

**LEEDS CITY COUNCIL**

**FIRST EXTRAORDINARY  
MEETING OF THE COUNCIL**

Held on

Wednesday 12<sup>th</sup> December 2007

At

THE COUNCIL CHAMBER,  
CIVIC HALL, LEEDS

In the Chair:

THE LORD MAYOR  
(Councillor B Cleasby)

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**LICENSING POLICY MEETING**

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**VERBATIM REPORT OF PROCEEDINGS**

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VERBATIM REPORT OF PROCEEDINGS OF LEEDS CITY COUNCIL MEETING  
HELD ON WEDNESDAY 12<sup>th</sup> DECEMBER 2007

THE LORD MAYOR: Good afternoon, everyone. Welcome to our Extraordinary Council Meetings on Wednesday 12<sup>th</sup> December. Could I start by advising you of some sad news, that on 10 December former Councillor Paul Moxon passed away. The funeral service will take place on 18<sup>th</sup> December at 10.00 am at St Paul's Roman Catholic Church in Alwoodley. Could I then ask to show our due respects and stand for a moment's silence?

### *Silent tribute*

THE LORD MAYOR: Thank you. The other piece of sad news - but not quite as sad, fortunately - is that Denise, Councillor Atkinson, who as many of you are aware has been ill and is ill, the information given me here is that she is in Ward 23 of Leeds General Infirmary but I believe the update on that is that she is now at home but still very poorly.

I am making sure that our best wishes for successful treatment and a speedy recovery are sent from all of us. Thank you. (*hear, hear*)

It is a most unusual Council. There actually will be four Council meetings so the procedure is correctly observed. I do not intend to leave my seat in the Chamber - to simply save time - that would be silly, but I will have formally to close each meeting and then open the next one.

You already have been asked for declarations. Could you make sure those are declarations to the first part, i.e. the Licensing Policy meeting. Before that can I just warn you that if mobile phones go off in the presence of the Lord Mayor in this Chamber, it is a £50 donation to the Lord Mayor's charity. It really is good value for money, I can assure you!

Can I then move us on to Declarations of Interest? Can I ask if declarations have been made in respect of this licensing policy that we are moving to discuss? Are there any further declarations? No. Then I am to invite members by a show of hands to confirm that they have read the list as amended and agreed its contents. Could I therefore have a show of hands? Thank you very much.

### ITEM 1 - APPROVAL OF THE STATEMENT OF LICENSING POLICY FOR LEEDS 2007-2010

THE LORD MAYOR: That moves us on to page 2 and I call upon Andrew Carter.

COUNCILLOR A CARTER: My Lord Mayor, I move the Statement of Licensing Policy for 2007 to 2010 in the terms of the notice.

THE LORD MAYOR: I call upon Councillor Brett.

COUNCILLOR BRETT: Lord Mayor, I second and reserve the right to speak.

THE LORD MAYOR: Councillor Finnigan.

COUNCILLOR FINNIGAN: Thank you, my Lord Mayor. In examining the licensing policy - and clearly we support basically whatever we can do as a Local Authority to try and control and regulate the use of alcohol - we are this afternoon to make another call for us to be given the powers to be able to impose the minimum price for alcohol. This is a discussion that we have at Executive Board and certainly we are re-calling for that ability to be granted to the Council. That would mean a change by Parliament. I would hope that colleagues would support us trying to get those additional powers in terms of setting a minimum price. It would give us an opportunity, perhaps, to start to deal with some of the exceptional costs that we have got with alcohol use and alcohol abuse.

A lot of people know the statistics but it is just interesting, perhaps, to revisit those. The costs associated with drink/driving, £525m; the cost to the criminal justice system of dealing with those who proceed through the legal system on drink-related crimes is £1.6m; 150,000 hospital admissions every year directly as a result of

alcohol use and abuse; 40% of admissions to Accident & Emergency; there are around 22,000 deaths attributed to drink-related illnesses every year; and the number of young people being affected by alcohol-related diseases such as cirrhosis of the liver is rapidly rising.

The cost to the NHS is somewhere up to £1.7 billion. In terms of lost days at work the suggestion is it is somewhere between £11m and £17m lost days costing the economy somewhere between £1.2m and £1.8m.

