




Private & Confidential



Elections and Regulatory Services
Entertainment Licensing
Civic Hall
Leeds LS1 1UR

Contact: Susan Duckworth



By email: 

27th September 2024

Off Licence, 81 Roundhay Road, Harehills Leeds LS8 5AQ
Application to vary 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 Harehills as described in the Statement of Licensing Policy at paragraphs 7.29 to 7.31 which states:

- 7.29 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 consequently 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.
- 7.30 In this area the nature of the problems is 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.
- 7.31 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.

I refer you to the council's Cumulative Impact Assessment Harehills and Burmantofts 2024 for further information. This provides both crime data, and additional data on 21 relevant data sets. It also contains statements from residents and partners relating to the issues being experienced due to the cumulative effect of licensed premises in the area.

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 2023 the Council updated the Alcohol Licensing Data Matrix. The data used in the Matrix has been updated and is based on areas known as MSOAs. A [MSOA](#) is a geographic area which represents a population of around 7200. 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 (Harehills North – E02002377) as **medium**. It is ranked 25th highest out of 107 MSOAs for potential alcohol related harm.

Indicator	Category	Rank (1 is most harm)
Population aged 16 and under	Very High	2
Litter complaints	Very High	3
NEET (not in education or training)	Very High	4
Drunk and disorderly	Very High	7
Antisocial behaviour - alcohol related	High	12
Looked after children	High	13
Deprivation Score	High	15
Off licence premises	High	16
Not achieving English & Maths strong pass	High	20
Stroke emergency hospital admissions	High	21
Crime where alcohol flagged	Medium	26
Licensing risk score	Medium	33
Violent crime where alcohol flagged	Medium	34
Ambulance callouts related to alcohol	Medium	43
Alcohol related harm hospital stays	Medium	53
Alcohol specific emergency admissions	Low	62
Alcohol treatment, all episode counts	Low	72
On licence premises	Low	77
Alcohol Use Disorders Identification Test	Low	79
Noise complaints	Low	88
Alcoholic liver disease mortality rate	Low	90

These 21 data sets either demonstrate the vulnerability of children and adults who live in the area or are directly related to one of the four licensing objectives.

To explain what this means, the area in which your premises is located ranks very high for:

- Population aged 16 and under
- Children not in education, employment or training
- Drunk and disorderly crime
- Litter complaints reported to Environmental Health

This area ranks high for

- Alcohol related antisocial behaviour
- A high density of off licensed premises
- Deprivation
- Looked after children and children with lower educational attainment

As you can see this area is still suffering from alcohol related harm. In addition, it is an area where vulnerable children and families live and there is a lot of undesirable alcohol related behaviour.

All this is confirmed by the anecdotal evidence provided by residents for the 2024 Cumulative Impact Assessment and the additional evidence provided by West Yorkshire Police, Leeds Antisocial Behaviour Team, and Safer Stronger Communities Team.

To provide some more context, in the Harehills and Burmantofts cumulative impact area, there are more than 21 premises which hold licences to sell alcohol for consumption off the premises within a ten-minute walk away.

I strongly suggest you read through the attached cumulative impact assessment and consider the data in all three MSOA areas that form part of the cumulative impact area. As this area is very densely populated, all three MSOAs are relevant to your application, and I will rely on this data in my representation to the licensing sub-committee.

The council holds a 6 weekly multiagency group where various agencies, including ward members, Entertainment Licensing, West Yorkshire Police (Neighbourhood Policing and Police Licensing), Touchstone, which provide outreach treatment services, Environmental Health and others to discuss the ongoing issues in the area. Those most reported are the issues related to street drinking, where large groups of people stand in the street to drink and socialise. These groups often display antisocial behaviour. We know from the outreach work, that people come from all over the city to Harehills to stand and drink in the street. The reason for this is the proliferation of small shops selling alcohol.

Specifically, in Harehills we are aware that it is not just dependent drinkers that drink in the street. For some who live in the area, the way they socialise is to stand in their own back streets, or between the terraced housing drinking with neighbours and friends. This way of socialising can be loud and disturbing for other neighbours and comes with a host of issues around littering and public urination.

As part of the review of the cumulative impact assessment, I recently requested that Leeds Antisocial Behaviour Team provide some more information with regards to this type of disorder. They advise the following:

“Street drinking is the number one issue raised when we meet with local residents, partners and ward members in this area. The problematic drinkers are attracted to the Harehills area by the ready availability of cheap alcohol. They gather in groups, shout and argue amongst themselves, litter alcoholic drinks cans, urinate and defecate in public, and cause occasional violence thus causing harassment, alarm and distress to other members of the community and raising the fear

of crime. Members of the public also report being intimidated and dissuaded from using local businesses as a result.

