

LICENSING AND SAFETY COMMITTEE

28 OCTOBER 2015

LOCAL LICENSING GUIDANCE

Report from: Dr Alison Barnett, Director of Public Health

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Summary

This report seeks to obtain committee approval for the publication of Local Licensing Guidance written with reference to the Statutory Licensing Guidance (March 2015), issued under section 182, Licensing Act 2003, paragraphs 8.33 to 8.41. (attached at Appendix 1)

This guidance seeks to address alcohol related crime and disorder, public safety, public nuisance and promote the protection of children from harm in three identified areas of Medway. The adoption of this guidance is also intended to stream line the licensing process for off licence applications and variations, resulting in a saving in due to a more efficient process. It is also intended to assist in improving the health and wellbeing of residents in the areas covered.

1 Budget and Policy Framework

1.1 The subject of this report falls within the following priorities as set out in the Council Plan

- Children and young people have the best start in life in Medway Council
- Adults maintain their independence and live healthy lives
- Safe, clean and green Medway

1.2 This report also addresses the following priorities as set out in the Joint Health and Wellbeing strategy for Medway

- Give every child a good start
- Improve physical and mental health and wellbeing
- Reduce health inequalities

1.3 In addition the following priorities within the Community Safety Plan are also relevant

- Tackling drug and alcohol abuse
- Tackling antisocial behaviour and enviro – crime
- Tackling domestic abuse

2. Background

2.1 The Licensing Act 2003 requires all persons who wish to sell alcohol to make an application to the Licensing Authority. Contained within the application is an operating schedule allowing an applicant to set out how they intend to promote the four licensing objectives.

2.2 The four licensing objectives are

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

2.3 It has been noted by all the responsible authorities in Medway the quality of operating schedules in licensing applications is generally poor. Applications are often submitted with little or no detail of the area or any supporting evidence or reasoning for any steps offered to promote the four licensing objectives. Without this detail it is difficult for responsible authorities to make informed decisions as to the suitability of the applicant and therefore representations are often made in cases where a better written and more detailed application would have negated this course of action.

2.4 Until 2012 Licensing Authorities had no ability to ensure that operators had regard for the local area when making their application. This changed in 2012 with the adoption of a new statutory guidance issued by the Government, under section 182, Licensing Act 2003, which set out the level of detail expected in an operating schedule.

2.5 The guidance now states at paragraph 8.34

'In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.'

The guidance gives examples of the type of information that should be included within an operating schedule in order to fulfil the above requirements

Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, they understand:

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.*

The full guidance paras 8.33 to 8.41 is contained in Appendix 1.

- 2.6 Although there is sufficient information on local areas on the internet from a variety of sources, many applicants find it difficult to find and interpret. In order to assist applicants and to improve the overall quality of operating schedules an officer led strategic group, focusing on alcohol licensing issues, decided to explore the production of a Local Licensing Guidance for identified areas which had evidenced alcohol related harms, outlining these harms within the guidance and identifying points for consideration within an operating schedule, thereby assisting applicants to comply with the statutory guidance.
- 2.7 The strategic group is chaired by Public Health and has representatives from Licensing, Trading Standards, Children's Services, Community Safety, Kent Police and Kent Fire and Rescue.
- 2.8 The rationale in producing a guidance document are several fold
- To assist and support individuals and business in making an application under the Licensing Act 2003 for a premises licence, or a variation of a premises licence, thereby providing an improved service.
 - To improve the quality of the licensing applications made to the Licensing Authority thereby having a positive effect on the promotion of the four licensing objectives by having more effective and targeted conditions placed on premises licences.
 - By improving the quality of the applications there will be fewer representations from responsible authorities and other parties, resulting in fewer licensing hearings and paperwork, with the associated savings in officer time due to a more efficient process.

- Member time will be saved as fewer committee hearings will be necessary.

2.9 A report was produced following the collation of data and evidence from the following agencies

- Kent Police
- Medway Council Licensing Department
- Trading Standards
- Environmental Health
- South East Coast Ambulance Service
- Community Wardens
- Public Health
- Turning Point

2.10 The evidence highlighted three areas as being suitable for further examination with the intention of producing draft licensing guidance for each area if the evidence supported this course of action. The areas are

- Gillingham High Street/Canterbury Street
- Luton
- Chatham High Street

The evidence used to support the production of a guidance for these areas is summarised at Appendices 2, 3 and 4.

2.11 The initial report was made available to all members of the Strategic Licensing Group and it was agreed that draft guidance for the three identified areas would be produced, with any relevant additional evidence. It was also agreed that as the evidence pointed towards specific issues with off sales of alcohol, rather than with the sale of alcohol from public houses or clubs, the guidance would be produced for off licence applications at this stage.

2.12 Three guidance notes were produced following further evidence and data gathering, with additional evidence from

- Children's Services
 - Exclusion and persistent absence from school
- Her Majesties Revenue and Customs
 - Illicit tobacco and alcohol seizures

Areas to be covered by guidance were drawn using a common sense approach, with a line of 'best fit' used taking into account all the evidence available. This has resulted in areas which cross ward boundaries but reflect the evidence outlined above.

- 2.13 It is intended the guidance will be made available to anyone applying for an 'off licence' in these areas. By considering the information contained within the guidance and in negotiation with the Licensing Authority and responsible authorities it is expected that applicants will consider and volunteer measures that will positively promote the four licensing objectives.
- 2.14 The guidance may also be used by residents or any other party who make a representation in response to an application. It will be provided to the Licensing Hearing Panel at any subsequent licensing hearing.
- 2.15 This approach was first tried in Leeds and has been promoted by the Local Government Association and Public Health England as best practice. In Leeds, out of 10 applications considered under their initial guidance, nine had conditions agreed with no hearing, and one was withdrawn. It has been highlighted the guidance streamlined the application process, made it less time consuming and was effective at obtaining meaningful conditions on premises licences.
- 2.16 As a result this scheme was expanded in November 2014 to two other areas within Leeds
- 2.17 The guidance for each Medway area is attached as an Appendix to this report at Appendices 5, 6 and 7.
- 2.18 This is not a statutory document and therefore no consultation process is required for it to be published.
- 2.19 The licensing pages on the Council website already contain comprehensive information concerning the licensing process. This document is intended to compliment this existing information, allowing applicants to fulfil the expectations of the statutory guidance set out in the previous section.

3 Options

- 3.1 To allow the publication of the guidance.
- 3.2 To publish the guidance incorporating the Committee's comments.

4 Advice and Analysis

- 4.1 The guidance is not a statutory document. However it has been written with reference to the statutory guidance issued by the Government under section 182, Licensing Act 2003.
- 4.2 The intention is to support applicants through the licensing process for applications for off licenses, highlighting alcohol related harms within the defined areas thereby having a positive impact on those harms. In addition, as the quality of the applications will improve, the necessity for representations will decrease and there will be a corresponding saving in officer time.

4.3 The guidance is a 'living' document in that the data sets that have been used to support the information contained within it will need to be updated and refreshed regularly to keep the information it contains up to date and relevant. It is intended that the following data will be refreshed every 6 months

- Licensing data from Licensing Authority
- Crime and disorder data from Kent Police
- Alcohol related call out data from South East Coast Ambulance Service
- School exclusion and persistent absence data from Children's Services

All other data will be kept under review and assessed for relevance on a 6 monthly basis. It is proposed the publication of the guidance will be formally reviewed in the first instance after 12 months, and thereafter every 3 years.

4.4 As the data will need to be refreshed regularly there are several options available to the Committee

- a. Require the guidance to be reviewed every 6 months by Committee following the updating of the data sets.

Or

- b. Allow officers to update the data sets outlined above without returning the document to Committee and require the guidance to be formally reviewed by the Committee in the first instance after 12 months and thereafter every 3 years.
- c. If there is any material change to the information contained within the guidance i.e. any addition or removal of the themes contained within the document, it will be returned to Committee for approval.

5 Risk Management

5.1 There are reputational and legal risks that need to be mitigated in order to keep this guidance up to date, relevant and aligned to national statutory licensing policy.