Certainly if people examine the interesting graphics from the Institute of Alcohol Studies, it shows an interesting correlation between the fall of alcohol in terms of its cost - from 1960 to the present it has dropped by about 75% of its costs - and the consumption of alcohol - which from 1960 through to now has somewhat doubled.

THE LORD MAYOR: Councillor Finnigan, can I just stop you there. Councillor Lyons.

COUNCILLOR LYONS: Hello.

THE LORD MAYOR: If you are going to have private conversations would you take them outside, please? (*Interruption*)

I am in the Chair. If you give the Lord Mayor a chance to say to all of you, if you wish to have private conversations do them outside. At least give the speaker due respect to listen.

COUNCILLOR LYONS: Do not pick on me - pick on everybody.

THE LORD MAYOR: I picked on you because I was looking and, Councillor Lyons, you are absolutely right, I will pick on everyone and it will not be just today, Councillor Lyons, I will be picking on everyone, it will be the rest of my term. That hopefully will be the last time that your Lord Mayor this term will have to draw attention to it, right, all of you. Councillor Finnigan, continue.

COUNCILLOR FINNIGAN: thank you, Lord Mayor. I am surprised anybody would want a conversation when I am speaking because I am sure it is absolutely fascinating, but there we go.

If we look at the overall annual impact in terms of impact...

THE LORD MAYOR: Councillor Finnigan, just stop there. Councillor Hamilton - thank you.

COUNCILLOR FINNIGAN: Thank you, Lord Mayor. According to NHS records, alcohol consumption has increased by 50% since 1970. The annual cost of alcohol-related crime and public disorders has been estimated at somewhere between £6.4 and £7.3 billion. The statistics go on, Lord Mayor. Certainly some of the comments from the medical profession and from the policing profession are something that we ought to reflect upon.

Professor Room, who sits on the Royal College of Physicians' Alcohol Committee says:

"It's easier to demonise the yobs - 'other people'. But 25% of the population are drinking at a potentially hazardous level. And three million people are dependent on alcohol."

Clearly we have a direct link that most of us accept between the price of alcohol and excess consumption and certainly at the point where there are pressures on the policing budget, there are pressures on the NHS budget, NHS waiting lists are longer than they need to be, the fact that we are having to sideline some of that finance to deal with alcohol use and abuse is something that should concern us all.

If that is the case, then we believe that the licensing policy should include an opportunity for Local Authorities to say we will set a minimum price for alcohol. According, again, to the Royal College of Physicians' Alcohol Committee, if you increase the price of alcohol by 10% you will produce a 7% drop in deaths from cirrhosis of the liver in men and an 8.3% drop in deaths in women. There is a direct link that everybody seems to accept apart from the British National Party or the Independent Nationalists or whatever they are called today, but it is important, I think, that we should be given the opportunity as a Local Authority to implement other approaches that would regulate the consumption and abuse of alcohol. The licensing policy is fine as far as it goes but I think we all ought to be using and lobbying for changes at national Government so that we can set a minimum price for alcohol. Thank you, Lord Mayor. (*Applause*)

COUNCILLOR WAKEFIELD: Thank you, Lord Mayor, and can I wish you a Merry Christmas on behalf of the Labour Group (*laughter*) in the season of peace and goodwill which I am sure you in today, and the spirit.

I want just to make a couple of quick comments about the process of the licensing policy, because, frankly, I think we ought to avoid what has been today a wasted and missed opportunity. Really, the licensing policy as it stands today bypasses and marginalises this Council and Councillors and denies them a real opportunity to take part in a discussion that affects us all.

I accept that the officers have done a very good job on consulting with all the key stakeholders and, indeed, Councillors and I note their points. I even think - and we think - that we have broadly got the right themes in terms of under-age drinking, binge drinking and the core cumulative policies, but the fact is, as we all know, that even if we felt there was something fundamentally missing, we could not add to it because of the time limits. This has to be submitted by 5<sup>th</sup> January and if not, then it jeopardises the whole licensing policy for the city. We accept that.

