

LICENSING AND ENVIRONMENTAL COMMITTEE

2nd April 2007

Licensing Policy Statement Review – Licensing Act 2003

OPEN	
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APPENDICES	Appendix 1 – Questionnaire 2 - Licensing Policy Statement 3 - Wyre Forest Crime Figures 4 - Letter from West Midlands Ambulance Service 5 - Responses to Licensing Questionnaire

1. PURPOSE OF REPORT

- 1.1 To receive a report following consultation with stakeholders and responsible authorities, to assess the impact of the Licensing Policy of the District during the first twelve months of operation.

2. RECOMMENDATION

The Committee is asked to DECIDE:

- 2.1 Having assessed the impact of the Licensing Policy of the District, that no changes be recommended to the current Licensing Policy Statement.**

3. BACKGROUND

- 3.1 The Licensing Policy Statement was prepared in accordance with the provisions of the Licensing Act 2003 and the Guidance issued by the Secretary of State under section 182 of the Act.
- 3.2 The Council's Licensing Policy took effect on 7th February 2005.
- 3.3 The Policy is a live document, subject to continuous review, to meet the changing needs of the community, business circumstances and legislation.
- 3.4 A formal review of the policy and further consultation must be carried out by January 2008.

- 3.5 The first twelve months operation under the Licensing Act 2003 was completed on the 24th November 2006.
- 3.6 Members of the Licensing and Environmental Committee asked that officers should consult representatives of responsible authorities and interested parties, to receive evidence on how the new licensing arrangements have affected the lives of local people.

4.0 SCOPING

- 4.1 Research was conducted between September 2006 and January 2007, and reflects comments passed by Police, Hospital Accident and Emergency (A and E) Departments, Managers of Licensed Premises, Residents' Groups, Representatives of Crime Reduction Partnerships and others.
- 4.2 Interviews and discussions have been conducted with the major stakeholders in this area, including representatives of drinks trade's bodies, to provide a balanced and representative perspective.
- 4.3 A questionnaire study, and telephone interview was also conducted to provide quantitative data. (Appendix 1)
- 4.4 The Statement of Licensing Principles (Policy) (2005) is attached (at Appendix 2).

5.0 THE COUNCILS LICENSING FUNCTION AND THE LICENSING OBJECTIVES.

- 5.1 The Policy referred to in paragraph 3.1 above includes the following aim:
- "The Councils aim is to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents..."*
- 5.2 About 98.000 people live in the district of Wyre Forest, comprising three distinctive towns, Kidderminster, Stourport, and Bewdley.
- 5.3 Within the district there are 150 public houses.
- 5.4 A large proportion of these are situated in the town centres with the remainder situated in surrounding villages and outlying rural areas.
- 5.5 In addition there are approximately 223 other licensed outlets made up of off – licences, restaurants, private members clubs, etc.
- 5.6 There are presently two night clubs in Kidderminster.
- 5.7 The Licensed trade within the district has a positive impact on the local economy, tourism and cultural development. There is some negative impact including noise, nuisance and public disorder.

6.0 FOUR STATUTORY LICENSING OBJECTIVES

- 6.1 The Council is responsible for carrying out the licensing function under the Licensing Act 2003.

- 6.2 The Act regulates the sale of alcohol, the provision of entertainment and late night refreshment.
- 6.3 In discharging its function the Council must promote the four licensing objectives which are:
- Prevention of Crime and Disorder
 - Public safety
 - The prevention of Public Nuisance
 - The Protection of children from harm.
- 6.4 Each of the licensing objectives has equal weight.
- 6.5 Various groups have an interest in the licensing of premises under the Licensing Act 2003, in addition to the licensed trade.
- 6.6 These may be residents, businesses and enforcement agencies. All have views and concerns that require consideration as part of the licensing function.

7.0 THE NIGHT TIME ECONOMY (NTE)

- 7.1 The Night Economy (NTE) can be divided into two parts, that which exists before 10:30pm at night: during which the three towns enjoy a varied and “cultured” night life built around cafés, restaurants, theatres, performance venues, and festivals.
- 7.2 After 10:30pm the “later” (NTE) begins, revolving around the town centre, bars, pubs and clubs and are currently the most consistently visible elements of the night time economy.

8.0 CONSULTATION

- 8.1 Consultation has been made with the following stakeholders.

**West Mercia Constabulary
Inspector Crowley of the Kidderminster Division
and
Worcestershire County Council
Community Safety Partnership
Fiona Dougan, Crime Analyst (Bromsgrove and Wyre Forest)**

Crime and Disorder

Although Wyre Forest District does not suffer from high crime levels when compared with national crime statistics there is a clear correlation between incidents of violence and the night time economy.

Incidents of assault show a weekend peak, most pronounced in the early hours of Sunday morning as Saturday night revellers prepare to go home.

Wyre Forest Crime Figures (Appendix 3)

Over the last year the most common locations for alcohol related violent crime were,

- Yates Wine Lodge, Kidderminster
- Police Station, Kidderminster
- Mirage, Kidderminster
- Tesco Superstore, Kidderminster
- The Penny Black. Kidderminster

There were 529 reported alcohol related violent crimes in the year preceding the Licensing Act and 621 during the months after. This was a difference of 92 offences, or 8.5%.