Risk	Description	Action to avoid or mitigate risk	Risk rating
National and Local publicity	The Guidance could affect the public perception of how the Council undertakes its licensing function.	Ensure that every opportunity is taken to publicise all good news stories	C3

Legislation	Government could change the statutory guidance with regards to the expectations of filling out the operating schedule.	Monitor changes in legislation and policy coming out of the Home Office in order to anticipate changes.	C2
Keeping the guidance up to date and relevant	This is a living document and the identified alcohol related harms has to be supported by evidence and data which is up to date and relevant.	Regularly review and update document with each review timetabled and documented.	C2

6. Consultation

6.1 Consultation has been contained within the Strategic Licensing Group which has representatives from the following partners and agencies

- Licensing Department
- Public Health
- Community Safety
- Children's Services
- Kent Police
- Trading Standards
- Kent Fire and Rescue

All parties have been given the opportunity to contribute to and comment on the guidance. The decision to place the guidance before Members was taken and agreed by all members of the Group.

7. Financial implications

7.1 The ongoing maintenance of this document will be completed by Public Health and is funded by a Public Health grant funded post.

7.2 A more efficient licensing process will result in a saving in officer time.

7.3 A more efficient licensing process could lead to a reduction in hearings

8. Legal implications

8.1 The Local Licensing Guidance has no legal standing in the Licensing Act 2003.

8.2 Decisions made by the Committee on the basis of evidence and data contained within the guidance may be open to legal challenge if the evidence or data is not correct or out of date. This would be no different from the

current position whereby the Licensing Hearing Panel has to satisfy themselves of the validity and relevance of the evidence presented to them during a hearing.

9. Recommendations

- 9.1 The Committee is asked to consider the above report and agree for Local Licensing Guidance to be published.
- 9.2 The Committee is asked to allow officers to update the data sets outlined within the report without returning the document to Committee and require the guidance to be formally reviewed by the Committee in the first instance after 12 months and thereafter every 3 years. If there is any material change to the information contained within the guidance i.e. any addition or removal of the themes contained within the document, it will be returned to Committee for approval.

Lead officer contact

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Appendices

Appendix 1 - Revised Guidance issued under section 182, Licensing Act 2003 paragraphs 8.33 to 8.41

Appendix 2 – Summary evidence to support a Local Licensing Guidance in Gillingham High Street/Canterbury Street

Appendix 3 - Summary evidence to support a Local Licensing Guidance in Luton

Appendix 4 - Summary evidence to support a Local Licensing Guidance in Chatham High Street

Appendix 5 - Gillingham High Street/Canterbury Street, Local Licensing Guidance – Off Licence

Appendix 6 - Luton Local Licensing Guidance –Off Licence

Appendix 7 - Chatham High Street Local Licensing Guidance – Off Licence

Background papers

Revised Guidance issued under section 182 of the Licensing Act 2003 available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf

Licensing Act 2003 available at

<http://www.legislation.gov.uk/ukpga/2003/17/contents>

Leeds Local Licensing Guidance available at

<http://www.leeds.gov.uk/docs/097%20South%20Leeds%20Guidance.pdf>

<http://democracy.leeds.gov.uk/documents/s121712/Appendix%202.pdf>

Revised Guidance issued under section 182, Licensing Act 2003 paragraphs 8.33 to 8.41

Steps to promote the licensing objectives

8.33 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.34 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;

any risk posed to the local area by the applicants' proposed licensable activities; and

any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.35 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.36 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and

dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.37 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.38 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.40 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.41 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

Appendix 2

Summary of evidence supporting Local Licensing Guidance covering the Gillingham High Street/Canterbury Street area.

- Strong evidence of street drinking with significant amounts of alcohol related litter in several locations in the area, anecdotal evidence from community wardens of street drinking and associated concerns and evidence from public health officers.
- The number of off licences in the area. There are 39 premises licensed for the sale of alcohol for consumption off the premises within a 1Km radius of Gillingham High Street. These premises consist of small newsagents, convenience stores and larger supermarkets.
- Gillingham North and Gillingham South have the joint highest and second highest number of off licence premises in Medway at 24 and 23 respectively.
- The availability of cheap, high strength beer and cider (over 6.5% ABV). Beer, at 9% ABV, is on sale from as low as £1.40 for a 500ml can or £5.50 for 4, which is £1.375 for a 500ml can of super strength beer. The mandatory minimum price of Duty + VAT for this strength of beer in a 500ml can is £1.30. The price for 500ml cans of cider (over 7.5% ABV), is from 99p.
- Heat maps of crime and disorder data from Kent Police showed a 'hot spot' of alcohol related crime in this area in both the day and night time, such as domestic violence, drunken or nuisance gathering in public, assaults and criminal damage.
- Gillingham North and Gillingham South has some of the most deprived areas in Medway
- The areas of highest alcohol related crime and disorder broadly correspond with areas of high deprivation and a high density of licensed premises, an association which could be seen in this area.
- The wards of Gillingham South and Gillingham North are the second and third highest wards in Medway for alcohol related ambulance call outs at 254 and 203 calls respectively. (February 2014 to March 2015)
- There is a high incidence of alcohol related ambulance callouts centred on the Gillingham High Street area.
- The prevalence of binge drinking is high in Gillingham North and Gillingham South wards.
- An alcohol control zone is in force for Gillingham High Street and surrounding area to address evidenced alcohol related anti social behaviour.

Appendix 3

Summary of evidence supporting Local Licensing Guidance covering the Luton area.

- Heat maps of crime and disorder data from Kent Police showed a 'hot spot' of alcohol related crime in this area during both the day and night time including domestic violence, criminal damage, and anti social behaviour.
- A specific operation is being carried out by Kent Police in this area to address, among other issues, alcohol related crime and anti social behaviour.
- The number of off licensed premises in the area. Luton and Wayfield Ward has 17 off licensed premises and Chatham Central has 19, making Chatham Central joint 3rd highest in Medway and Luton and Wayfield joint 4th highest in Medway.
- Luton and Wayfield Ward has some of the most deprived areas in Medway
- The areas of highest alcohol related crime and disorder broadly correspond with areas of high deprivation and a high density of licensed premises, which applied to this area.
- Luton and Wayfield has the 5th highest number of alcohol related callouts to the South East Coast Ambulance Service in Medway at 169. (February 2014 to March 2015)
- The community warden reported problems with street drinking in Luton Road particularly in the summer months.

Summary of evidence supporting Local Licensing Guidance covering the Chatham High Street area.

- Strong evidence of street drinking shown by alcohol related litter in numerous locations in the area, evidence from public health officers and from the service provider, Turning Point, which has offices in the Chatham High Street.
- Reports from members of the Chatham Town Centre business forum concerning problems with street drinkers intimidating staff and customers.
- The number of off licenced premises in the area. There are 34 premises licensed for the sale of alcohol off the premises within a 1Km radius of Railway Street, Chatham. These premises consist of small newsagents and convenience stores.
- River Ward and Chatham Central Ward have joint highest and joint third highest number of off licences in Medway respectively at 24 and 19 premises.
- The ready availability of cheap, high strength beer and cider (over 6.5% ABV) that is on sale for similar prices as Gillingham.
- Heat maps of crime and disorder data from Kent Police showed a 'hot spot' of alcohol related crime in this area in both the day and night time, such as domestic violence, drunken or nuisance gathering in public, assaults and criminal damage.
- River Ward and Chatham Central Ward have some of the most deprived areas in Medway
- The areas of highest alcohol related crime and disorder broadly correspond with areas of high deprivation and a high density of licensed premises, which applied to this area.
- The wards of River and Chatham Central are the highest and 4th highest wards in Medway for alcohol related callouts to the South East Coast Ambulance service at 387 and 185 respectively. (February 2014 to March 2015)
- The area of Chatham High Street shows a high incidence of alcohol related ambulance call outs in both the day and night.
- River and Chatham Central wards have the highest prevalence of binge drinking in Medway.
- While overall A&E attendances for alcohol related issues are small, the greatest number are from Chatham Central Ward and River Ward.

- An alcohol control zone is in force for Chatham High Street area to address evidence alcohol related anti social behaviour.

**Gillingham High Street/Canterbury Street Local Licensing
Guidance – Off licenced premises**

This licensing guidance relates to the following area



This guidance applies to any application for a new premises licence and a variation of a premises licence for off licenced premises only within the area outlined in green shown on the above map. A list of the roads covered is at Appendix A.

Background

The Licensing Act 2003 requires an applicant for a premises licence or an application to vary a premises licence, to complete an operating schedule allowing the applicant to set out how the four licensing objectives will be promoted.

