

EAST HERTS COUNCIL

HEALTH AND WELLBEING SCRUTINY COMMITTEE – 16 FEBRUARY
2016

REPORT BY – HEAD OF COMMUNITY SAFETY AND HEALTH
SERVICES

STATEMENT OF LICENSING POLICY DRAFT

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To update the committee on progress of promoting health and wellbeing within the Statement of Licensing policy

**RECOMMENDATION FOR HEALTH AND WELLBEING SCRUTINY
COMMITTEE:**

That:

(A)	the report be noted and the approach taken be confirmed.
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1.0 Background

1.1 The Council's Statement of Alcohol Licensing Policy is the document which underpins the decisions made by the Licensing Committee. It states our ambitions and intentions and in many respects it binds the committee's actions.

1.2 Following a seminar at East Herts on the harm caused by alcohol abuse, members of the Licensing committee directed that the Head of Service explore promoting health and wellbeing within the Statement of Licensing policy.

1.3 Following in depth research, the Head of Service penned the attached policy taking into account specialist legal advice. This report produces that draft.

1.4 That advice made it clear that there are still steps to be completed before a 'fit for purpose' policy can be put before the Licensing committee for consideration.

2.0 Report

2.1 After extensive research a revised Statement of Licensing Policy was drafted and sent for review by a leading Licensing Barrister, Leo Charalambides. This advice was paid for by the HCC Director of Public Health for which the author is grateful.

2.2 The Head of Service met with Mr Charalambides and has incorporated his advice into the attached draft policy (**Essential Reference Paper "B"**).

2.3 Along with the policy advice, Mr Charalambides also provided guidance about the type of information that was required to accompany the document if full use was to be made of it.

2.4 His comments included;

i.) "that the policy does not indicate that crime and disorder is a problem. It may be, and this is entirely legitimate, that you are taking a safeguarding ie promoting the prevention / precautionary approach. It may be that you wish to ensure that things do not get out of hand – if so, say so, and do so in your introductory chapters."

ii.) "Further, what are the impacts of licenced premises in the local authority area? The draft SLP proceeds on the basis (for the most part) that the impacts of licensing are negative. Is this the case? Where are your hot spots and sources of concern? Is it over crowding in the late night economy at the town centres at bars and clubs or is it dissatisfied youth ASB hanging around and loitering outside off-licences and in supermarket car parks."

iii.) "I would find it useful to have information about the general wellbeing of the local authority area – this provides a further angle from which to view this."

2.5 It is clear that we are on the right track, indeed Mr Charalambides applauded East Herts for being so progressive, and said that this

was an innovative approach. However it is also clear from his advice that what is still missing is information at a local level.

2.6 i & ii “Crime and disorder”

East Herts Council with our Police partners can provide data around crime and Anti-Social Behaviour but because of the district’s extremely low levels of crime and disorder, we will need to concentrate upon “safeguarding ie promoting the prevention / precautionary approach”.

2.7 Whilst the links with alcohol can be obvious, the links with specific premises are not always so, especially in the case of crimes like criminal damage to motor vehicles or anti-social behaviour which occur away from licensed premises.

2.8 iii) “General wellbeing”

In the case of general wellbeing, there is evidence available about alcohol abuse at National, European and international levels. But this information cannot even be introduced into a licensing hearing unless there is a specific local link. The Licensing committees task is to weigh up the likely impact of granting this application to the community in the streets, properties and premises in the immediate vicinity of the premises in question.

2.9 Public Health, as a statutory Responsible Authority, need to be able to present evidence which is relevant to the specific application in front of the committee.

2.10 The author will be liaising with the HCC Director of Public Health to resolve these knowledge gaps.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper ‘A’**.

Background Papers - none

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