A number of efforts have been made by Leeds City Council, West Yorkshire Police and other partners to reduce the levels of street drinking and the associated nuisance and disorder in Harehills, including:

- *A Public Spaces Protection Order – PSPO.*
- *A Premises Closure Order limiting the public consumption of alcohol.*
- *Anti-Social Behaviour Injunctions for individuals.*
- *Outreach projects to address underlying alcohol addiction issues.*
- *Work to educate off-licences and distribute literature encouraging responsible sales of alcohol.*
- *Multi-agency operations targeting the untaxed sale of alcohol in the area.*

These measures require significant public resource, one example would be an injunction we obtained against JJ for his persistent anti-social behaviour in and around the Nowells and Cliftons area of Harehills and very close to this shop, an injunction he breached many times and was given many last chances by the courts who insisted he needed treatment away from alcohol rather than punishment, however when he appeared in court again for breaching his injunction a further 13 times the court were less tolerant and he was sentenced to 10 weeks in prison. As a result of this and his behaviours he was also evicted from his house by his landlord and will be homeless upon his release. He and the other people in the area who are vulnerable to the lure of the plentiful supply of cheap alcohol do not need that access and availability to be increased. The cost of the legal action taken to prosecute the breaches of the injunction ran into thousands of pounds of public money.

In addition across Harehills including the Nowells and Cliftons area, there are large extended migrant families and networks of friends from their home country. Culturally they drink and socialise in large groups, often late at night with music playing. An off shoot of this, which we also get complaints about, is that whilst this is going on children are left to play out in the street unsupervised at very young ages until very late at night. We have received complaints for the last 4 summers and we have tried to tackle it through education with targeted interventions concentrating primarily on the child safeguarding aspect with the Police, the Out of Hours Noise Team and Leeds Anti-Social Behaviour Team to deal with the complains around the excessive drinking and the noise.”

Your Application

Your application is for the grant of a new licence to sell alcohol for consumption off the premises 24 hours a day, seven days a week. You have offered a range of measures appropriate for an off licence, picked from the guidance provided by the licensing authority called “Box M Guidance”. However, you have not offered the following three conditions:

- There shall be no sale of beer, cider, lager and perry of 7.5% alcohol by volume or above.
- There shall be no sale of beer, cider, lager and perry of 7.5% alcohol by volume and above in containers holding a capacity of 1 or more litres.
- Deliveries shall only to be made to bona fide business/commercial addresses or private residences and not to any public/open spaces (e.g. car parks, street corners, bus stops, public parks).

This shows you intend to sell high strength cider, possible in large bottles, and you may deliver to people in the street. You have considered the other measures around those in the guidance, so this does appear to be deliberate. This is disappointing.

The issues in this area relate to people drinking and urinating in the street, and the associated antisocial behaviour. People purchase their alcohol from premises such as yours. Many of them purchase alcohol at the same time as food and other goods, and so are hard to identify. They purchase their alcohol at all times of the day. They are not concerned about what type of alcohol they buy and have been found with all types of alcohol including low and high strength beer, lager and cider as well as spirits such as vodka. It is for this very reason, along with the density of other licensed premises within a short walk away, that this area was designated as suffering from the cumulative impact of off licences.

This area has a history of a reluctance to report crime, and yet is still ranked high and very highly for antisocial behaviour, litter and drunk and disorderly behaviour. Even if your premises is not directly attributed to this crime, serving alcohol throughout the night will not promote the prevention of public nuisance or crime and disorder.

In addition your premises is in close proximity to the Archway Resource Centre. Archway provides a range of services for young people aged 16 to 25 years. These include counselling, drop-in services, support and advice in a crisis and support into employment, education and training. Your application does not take into consideration the proximity of your premises to the Archway Resource Centre and the potential harmful effects on young people attending the centre.

Every application is considered on its own merits, whether it is in a cumulative impact area or not. The fact that this premises is in a cumulative impact area places the onus on you, as the applicant, to demonstrate to the licensing authority how your premises would not add to the problems being experienced here.

I have carefully considered your application, as applied for, and cannot see where you have addressed these issues. In fact, you have not addressed cumulative impact at all. The fact that you have applied for a 24 hour licence shows you have little regard for the problems, or the people living in this area.

Conclusion

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, public nuisance and the protection of children from harm 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