When filling out an operating schedule applicants are expected to have regard to the following documents

- The Statutory Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.
- Medway Council's Statement of Licensing Policy

Applicants are also expected to be aware of the expectations of all the responsible authorities as to what steps are appropriate to promote the four licensing objectives and to address any issues in the area in which the premises is situated. A full list of the responsible authorities, along with contact details can be found on the council website.

Applicants are expected to be fully aware of the four licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public Safety
- The protection of children from harm

All the above objectives have equal importance.

The Licensing Objectives are at the heart of the Licensing Act and the operating schedule allows applicants to demonstrate how they propose to address each objective. How each objective is addressed will form the basis of how responsibly authorities will respond to an application, and will inform any decision made by the Licensing Authority.

For these reasons it is in the interest of all applicants to make any application as detailed, complete and meaningful as possible enabling all parties to understand the nature of the application, and if a licence is granted, how the premises will operate. In addition a full and detailed operating schedule will give parties a greater confidence that the applicant is seeking to contribute in a positive way to the locality in which it is proposed the premises will operate.

Steps to promote the Licensing Objectives

Paragraph 8.34 of the Statutory Guidance states that applicants are expected to demonstrate a knowledge and understanding of the area in which the premises will operate and the particular steps needed to address these particular issues in the area.

Applicants will be expected to show an understanding of the following

- The layout of the local area, including crime and disorder hotspots, as well as the physical environment, such as the proximity of the premises to residential areas, or how close the premises is situated to areas where children congregate.
- Any risk to the area by the applicant's proposed licensable activities

- Any local initiatives that may mitigate any of these risks, such as local crime reduction initiatives or voluntary schemes.

The above list is not definitive and depending on local conditions additional information may be required as part of the application.

A full explanation of the above requirement can be found in the Section 182 Licensing Guidance at para 8.33 to 8.41 (published October 2014)

Publicly available sources of information may include

- Medway Council website, which i information relevant to
 - Trading Standards
 - Environmental Health
 - Community Safety Partnership
 - Access to an online mapping tool
- Kent Fire and Rescue website
- Kent Police website
- Police UK website
- Neighbourhood Statistics website

Links to all these sites can be found at the end of this guidance.

Applicants may find it useful to make enquiries in the area of residents and businesses, or groups representing these people such as resident associations, business forums and safer business partnerships if they operate in the area.

The operating schedule forms the basis for conditions that are placed on the licence, therefore any details relating to the promotion of the licensing objectives must be capable of being translated into enforceable conditions. Applicants might want to use the general box in section P of the operating schedule to outline the local factors they have considered and use each of the four boxed for the licensing objectives to detail how each will be promoted using the evidence given.

The Licensing Authority and responsible authorities are expected to ensure that applicants can readily access advice about these matters, and the Licensing Authority considers it best practice for all applicants to contact the responsible authorities prior to an application, as they will have detailed and expert knowledge of the area. This does not reduce the responsibility of applicants to make their own enquiries and carry out research.

This guidance has been produced to assist applicants in the defined area, where particular issues have been identified as being of concern. It will be given to all applicants applying to sell alcohol for consumption off the premises in this area to assist in the application process.

This guidance will also be made available to members of the Licensing –Hearing Panel in the event of a determination being necessary on receipt of representations.

This guidance may also be used by any resident, business or other interested party who make a representation against an application.

This guidance does not reduce the requirement on applicants to make their own enquires to ensure all four licensing objectives are properly addressed within their application

Local profile – Gillingham High Street/Canterbury Street area

The following consultees were asked for data, evidence, comment and observations during the consultation that has lead to this guidance.

- Kent Police
- Medway Council Licensing Department
- Trading Standards
- Environmental Health
- South East Coast Ambulance Service
- Community Wardens
- Public Health
- Turning Point
- Medway Children’s Services
- Medway Youth Services

How was the extent of the local profile area decided?

We gathered and analysed a wide range of information relating to the factors known to be associated with alcohol-related harm and together with local partners have agreed upon this area. As well as the location of current establishments, we have considered crime data (including anti-social behaviour), use of emergency health care, children’s social care assessments, school absences and exclusions, commercial noise complaints and to the location of existing establishments and the levels of deprivation across Medway.

Explanatory note:

Several of the maps in this guidance show information by Local Super Output Areas or LSOA. These are units of geography corresponding to an average of 1,600 people or 650 individual households which have been developed and maintained by the Office for National Statistics. Like electoral wards, each LSOA has a clearly defined geographical boundary. There are 163 LSOAs within the Medway Council boundary.

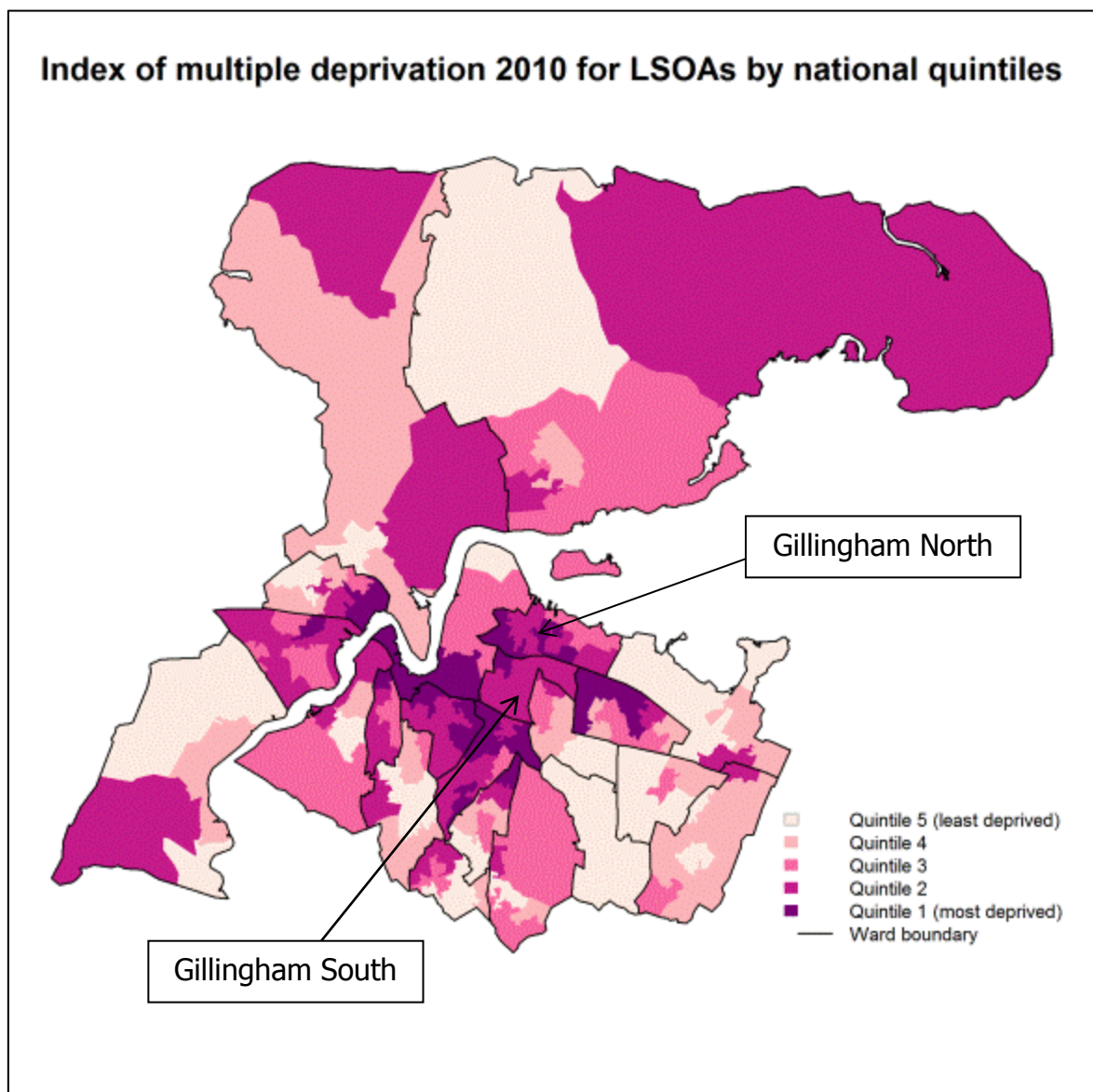
Deprivation

The Index of Multiple Deprivation 2010, published by Department of Communities and Local Government, provides a relative measure of deprivation in small areas across England. Apart from income, it includes employment, health, education, crime, access to services and the living environment.

