the local community, MP and ward members, the council's Communities team, public health, the neighbourhood policing team and Leeds Antisocial behaviour Team working together to address issues around street drinking, groups gathering and intimidation of people using their local high street, the council included Armley as a cumulative impact area. The CIA states:

“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.”

I also refer you to 7.38 of the Statement of Licensing Policy which describes examples of factors the licensing authority will not consider as meeting the standard of rebuttal include:

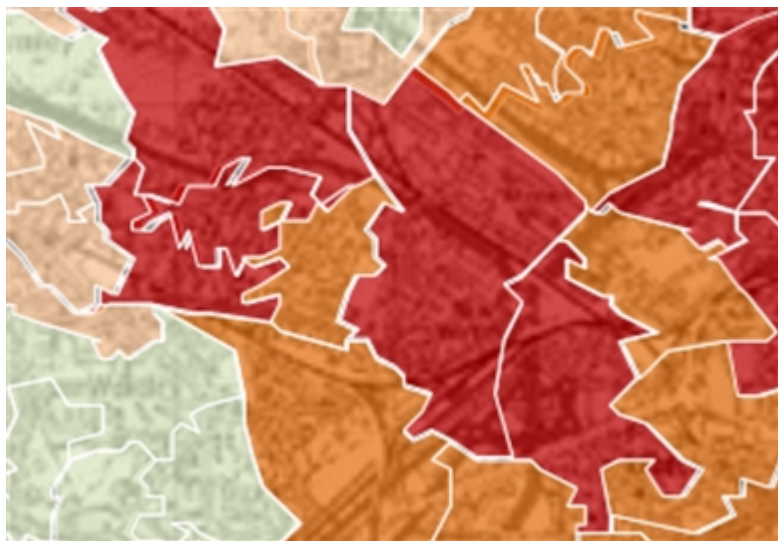
- That the premises will be well managed and run as all licensed premises should meet this standard.
- That the premises will be constructed to a high standard.
- That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint.

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. The Licensing Authority has used this Matrix when undertaking the cumulative impact assessment for this area.

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 matrix has rated the LSOA concerned Mistress Lane, Nancroft Lane, Brooklyns, Models (part of Armley Ward) as **very high (top 3%)** for potential alcohol related harm and is ranked **6 out of 482 LSOAs**. This LSOA is also one of the top 10 LSOAs in Leeds for potential alcohol related harm.

The following indicators have 'very high' ratings for potential related harm:

- Alcohol licensing – off licensed premises density **10th**
- Alcohol related admissions all ages – any hospital **14th**

And 'high' ratings for the following:

- Alcohol related anti-social behaviour **6th**
- Clients who use alcohol services **8th**
- Alcohol flagged violent crime **12th**
- Alcohol related specific admissions all ages – any hospital **28th**

It should also be noted that this area ranks 20th for looked after children, and 27th for incidents of drunk and disorderly behaviour, or persons found over the prescribed limit.

Bearing in mind the severity of the problems being experienced in the area, with this area suffering from issues with people drinking on the street and causing disorder and anti-social behaviour issues, the Licensing Authority is of the opinion that your application does not contain sufficient information about how granting your licence would not add to the impact already being experienced in the area.

Therefore the licensing authority submits a formal representation to your application on the grounds of the prevention of crime and disorder, public safety and public nuisance and will recommend to the licensing sub-committee that this application is refused.

Should you have any questions, please contact us.

Yours faithfully

A solid black rectangular box used to redact the signature of Susan Duckworth.

Susan Duckworth
Principal Licensing Officer
Entertainment Licensing