I think sometimes in this Chamber we do learn something. I know it is occasionally and I know sometimes people throw a light on public policy and parts of public policy which are dark. The one issue that I came to find out about - and I know the colleagues who serve on Licensing Committee do an excellent job, we already know this - one of the things that I thought was a major surprise to me is that you cannot take health into consideration when you are considering a licence.

Given the connections that have already been referred to, I think that is a major weakness and I think that is something we could have revisited in this Chamber to see whether that is a weakness of the legislation - and that is, I think, our view - then we could have done something to amend that and improve that.

I do think that, firstly, I received the support and I am grateful of the support from the Executive Board on this but I do think officers have taken notice of this and I look forward to next year starting a review of the licensing policy early so that we can take ownership of a policy which affects all of us in our communities on important issues. That is all, Lord Mayor, thank you. (*Applause*)

COUNCILLOR R D FELDMAN: Lord Mayor, this is a particularly opportune time to consider and pass the licensing policy for 2007 to 2010. It is just over two

years since the implementation of the Licensing Act of 2003. By general agreement of the professionals in the liquor trade, the Act was very poorly worded and the authors of it took scant notice of the objections they received of what they laughingly called 'public consultation.' The only effective parts of the Act which must be carried out is the statement of the four objectives: prevention of crime and disorder; public safety; prevention of public nuisance; the protection of children from harm. Health is, as everyone now know, not mentioned and therefore cannot be debated on the Act.

I think at this stage I think that tribute should be paid, as is the custom, to our legal staff who fully trained 15 members of the five Licensing Panels we have so that we carry out our responsibilities within the law - so much so that of the hundreds of decisions we made, very few were referred back to the Magistrates and only three of our decisions were overturned.

Under the Licensing Act the Council is required to publish a Statement of Policy and must review it every three years. What a pity we were not permitted to do this on Day One. It would have saved a lot of time and, more importantly, a lot of money.

In contrast to the Government consultation, our officers have really consulted the trade and public and have received a wide variety of comments that are before us today. They have, in conjunction with the members of the Licensing Panels, produced a statement. What came over loud and clear from the exercise was the necessity for enforcement. All the fine words in the document are worthless without them being enforced.

A further problem that will face us shortly is the Health Act 2000 forbidding smoking in public buildings, including public houses. If ever there was a law of unintended consequences, this is it. We may be able to control noise internally but not in beer gardens nor in the street at night time.

I would suggest this is where we come in. With over two-and-a-half thousand licensed premises to monitor, it is extremely difficult, if not impossible, for our enforcement team to watch all of them. We, however, have surgeries and it should not be impossible for us to ask our constituents whether the behaviour of the owners of these premises is in keeping with the law - i.e. do not serve alcohol to under-age customers or to those already drunk.

I make this suggestion as so many times when applications for extended hours come to Panel, we hear from the nearby residents of the troubles they suffer but have failed to report them. I feel that there is much that could be done there, Lord Mayor. I ask everyone to support the motion.

COUNCILLOR WILSON: Thank you, Lord Mayor. As Chairman of the Licensing Panel I would just like to thank all the other 14 members. I do think that they do a particularly good job.

This particular review has been reviewed by all the different parties and we have gone through it. I must admit as the Chair of the Licensing Panel, I was very dubious about the Government's reasoning for extending ours, so you have probably got a Chairman who was very dubious about the Act in the first place.

I think that Leeds generally has done a good job. We do not have the problems that they are having in Nottingham and we do not have the problems that they are having in Bristol and Brighton. Nevertheless, the Panel was invited to out and have a look at first hand what they were actually doing by extending the hours about two or three weeks back and we did get three Councillors who attended and

unfortunately Councillor Morton could not attend. Nevertheless we went round the pubs and the clubs in Leeds and I must be getting old because I did not particularly enjoy it! I probably would have done a few years back.

Nevertheless, we got the police escort and we pushed our way through and it is vertical drinking. I cannot see the attraction to it but there must be some there.

COUNCILLOR LYONS: You are getting old!

COUNCILLOR WILSON: Yes I am getting old, I admit it. Nevertheless it was a particularly bad night, it was raining, so it was probably not the best night to go round but nevertheless we saw first hand how they stand jam packed. I would dispute some of them can actually get their hands up to drink, it was so packed.