Most of the lower super output areas in Gillingham North and Gillingham South wards are classed as being in the most deprived 40% across England.

In 2014 a study was undertaken in order to understand alcohol related harms in Medway and one of the conclusions was the following:

'There is a clear link between alcohol related health harms, hospital admissions, alcohol related crimes and living in a deprived area'¹



Location of premises licensed to sell alcohol for consumption off the premises in the Gillingham High Street and the Canterbury Street area.



There are a total of 47 off licensed premises in the wards of Gillingham North and Gillingham South. Gillingham North ward has 24 off licenced premises and Gillingham South has 23, which makes these two wards the joint highest and 3rd highest respectively in Medway for this type of licensed premises.

The area above, which straddles both wards and includes Gillingham High Street and a part of Canterbury Street, contains 31 off licensed premises, which accounts for 66% of the total for these two wards.

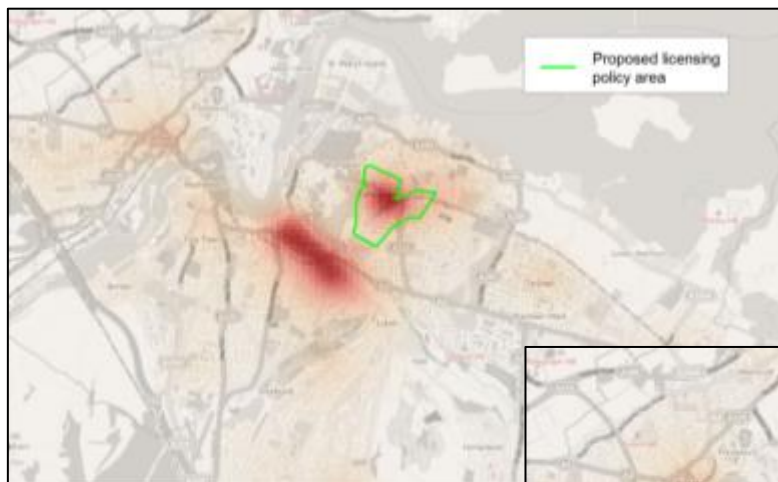
Crime

'Heat' maps of crime for Medway show that Gillingham has a high concentration of alcohol related crimes compared to the rest of Medway in the following categories:

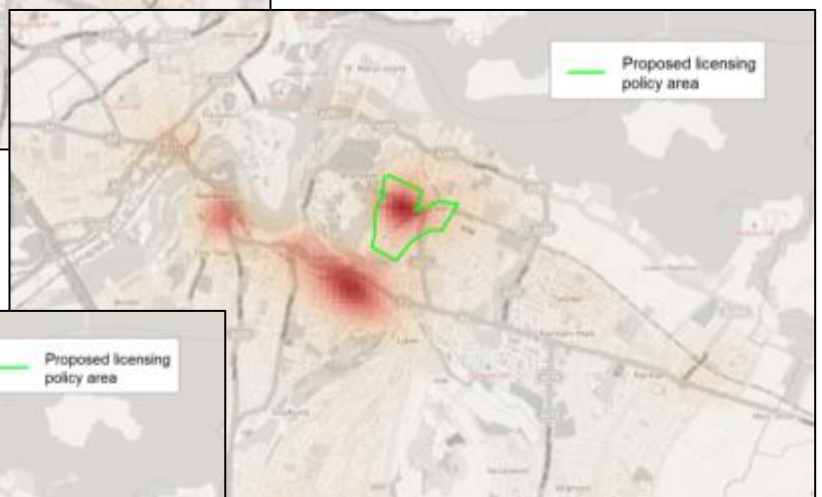
- Non domestic violence assaults
- Domestic violence
- Criminal damage
- Public order
- Sexual offences
- Anti social behaviour

This data has been provided by Kent Police and includes crimes reported by the victim based on where the crime occurred covering the three calendar years 2012-2014. Crimes occurring at night are those between the hours of 20:00 and 06:00.

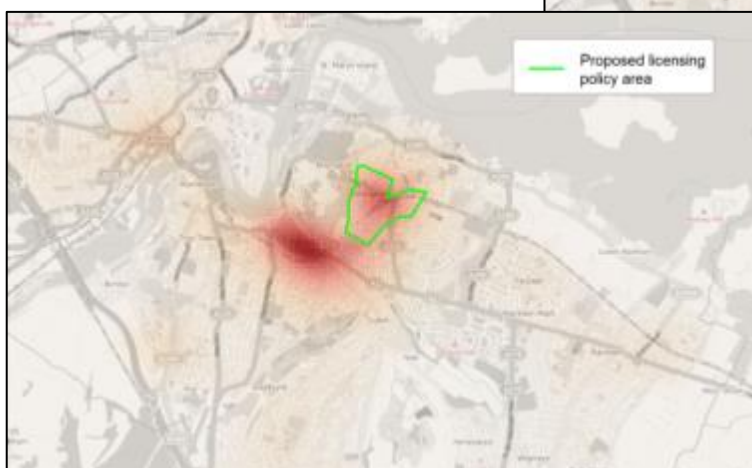
The overall level of alcohol related crime in Gillingham is high compared to the rest of Medway



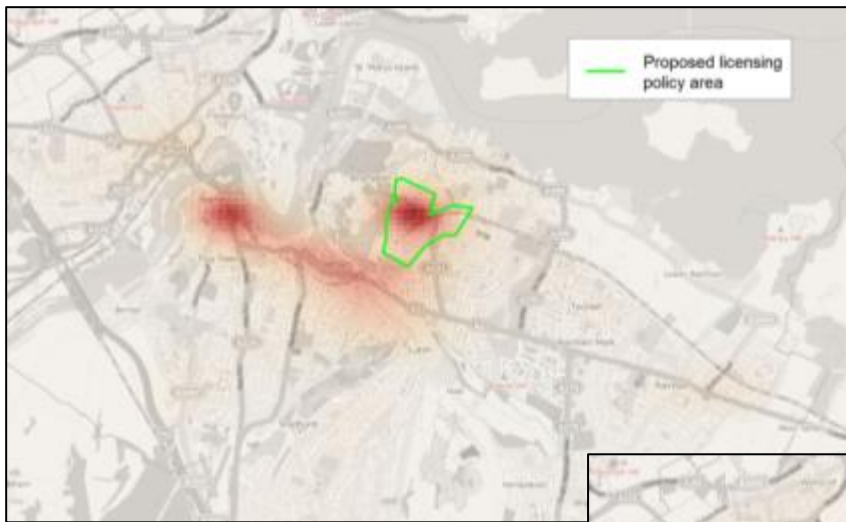
Anti Social Behaviour day



Anti Social Behaviour night

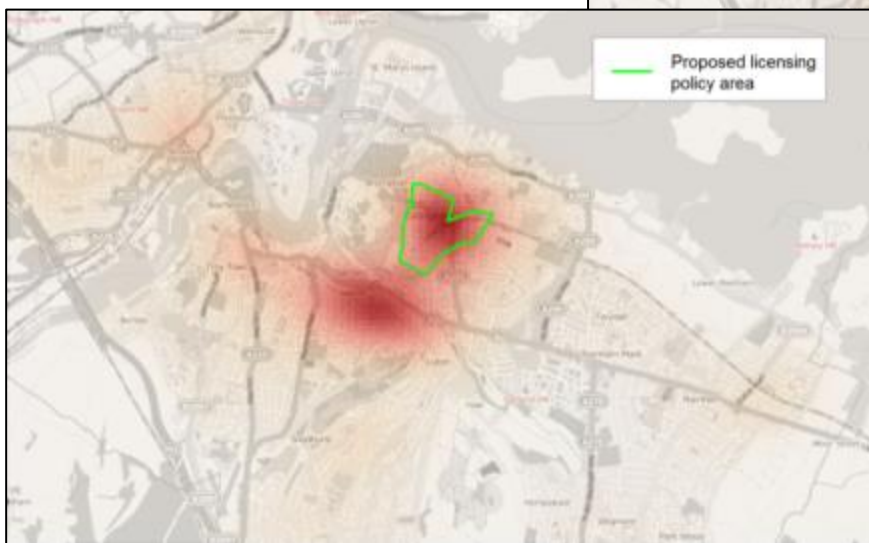
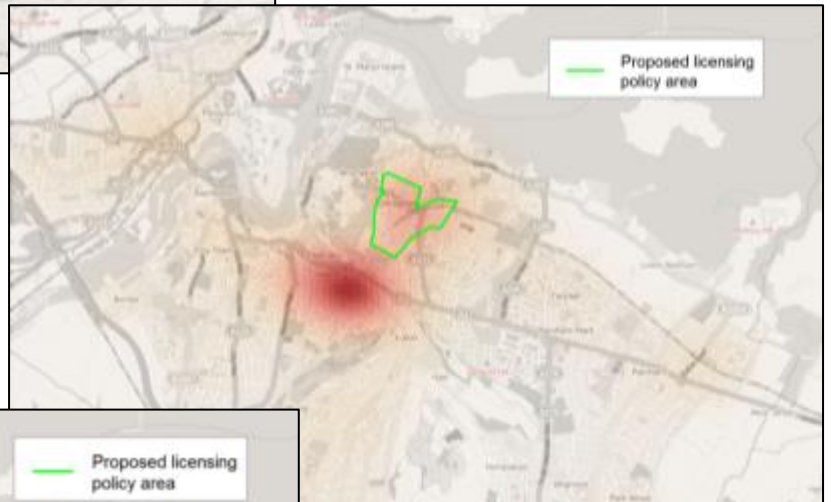


