



Elections and Regulatory Services

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Private & Confidential

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By email:



Big bite, 5 Briggate, Leeds, LS1 4AF

Application for a premises licence under the Licensing Act 2003

Licensing Authority Letter of Representation

Thank you for submitting your application for a premises licence for the above premises.

The area in which the subject premises is located is a cumulative impact area. Specifically, your application falls within the cumulative impact area of City Centre as described in the Statement of Licensing Policy at paragraphs 7.15 to 7.18 which states:

- 7.15 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 consequently this is leading to problems which are undermining the licensing objectives.
- 7.16 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.
- 7.17 In this area the nature of the problems is 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.
- 7.18 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.



I refer you to the council's Cumulative Impact Assessment for City Centre (pages 9-16 of the Cumulative Impact Assessment 2023-25) for further information. This provides both crime data, and the data for the area in which the premises is located.

I refer you to 7.38 to 7.46 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.

I also refer you to 7.45 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

In 2021 the Council updated the Alcohol Licensing Data Matrix. The data used in the Matrix has been updated and is now based on a larger area known as MSOA. A [MSOA](#) is a geographic area designed to improve the reporting of small area statistics in England and Wales. MSOAs are built from groups of contiguous LSOAs. The minimum population is 5000 and the mean is 7200. The Organisation Data Service publish files created on their behalf by the Office for National Statistics, which link postcodes to the Middle Layer Super Output Area. This enables the Matrix user to input a postcode, for this to be linked to a MSOA and the data for that MSOA to be ranked against all other areas in Leeds.

By entering the postcode for the premises the matrix displays the ranking of this MSOA against certain data sets. This allows responsible authorities and the licensing authority to establish the problems being experienced in the MSOA. The Matrix also provides an overall ranking against all 107 MSOA areas in Leeds.

The matrix has rated the MSOA concerned (Leeds City Centre – E02006875) as **very high**. It is ranked 1st highest out of 107 MSOAs for potential alcohol related harm.

Indicator	Category	Rank
Off Licence premises count	Very high	1
On Licence premises count	Very high	1
Antisocial behaviour - alcohol related, count	Very high	1
Violent crime where alcohol flagged, count	Very high	1
Drunk and disorderly, count	Very high	1
Licensing risk score	Very high	1
Ambulance callouts related to alcohol, count	Very high	1
AUDIT tests scoring 16 or more (higher risk)	Very high	7
Not achieving English & Maths strong pass	Very high	1
Alcoholic liver disease mortality rate	High	15
Alcohol specific emergency admission count	High	20
Alcohol related harm hospital stays (narrow, age std. rate)	Medium	34
Alcohol treatment, all episode counts	Medium	43
Deprivation Score	Medium	50

As expected this area ranks highest in the City for off licence and on licence density.

It ranks highest in the city for alcohol related antisocial behaviour, alcohol flagged violent crime, drunk and disorderly crime.

It ranks highest in the city for licensing risk score. This relates to the score given by Licensing Enforcement officers after they have undertaken a routine inspection of premises, and relates to several public safety matters, the highest weighted of which is confidence in management.

It rates highest for ambulance callouts, which relate to callouts for people residing in the area (rather than visiting). It ranks 7th for AUDIT test scoring. This relates to the number of units patients living in the city centre MSOA advise their GP they are consuming per week.

All of these data are categorised as 'very high' which is the rating given to the top 9 MSOAs.

This MSOA ranks 'high' for alcohol liver disease mortality rate and alcohol specific emergency admissions. Again, this is a count of the incidents related to people that reside in this area, rather than are visiting.

Overall, this shows this area suffers from alcohol related crime and disorder and alcohol related concerns for people's safety. The health statistics show that this area has a relatively high number of people who may be suffering from alcohol dependency.

Looking at the Police crime statistical report (page 12 to 16 of the Cumulative Impact Assessment), Briggate ranks second highest. Crime rates fell between September 2019 and August 2021, and this was related to the number of times premises were required to close under COVID restrictions.

The peak times across the city centre are as follows:

Assault	Saturday	23:00 and 01:00
Drunk and disorderly	Saturday and Sunday	23:00 and 02:00
Alcohol related nuisance	Saturday and Sunday	19:00 and 23:00
All nuisance	Wednesday and Sunday	18:00 and 00:00

Briggate itself is a long street, generally split into two main areas. The main shopping area is from Boar Lane to The Headrow, whereas the area known as Lower Briggate is predominantly a popular night-time economy area. Briggate has a high level of both daytime and nighttime offences – the highest in the city centre.

In the conclusions to the Cumulative Impact Assessment (page 61) the Council determined that any application in the red zone could expect to receive representations and that the peak times are 23:00 to 02:00.

Your Application

Your application is for a premises licence for a late night takeaway venue in Leeds. You intend to sell late night refreshment on a Friday and Saturday night from 23:00 to 05:00 both indoors and outdoors and that the premises will be open from 17:00 to 05:30.

You have proposed conditions relating to no alcohol sales, CCTV, one door supervisor from 23:00, incident report register, noise notices and supervision of the outside area. You will ensure litter is cleared away.

I note that you have applied for Temporary Event Notices that have allowed you to trade after midnight over the last few months. It must be noted that this does not indicate that you should be granted a premises licence in this area. As already stated, the fact that you can operate a premises without specific complaint is a standard we expect of all licensees and the problems in this area relate to issues beyond the control of individual premises. Also, any positive impact your premises may have had on the area would not be seen in the crime figures for over a year and, realistically may be too small to show at all.

Conclusion

As already described the area in which the premises sits is already recognised as an area suffering from the density of licensed premises. There are high levels of crime and disorder in this specific area, enough that the Council have designated it a cumulative impact area. These issues are generally related to the high levels of people, in drink, who use this area late at night. These problems cannot be attributed to one specific premises. As stated in the Section 182 Guidance issued by the Home Office:

“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.

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.”

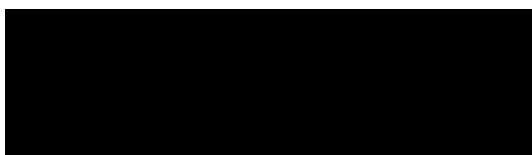
This is certainly the case in this small area of the city. Premises offering takeaway food add to the issues by holding people in the area longer. Issues could be reduced if people have to move away from the area in order to purchase hot food and drink.

Bearing in mind the severity of the problems being experienced in the area, with this area suffering from large number of drinkers concentrated in this area, 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



Susan Duckworth
Principal Licensing Officer
Entertainment Licensing