The reasons for the increase include:

- More efficient Crime Recording System employed
- Interest Markers (alcohol) are now more accurately recorded where previously there were issues of under reporting.
- Seasonal factors like the warm summer and events like the world cup will have exacerbated the total figure.

The statistics show a connection between assaults and the location of premises operating to the early hours of the morning, popular take-aways, and routes home.

Worcestershire NHS Acute Hospital Trust
Alcohol Liaison Nurse Mark Vardy
Dr S Twigger

Alcohol Liaison Nurse, Mark Vardy has submitted the alcohol related/violence related attendances at Worcester Royal Hospital for treatment at the Accident and Emergency Department. The figures broadly reflect the pattern of reported crimes, inclusive of Kidderminster.

West Midlands Ambulance Service
Assistant Director of Operations, Malcolm Price
Hereford and Worcester Locality

A letter dated the 14th December 2006, from the Assistant Director of Operations, West Midlands Ambulance Service, (Hereford and Worcester Locality), indicates no increase in the number of assaults upon Ambulance staff since the new licensing laws were introduced. (Appendix 4)

Safeguarding and Assurance
Worcestershire County Council
Alan Ferguson, Unit Manager for Child Protection

Reports no concerns about the Operation of the Licensing Policy for the District.

Wyre Forest District Council
Principal Pollution Control Officer
Richard Williams

There has been an 11% increase in complaints about noise nuisance (Music) from licensed premises over the last year.

**Wyre Forest District Council
Principal Environmental Health Officer
(Food and Safety)
Kate James**

There have been no concerns about the Licensing Act 2003.

**Wyre Forest District Council
Enforcement and Implementation Officer
Chris Mansfield**

There are no concerns about the Licensing Act 2003.

**Worcestershire County Council
Trading Standards
Operations Manager, Simon Wilkes**

Direct sales to children have gone down over the last two years.
The new Licensing Act 2003 is a success as it has pulled everyone together working in a partnership.

**Hereford and Worcestershire Fire Brigade
Station Manager Fire Safety
David Pember-Fynn**

Under the New Licensing Act 2003 our work load has decreased.

**Worcestershire Substance and Misuse Action Team
(SMAT)
Kate Rowberry, Development Adviser**

There has been no marked change since the introduction of the Licensing Act 2003.
Alcohol in general is a cause for concern.

**Chairman of Bewdley Licensed Victuallers Association
Mark Wheway**

- The new Act stops people rushing their drinks.
- Crime and Disorder has increased in Bewdley.

**Chair of Kidderminster Licensed Victuallers Association
Kate Moore**

No significant change since the Licensing Act 2003. People are coming out much later than they did before as they have the flexibility to choose where they can now drink.

**Chair / Vice Chair of Stourport Licensed Victuallers Association
Francis LEE
Robert Hallard**

No significant change. The streets feel safer now as everyone isn't coming out at the same time.

**Wyre Forest District Council
Economic Development and Tourism Manager
Steve Singleton**

No significant change.
No concerns about the District Policy under the Licensing Act 2003.

**Kidderminster Town Centre Forum
Peter Picken, Chairman**

Before the Licensing Act 2003 came into force I feared that there would be more violence and disorder. But in fact since the second appointed day I have not seen any major changes.

**Bewdley Town Centre Forum
John Iles, Chairman**

No significant change.

**Stourport Town Centre Forum
Derek Fradgley, Chairman**

No significant Change.

**Mirage Night Club Owner
Mr Mashaallah Ghattan**

Over the last 12 months crime and glass injuries have gone down within the club. With the increase in hours peoples movements are more flexible. The introduction of taxi marshals is a good idea for public safety.

No changes to the Policy.

**British Beer and Pub Association
Richard Matthews, Regional Secretary (Midlands)**

- Believe that crime levels have dropped in line with other parts of the country
- Improved public safety – less people requiring food and taxis at the same time.
- Buses should run later.
- Areas of Kidderminster that require better lighting between Weavers Wharf / Exchange Street /Market Street /Mill Street.
- Public Toilets to be open later
- Statistics and a press release on behalf of the Association highlight the successful introduction of the Act. It is clear it has made little or no difference to peoples drinking habits, except there is no pressure to drink quickly because of later closing times.

Public Stakeholder Comments

The eight Questions posed were relative to the Licensing Policy.

Fifty Four responses were received in answer to the Public Questionnaire. (Appendix 5)

The majority of responses are supportive.

Principal Findings

Stakeholders were generally consistent in their perceptions of the level of alcohol related problems within Wyre Forest.

Most recognised that there were problems on Friday and Saturday nights.

Some saw the rise of the night time economy as making a positive contribution to the district at least in commercial and revenue terms.

This consensus is consistent with questionnaire data

9.0 RECOMMENDATIONS

9.1 No changes to the Licensing Policy statement are recommended

10.0 FINANCIAL IMPLICATIONS

10.1 There are no financial implications.

11.0 LEGAL AND POLICY ISSUES

11.1 The Licensing Policy Statement for the District will be reviewed in 2007 and will be adopted by January 2008

12.0 CONSULTEES

12.1 Head of Legal and Democratic Services.

13.0 BACKGROUND PAPERS

13.1 Press releases:

- Beer and Pub Association Licensing Anniversary You Gov Poll.
- Various background press releases – Daily papers.

20th March 2007