Non Domestic Assaults day



Domestic Abuse (Assaults) day

Non Domestic Assaults night



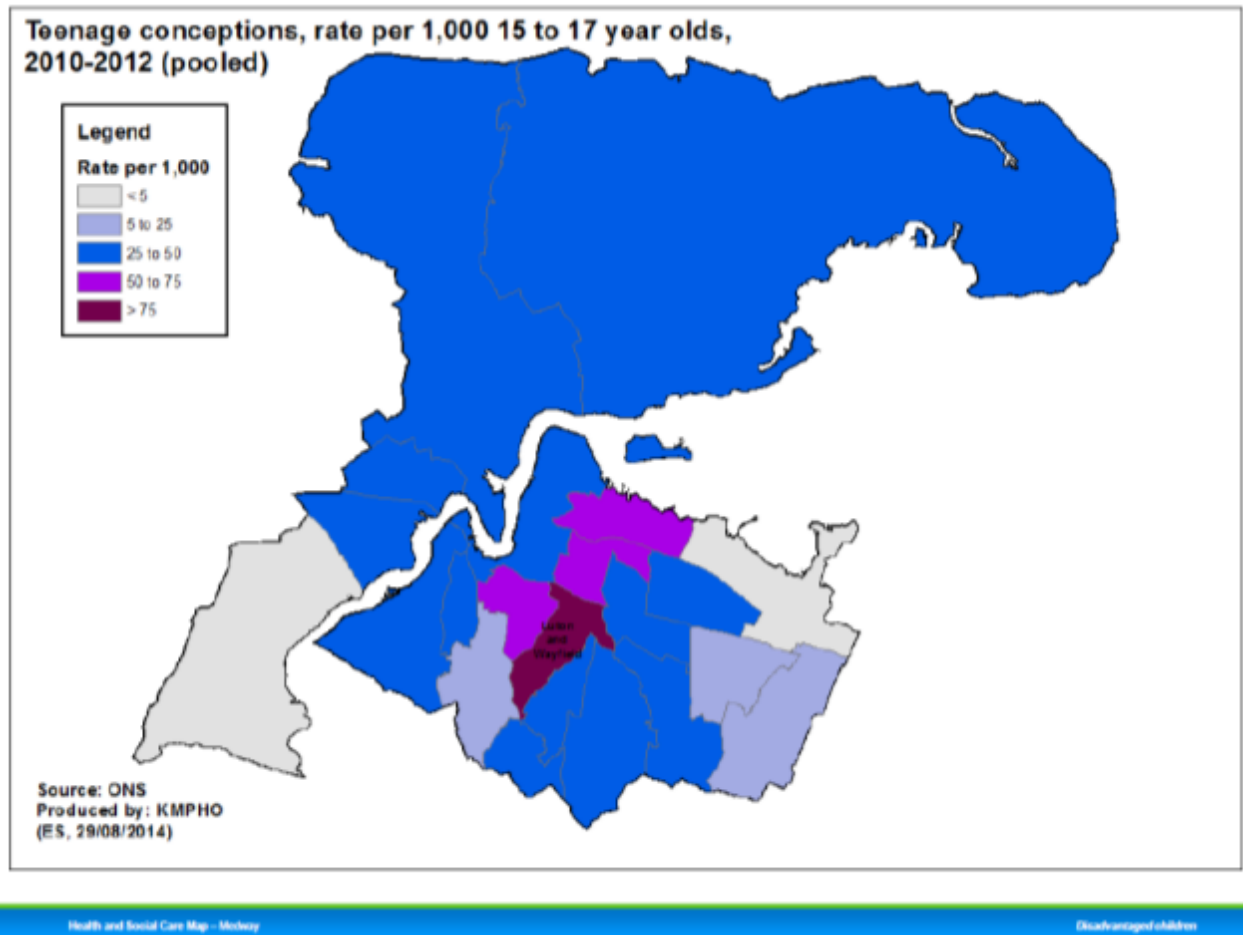
Domestic Abuse (Assaults) night

Academic studies have found links between the availability of alcohol, which includes outlet density, the hours alcohol is available for sale, price, and the following crimes

- Domestic Abuse (assaults) ^{2,3}
- Non domestic violence ^{2,3}
- Anti social behaviour ⁴

Children and Young People

Studies have shown there is also a link between the same alcohol availability described above and alcohol related harms and risky behaviour in under 18's, such as teenage pregnancy.^{5, 6}

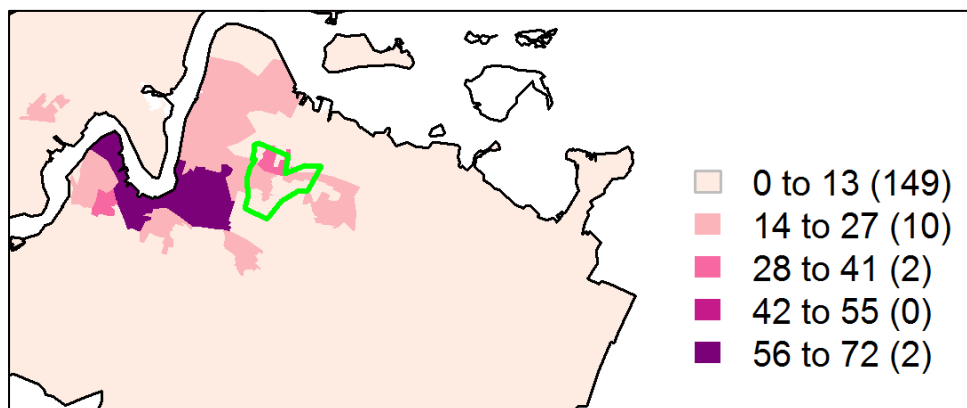
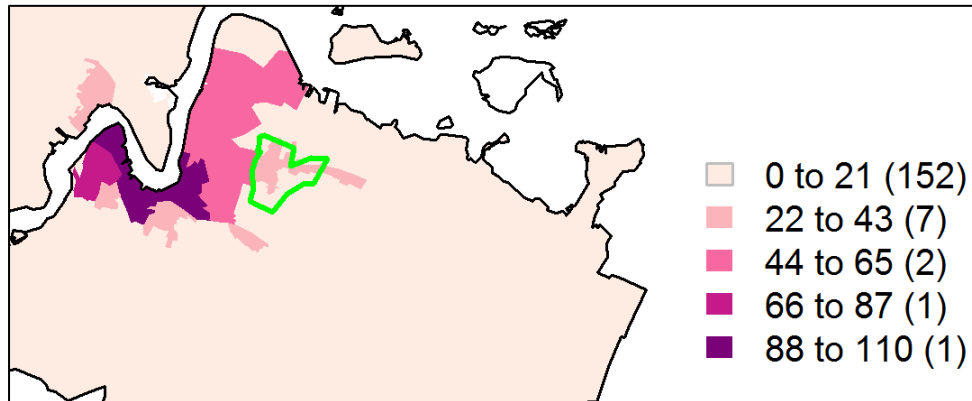


The below paragraph is taken from the current Joint Strategic Needs Assessment for Medway

*'Teenage pregnancy rates across Medway wards vary greatly, with some wards displaying significantly higher rates than the 2011 Medway average of 38.8. In terms of the number of under-18 conceptions the four highest wards are: **Gillingham North**, **Chatham Central**, **Gillingham South** and **Luton and Wayfield**, all of which have rates higher than 55 conceptions per 1,000 females aged 15–17. Strood South is also slightly higher than the Medway average. As expected these areas also correlate with high levels of deprivation and experience issues such as low income, unemployment, poor health and crime.'*⁷

Ambulance call outs

The following maps show call-outs by LSOA between March 2014 and February 2015 attended by South East Coast Ambulance Service where alcohol is suspected as a contributory factor. The maps below show the number of call outs to corresponding number of LSOAs, which are shown in brackets.