Nevertheless, we did see some positive things. The thing that Leeds City Council taxi service has been introduced is this marshalling of the taxi ranks. Apparently one of the flashpoints in the night life in Leeds is people trying to get in a taxi. The marshals on the taxi ranks were doing an excellent job and on that Friday night we had an hour's briefing at Millgarth and we were out for about two-and-a-half hours. We did not see any untowards incidents but then it was probably not the best night to see it.

We do go on site visits in licensing, it is something dear to all Councillors, site visits. We did go on it and had a look at first hand. We do take it very seriously. The one point that is a little bit worrying is that the Government wanted to stagger the hours that they came out from the night clubs. To start with most of them were applying for an hour, two hours and yes, it was actually staggering the hours that the clubs were putting the punters on to the street. Very quickly did the clubs in Leeds work out who had got the most hours and now they are all trying to get the most hours.

The police have told us that the net effect in Leeds has been instead of having trouble at two o'clock, they are now having trouble at 4.00, 4.30. Nevertheless, the police said that it had been working fairly well and that they had had less trouble than under the old regime.

This review has been scrutinised by all members of the different groups, so we will watch it and we will do the job that I think we have been doing for the last two years. Thank you, Lord Mayor. *(Applause)*

COUNCILLOR A CARTER: Thank you, Lord Mayor. Listening to Councillor Wilson it made me wonder whether we should not perhaps charge them for being on the Licensing Committee, knowing some of the places they seem to be able to get to visit.

However, on a more serious note, I think we should congratulate all the members of the Licensing Panels for the tremendous amount of work that they are doing and have done for some considerable time. Also, I am pleased that Councillor Wakefield thanked the officers, because this is a major piece of work.

Having said that, I made it very clear, as did Councillor Harris at the last Executive Board meeting, that we were not happy with this process. It leaves members of Council - and every one of us knows the number of complaints we get about alcohol-related behaviour problems, shall we say, in our wards, and we I think have a major part to play in the shaping of licensing policy as it develops. I do know that the officers have taken those comments on board and, as far as I am concerned, I shall do everything I can to ensure that when we go through this process in the

months to come - which we shall because we were told that we can keep looking at the policy throughout the course of this particular period of time - I will do everything I can to make sure that members do get a proper input.

If I can just turn very briefly now to Councillor Finnigan's comments. I think many of us would endorse the points that he made. I do feel that there are more large organisations in this country that profit by the sale of alcohol and that is fine within reason, but I think it is self-evident to most patient now that there is an increasing level of alcohol abuse and the selling of alcohol - sometimes very strong alcohol - at what can only be called ridiculously low prices, cannot possibly do anything but make the situation worse. Of course, we need more powers to be able to deal with that and it is something perhaps we shall discuss at a further time.

With those few comments, my Lord Mayor, I move the paper.

THE LORD MAYOR: Thank you. Could I move us to the vote, please? All those in favour? Against? Abstentions? That is obviously CARRIED. Thank you.

#### ITEM 2(a) APPOINTMENTS

THE LORD MAYOR: Can I move us, then, on to agenda Item 2(a) and call on Councillor Hamilton.

COUNCILLOR HAMILTON: Thank you, Lord Mayor. Could I move in the terms of the Notice with the addition that Councillor Morton will be replace Councillor Chapman on the Children's Services Scrutiny Board.

THE LORD MAYOR: Councillor Proctor.

COUNCILLOR J PROCTER: Second, Lord Mayor.

THE LORD MAYOR: Could I call for the vote? All those in favour? Against? Abstentions? That, therefore, is CARRIED.

#### ITEM 2(b) AMENDMENTS TO EXECUTIVE ARRANGEMENTS

THE LORD MAYOR: Agenda Item 2(b). Councillor Hamilton.

COUNCILLOR HAMILTON: Lord Mayor, I move in terms of the Notice.

THE LORD MAYOR: Councillor Proctor.

COUNCILLOR J PROCTER: I second, Lord Mayor.

THE LORD MAYOR: I call for the vote. All those in favour? Against? Abstentions? That is, therefore, CARRIED.

Thank you. I now declare that that meeting is closed.

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