



Public Health
England

Title: Representation against increase in licensing hours application in a Cumulative Impact Policy Area

Many thanks to Blackpool Borough Council for providing the details of this case study.

Background:

Due to high levels of alcohol related crime and other harms, Blackpool has introduced five Cumulative Impact Policy Areas. The first covers the town centre and promenade for pubs and clubs in an attempt to limit the amount of crime and disorder in the night time economy. An additional four Cumulative Impact Policy Areas (CIP) were introduced in predominantly residential areas where alcohol harm is amongst the highest in the country and predominantly caused by off sales in the form of small off-licenses and convenience stores.

Case in brief

Following the introduction of the policy areas there had been few representations based on the CIP alone. This was predominantly due to staff changes and a lack of understanding of their implementation. Public Health recognised this as an effective way of reducing the growth in alcohol availability in the most affected areas and a way in which it could exercise its responsibilities as a Responsible Authority. Following a successful representation opposing a new premises in one CIP area, Public Health were concerned about a new application which would increase the hours a premises would be able to sell alcohol, and decided to test the 'system' by making representation against this application.

The Approach used

Royal Food & Wine had the benefit of a Premises Licence authorising the sale of alcohol for consumption off the premises during the following hours:

Weekday 08.00 - 23.00

Sundays 10.00 - 22.30

Christmas Day 12.00 - 03.00 and 19.00 - 22.30

Good Friday 08.00 - 22.30

The application for consideration was to vary the Licence to authorise the sale of alcohol 07.00 - 00.00 (10.00 - 22.30 Sundays).

Public Health made a representation opposing the application and stating that a hearing was requested rather than offering mediation. The licencing committee were reminded that that they had already recognised further availability of alcohol could have a negative effect on the licensing objectives. Additional and new data (details below) was provided.

The crux of the case was that the premises was in the area with the highest Domestic Abuse and assaults outside of the night time economy and that the extension of hours would make



alcohol available (or in the view of) school children (known to consume alcohol) before school. The applicant offered no interventions to mitigate these risks.

The Data

- Assault data from MADE (a partnership database combining public sector data).
- Domestic Abuse data from MADE.
- Schools proximity and maps.
- Trauma & Injury data from A&E.
- Theoretical published evidence regarding availability impact on objectives.

Outcome

Having considered the evidence submitted, the Panel was not satisfied that it had received sufficient evidence that the application if granted would not impact on the cumulative impact already experienced in the area and therefore the variation to the licence should be refused apart from the variation request for Good Friday and Christmas Day.

The application for a variation to the premises licence for Royal Food and Wine was refused. The hours of licensable activity for Good Friday and Christmas Day were amended to be in line with the hours for weekdays or Sundays.

Other key principles considered

- Possible other applications from neighbouring pubs and convenience stores (including Tesco).
- The applicant's primary case was that he was losing trading opportunities as the pubs sold alcohol later in the evening and the nearby Tesco convenience store sold alcohol earlier than he could.
- Previous licensable activity and breaches of the premises.
- Proximity of Late Night Refreshment premises.