In total Gillingham South and Gillingham North wards have 255 and 204 callouts respectively and are the 2nd and 3rd highest wards in Medway for calls where alcohol is suspected as being a contributory factor.

Examples of the types of calls and frequency are:

Call type	Gillingham North	Gillingham South
Trauma/bleeding	35	25
Unconscious/faint	31	50
Alcohol intoxication	12	18
Falls <12ft	11	12
Assault	10	12
Limb/pain injury	6	7
Overdose/ingestion accidental	3	3
Shot/stabbing	3	3

This is not the complete list of all the categories of call out listed by the ambulance service but are those considered most relevant to one or more of the four licensing objectives.

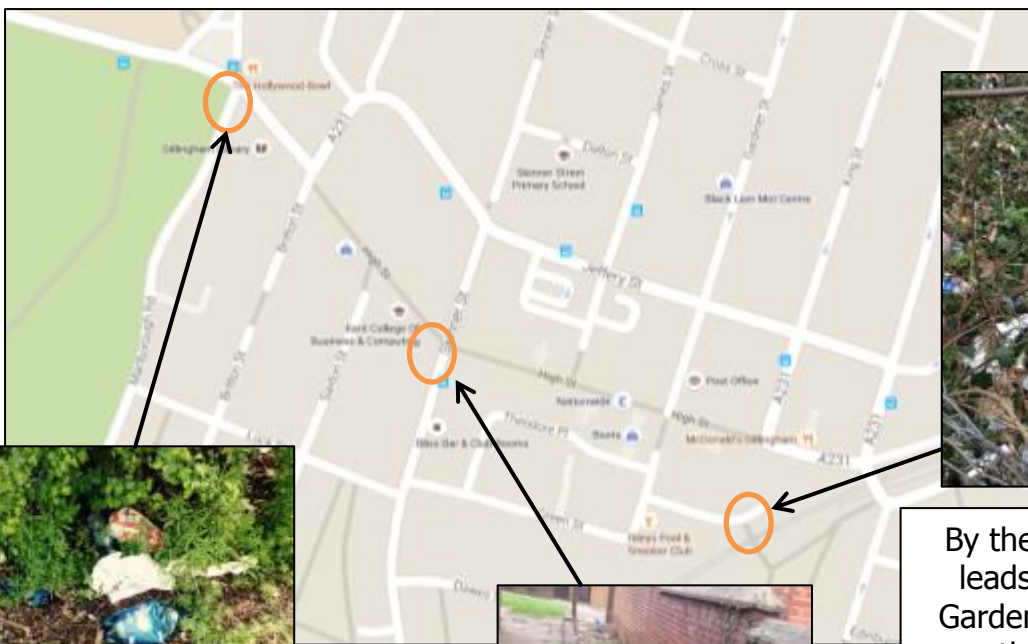
Street Drinking

People drinking alcohol in the street has been witnessed by public health staff. The community warden has had complaints from members of the public concerning street drinkers in this area. Kent Police are also concerned about street drinkers and associated anti social behaviour and crime.

Licensing visits carried out along Gillingham High Street and Canterbury Street by Medway Council Licensing Department received reports of off licences having issues with street drinkers. All premises checked, apart from one, sold beer and cider over 5.5% ABV including Skol Super, Kestral Super, Carlsberg Special Brew and Crest Super, all at 9% and 10% ABV at prices ranging from £1.40 to £1.99 a can. Cider from 7.5% ABV is also readily available, such as Frosty Jacks, K Cider, and White Ace, again at low prices for high volume

Alcohol related litter has been found in varying amounts in several locations in this area.

Below are pictures of alcohol related litter that can be found in the area, which is as a direct result of street drinking and is a concern.



By the footbridge that leads from Balmoral Gardens to the back of the Nisa shop.



In the grassy area at the junction of Brompton Road with Marlborough Road.



Around the church which is located at the junction of the High Street and Canterbury Street.

tobacco is the term used to describe both counterfeit products.

Both Trading Standards and Her Majesties Revenue and Customs have made significant seizures of both illicit alcohol and tobacco from licensed premises in this area.

Intelligence leads the authorities to believe that this continues to be a serious problem in Gillingham.

In 2010 a study was carried out in Medway looking at tobacco control in Medway. Part of the study involved looking at children, smoking and their knowledge and use of illicit tobacco. There were several points that came out of the study:

- The children who were part of the study were aware of illicit tobacco, whether that was non duty paid, foreign brands or counterfeit
- 41% of those questioned had smoked a 'fake' brand
- 56% of those questioned had smoked 'foreign' brands
- There was a preference for illicit tobacco products as they were seen as cheap
- The supply of illicit tobacco products was identified by the study as an 'enabler', allowing children to start and continue smoking

The most recent Tobacco Control Survey for Medway, which is produced by Public Health England, shows that 10% of 15 year olds in Medway are classed as 'current smokers'.

Children in Medway are aware of illicit tobacco. They seek it out, buy and use it, as illicit tobacco is cheap and easy to obtain.

The Local Picture – Medway Insight: Alcohol ¹

In 2014 Public Health commissioned a study aimed at understanding alcohol related harm in Medway. The final report came to several conclusions that are relevant to this mapping exercise.

- It concluded there was a clear link between alcohol related health harms, alcohol related crimes and living in a deprived area.
- There was a clear link between the concentration of alcohol related crime in deprived wards and where there is a higher density of licensed premises.
- In the wards with the highest density of alcohol related crime occurring between 2000 and 0600 there was a correlation with the density of licensed premises in these areas
- 48% or 70k, of Medway drinkers occasionally pre-load, having a drink before they go out
- 11% or 16k, pre-load regularly and this can often turn into a binge drinking episode

Alcohol Control Zone

Gillingham High Street and surrounding area is an alcohol control zone due to the proven alcohol related anti social behaviour.



Specific concerns for this area

- The accumulation and grouping together of premises providing off sales of alcohol in Gillingham High Street/Canterbury Street and surrounding area.
- The link between the number and density of alcohol retail outlets in the identified area, alcohol related crime and disorder and other alcohol related health harms.
- The relatively high number of alcohol related ambulance callouts in North and South Gillingham wards.
- The wide and obvious availability of alcohol in many forms of retail outlet, such as convenience stores, newsagents, corner shops, as well as supermarkets and specialist off licences.
- The ready availability of cheap 'super strength' beer and cider over 5.5% ABV.
- The sale of 9% and 10% ABV beer being sold in 500ml cans, which contain 4.5 or 5 units of alcohol each. The consumption of one of these cans puts the consumer over the

government recommended daily limit of 3 to 4 units for a man and 2 to 3 units for a woman.

- A concern that much of the cheap super strength alcohol may be from an illicit source due to the price per can.
- The link between violent crime/domestic violence which has been shown to be exacerbated by the availability of alcohol in an area due to the numbers of premises which sell alcohol for consumption off the premises. Gillingham has a high concentration of off licenced premises and accounts for 17% of all domestic violence incidents reported to Kent Police in Medway.
- The link between deprivation and alcohol related crime and anti social behaviour in Gillingham.
- The littering of empty alcohol related cans and bottles in the area
- The normalisation of alcohol abuse and the effect this has on children living in the area

Suggested measures to address highlighted issues and concerns.

The following suggestions can be considered, although they may vary for each premises. The lists are not exhaustive and are intended to act as prompts. Applicants are expected to use their own experience and knowledge of the location, customers and retail environment to incorporate those that are relevant into an operating schedule. The content of an operating schedule will form the basis of any subsequent conditions on the premises licence and therefore should be expressed in the form of an enforceable condition. Failure to address any or all of the concerns may lead to a representation from a responsible authority.

- **Crime and Disorder**
 - Will CCTV be installed?
 - If CCTV is installed does it cover relevant areas; does it have the ability to see a clear full face recording of customers; what is the period for retention of recordings; how is access given to the police and licensing authority officers to the recordings; what is the ability to produce copies or download images?
 - Will areas for the display of alcohol be marked on the plan of the premises, and any changes to this area will require an application for a minor variation to the Licensing Authority?
 - Will alcohol always be displayed within the premises in a way that is capable of being supervised by a member of staff?
 - Will consideration to be given to no alcohol being displayed within an agreed distance of the exit/entrance to the premises in order to deter thefts?

- Will the premises licence holder consider joining Safer Medway Partnership to provide a direct radio link to the town centre CCTV and access to intelligence concerning street drinkers and those likely to steal or be the cause of anti social behaviour?
 - How many members of staff will be personal licence holders in addition to the DPS?
 - Will a personal licence holder always be on duty at the shop when alcohol is on sale?
 - Will training in conflict management be considered for staff?
- **Prevention of Public Nuisance**
 - If there are residential premises/nursing homes/residential care homes/hospitals or any other sensitive premises nearby what actions will be taken to reduce any disturbance from customers?
 - How will the premises licence holder ensure that any litter associated with the premises is reduced as far as possible?
- **Public Safety**
 - Will there be a restriction on the sale of beers and ciders or similar of 5.5% ABV or above in order to discourage street drinkers?
 - Should beers and ciders or anything similar that are sold in a can or bottle be sold only in multiple packs in order to discourage street drinkers?
 - Will retail alert bulletins from the Portman Group be adhered to?
- **Protection of Children from harm**
 - What are the details of staff training? How will new staff be trained and until they are trained how will they be supervised? How regularly will staff be retrained and how will this be recorded; what access will the police and licensing authority officers have to the training?
 - Will staff be offered additional training such as the BIIAB Responsible Alcohol Retailing award?
 - Will consideration be given to the display of point of sale material clearly stating the shop policy for checking identification?
 - Will the mandatory age verification policy include a 'Challenge 25' direction to staff?
 - Will consideration to be given to no alcohol being displayed within an agreed distance of the exit/entrance to the premises?
 - Will alcohol always be displayed within the premises in a way that is capable of being supervised by a member of staff?
 - What form will a refusals register/book take? When will it be used and how often will the premises licence holder/DPS check it to ensure it is being consistently used?

Advice giving examples of good practice for licensed premises and a pool of example conditions for licensed premises can be found under the Medway Statement of Licensing Authority. It is strongly recommended that all applicants show they have read and considered the contents of this document in their licensing application. The link to the statement of licensing policy and associated annex can be found at the end of this document.

Responsible Retailing

Retailers are referred to Responsible Retail of Alcohol: Guidance for the Off Trade, which can be found at the following link

<http://www.brc.org.uk/Downloads/FCSG0475ResponsibleRetailingofAlcohol.pdf>

The British Institute of Innkeepers offer a variety of courses that would be relevant to address the points raised above, such as the award for Responsible Alcohol Retailing and Conflict Management for Licensed Premises Staff. Details of the course can be found at the following link

<http://biiab.bii.org/qualifications/qualification-ARAR>

[Other providers are available and the above is not meant as an endorsement of the BII. The above is provided as an example of courses that can be considered by applicants.](#)

Links and Resources

Section 182 Statutory Guidance Licensing Act 2003

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363262/GuidanceS182web.pdf

Medway Licensing Authority Statement of Licensing

<http://www.medway.gov.uk/businessandinvestment/licensingyourbusiness/licensedpremises.aspx>

Medway Local Area Profiles

<http://www.medway.gov.uk/planningandbuilding/planningpolicy/factsandfigures/areaprofiles.aspx>

The British Retail Consortium - The responsible retailing of alcohol

<http://www.brc.org.uk/Downloads/FCSG0475ResponsibleRetailingofAlcohol.pdf>

Community Safety Partnership

<http://www.medway.gov.uk/crimenuisanceandsafety/communitysafety/communitysafetypartnership.aspx>

Kent Police in Medway

http://www.kent.police.uk/Your%20Area/your_area.html

Crime information and data for your area

<http://www.police.uk/>

Kent Fire and Rescue

<http://www.kent.fire-uk.org/>

Local Alcohol Profiles for England

<http://www.lape.org.uk/LAProfile.aspx?reg=X25004AE>

Neighbourhood Statistics

<https://neighbourhood.statistics.gov.uk/dissemination/>

Safer Medway Partnership

<http://www.safermedway.com/>

Other useful contacts

National Proof of Age Standards Scheme (PASS)

For information on PASS accredited card schemes, please visit:

<http://www.pass-scheme.org.uk/>

To download PASS posters and other resources, please visit:

<http://www.pass-scheme.org.uk/downloads/>

Challenge 25 posters can be downloaded from

<http://www.challenge25.org>

British Institute of Innkeeping (BII)

<http://biiab.bii.org/courses>

Association of Convenience Stores

www.thelocalshop.com

Retail of Alcohol Standards Group (RASG)

<http://www.wsta.co.uk/about-us/committees/133-info/686-retail-of-alcohol-standards-group>

Wine and Spirit Trade Association

www.drinkaware.co.uk

<http://www.wsta.co.uk/>

The Portman Group

<http://www.portmangroup.org.uk>

Drinkaware

References

1. Medway Insights: Alcohol (2014)
2. Livingston, M. (2011) cited in NICE PH24: Alcohol Use Disorders: Preventing harmful drinking. Evidence Update 54 (2014)
3. Livingstone, M (2013) To reduce alcohol-related harm we need to look beyond pubs and nightclubs: Drug and Alcohol Review.
4. Chaing, C. (2010) Review of the link between outlet density and crime in NHS GGC.
5. Fuller, E. (2005) cited in Indications of Public Health in the English Regions: Alcohol (2011)
6. Wight D, Henderson M, Raab G et al (2000). Cited in Indications of Public Health in the English Regions: Alcohol (2011)
7. Medway Joint Strategic Needs Assessment (2015)

Appendix A

List of roads covered by the Gillingham Licensing Guidance

A231 to junction with Gillingham Rd	Jubilee Terrace
Albert Road	King Street
Arden Street	Lawrence Street
Avondale Road	Lock Street
Balmoral Road	Marlborough Rd to junction with York Ave
Belmont Road	May Road
Britton Street	Merlin Way
Canterbury St to junction with Gillingham Rd	Mill Rd to junction with Saunders St
College Avenue	Nile Road
Connaught Road	Osbourne Road
Copenhagen Road	Paget Street
Cross Street	Railway Street
Dawes Street	Regent Road
Edinburgh Road	Saunders Street
Fox Street	Saxton Street
Franklin Road	Skinner Street
Frederick Road	Stafford Street
Gardiner Street	Theodore Place
Gillingham Road	Trafalgar Court
Gorst Street	Trafalgar Street
Green Street	Upper Brittan Place
High Street	Vicarage Road
Ingram Rd between Gillingham Rd and Railway St	Victoria St to junction with Saunders St
James Street	Waterloo Road
Jeffery Street	Windmill Road
Jeyes Road	Windsor Court
	Windsor Road
	York Avenue

Luton Local Licensing Guidance –
Off licence Premises

This licensing guidance relates to the following area outlined in green



This guidance applies to any application for a new Premises Licence (PL) and a full PL variation covered by the above map for the facility to sell alcohol for consumption off the premises. A list of the roads covered by this guidance is at Appendix A

Background

The Licensing Act 2003 requires an applicant for a Premises Licence (PL) or an application to vary this, to complete an operating schedule allowing the applicant to set out how the four licensing objectives will be promoted.

When filling out an operating schedule applicants are expected to have regard to the following documents

- The Statutory Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.
- Medway Council's Statement of Licensing Policy

Applicants are also expected to be aware of the expectations of all the responsible authorities as to what steps are appropriate to promote the four licensing objectives and to address any issues in the area in which the premises is situated. A full list of the responsible authorities, along with contact details can be found on the council website.

Applicants are expected to be fully aware of the four licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public Safety
- The protection of children from harm

All the above objectives have equal importance.

The Licensing Objectives are at the heart of the Licensing Act and the operating schedule allows applicants to demonstrate how they propose to address each objective. How each objective is addressed will form the basis of how responsibly authorities will respond to an application, and will inform any decision made by the Licensing Authority.

For these reasons it is in the interest of all applicants to make any application as detailed, complete and meaningful as possible enabling all parties to understand the nature of the application, and if a licence or certificate is granted, how the premises will operate. In addition a full and detailed operating schedule will give parties a greater confidence that the applicant is seeking to contribute in a positive way to the locality in which it is proposed the premises will operate.

Steps to promote the Licensing Objectives

Paragraph 8.34 of the Statutory Guidance states that applicants are expected to demonstrate a knowledge and understanding of the area in which the premises will operate and the particular steps needed to address these particular issues in the area.

Applicants will be expected to show an understanding of the following

- The layout of the local area, including crime and disorder hotspots, as well as the physical environment, such as the proximity of the premises to residential areas, or how close the premises is situated to areas where children congregate.
- Any risk to the area by the applicant's proposed licensable activities
- Any local initiatives that may mitigate any of these risks, such as local crime reduction initiatives or voluntary schemes.

The above list is not definitive and depending on local conditions additional information may be required as part of the application.

A full explanation of the above requirement can be found in the Section 182 Licensing Guidance at para 8.33 to 8.41 (published October 2014)

Publicly available sources of information may include

- Medway Council website, which would include information relevant to
 - Trading Standards
 - Environmental Health
 - Community Safety Partnership
 - Access to an online mapping tool
- Kent Fire and Rescue website
- Kent Police website
- Police UK website
- Neighbourhood Statistics website

Links to all these sites can be found at the end of this guidance.

Applicants may find it useful to make enquiries in the area of residents and businesses, or groups representing these people such as resident associations, business forums and safer business partnerships if they operate in the area.

The operating schedule forms the basis for conditions that are placed on the licence, therefore any details relating to the promotion of the licensing objectives must be capable of being translated into enforceable conditions. Applicants might want to use the general box in section P of the operating schedule to outline the local factors they have considered and use each of the four boxed for the licensing objectives to detail how each will be promoted using the evidence given.

The Licensing Authority and responsible authorities are expected to ensure that applicants can readily access advice about these matters, and the Licensing Authority considers it best practice for all applicants to contact the responsible authorities prior to an application, as they will have detailed and expert knowledge of the area. This does not reduce the responsibility of applicants to make their own enquiries and carry out research.

This guidance has been produced to assist applicants in the defined area, where the issues have been identified as being of particular concern. It will be given to all applicants in this area to assist in the application process.

This guidance will also be made available to members of the Licensing –Hearing Panel in the event of a determination being necessary on receipt of representations.

This guidance may also be used by any resident, business or other interested party who make a representation against an application.

This guidance does not reduce the requirement on applicants to make their own enquires to ensure all four licensing objectives are properly addressed within their application.

Local profile – Luton/Chatham Central area

The following consultees were asked for data, evidence, comment and observations during the consultation that has lead to this guidance.

- Kent Police
- Medway Council Licensing Department
- Trading Standards
- Environmental Health
- South East Coast Ambulance Service
- Community Wardens
- Public Health
- Turning Point
- Medway Children’s Services
- Medway Youth Services

How was the extent of the local profile area decided?

We gathered and analysed a wide range of information relating to the factors known to be associated with alcohol-related harm and together with local partners have agreed upon this area. As well as the location of current establishments, we have considered crime data (including anti-social behaviour), use of emergency health care, children’s social care assessments, school absences and exclusions, commercial noise complaints and to the location of existing establishments and the levels of deprivation across Medway.

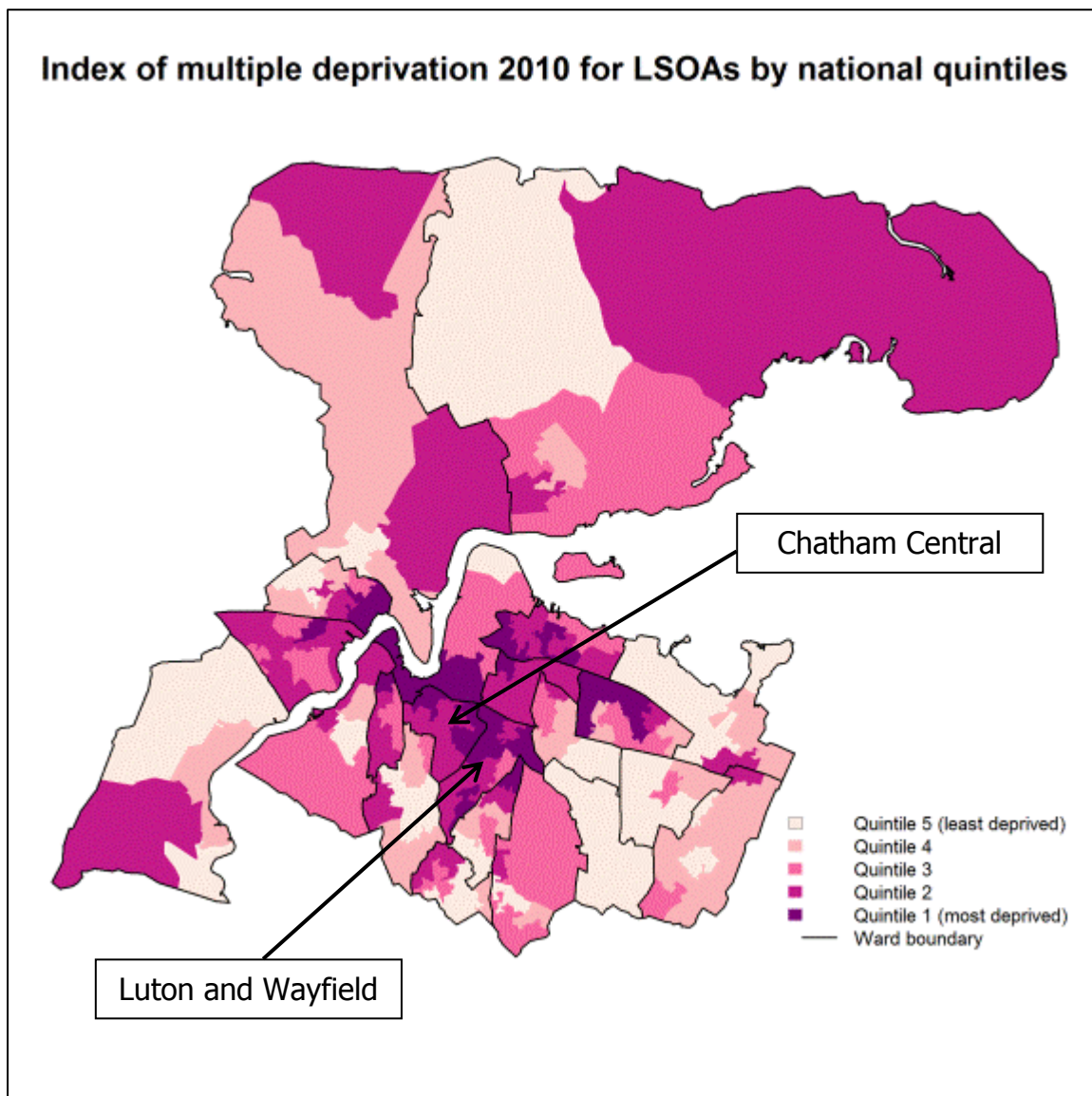
Explanatory note:

Several of the maps in this guidance show information by Local Super Output Areas or LSOA. These are units of geography corresponding to an average of 1,600 people or 650 individual households which have been developed and maintained by the Office for National Statistics. Like electoral wards, each LSOA has a clearly defined geographical boundary. There are 163 LSOAs within the Medway Council boundary.

Deprivation

The Index of Multiple Deprivation 2010, published by Department of Communities and Local Government, provides a relative measure of deprivation in small areas across England. Apart from income, it includes employment, health, education, crime, access to services and the living environment.

All the neighbourhoods except one in Luton and Wayfield and Chatham Central wards are classed as being in the most deprived 40% across England.



In 2014 a study was undertaken in order to understand alcohol related harms in Medway and one of the conclusions was the following:

'There is a clear link between alcohol related health harms, hospital admissions, alcohol related crimes and living in a deprived area' (Medway Insights: Alcohol. 2014)

Location of premises licensed to sell alcohol for consumption off the premises in the Luton/Chatham Central ward areas.



There are a total of 36 off licensed premises in the wards of Luton and Wayfield and Chatham Central. Luton and Wayfield has 17 off licenced premises and Chatham Central has 19, which makes these two wards the joint 2nd and 3rd highest respectively in Medway for this type of licensed premises.

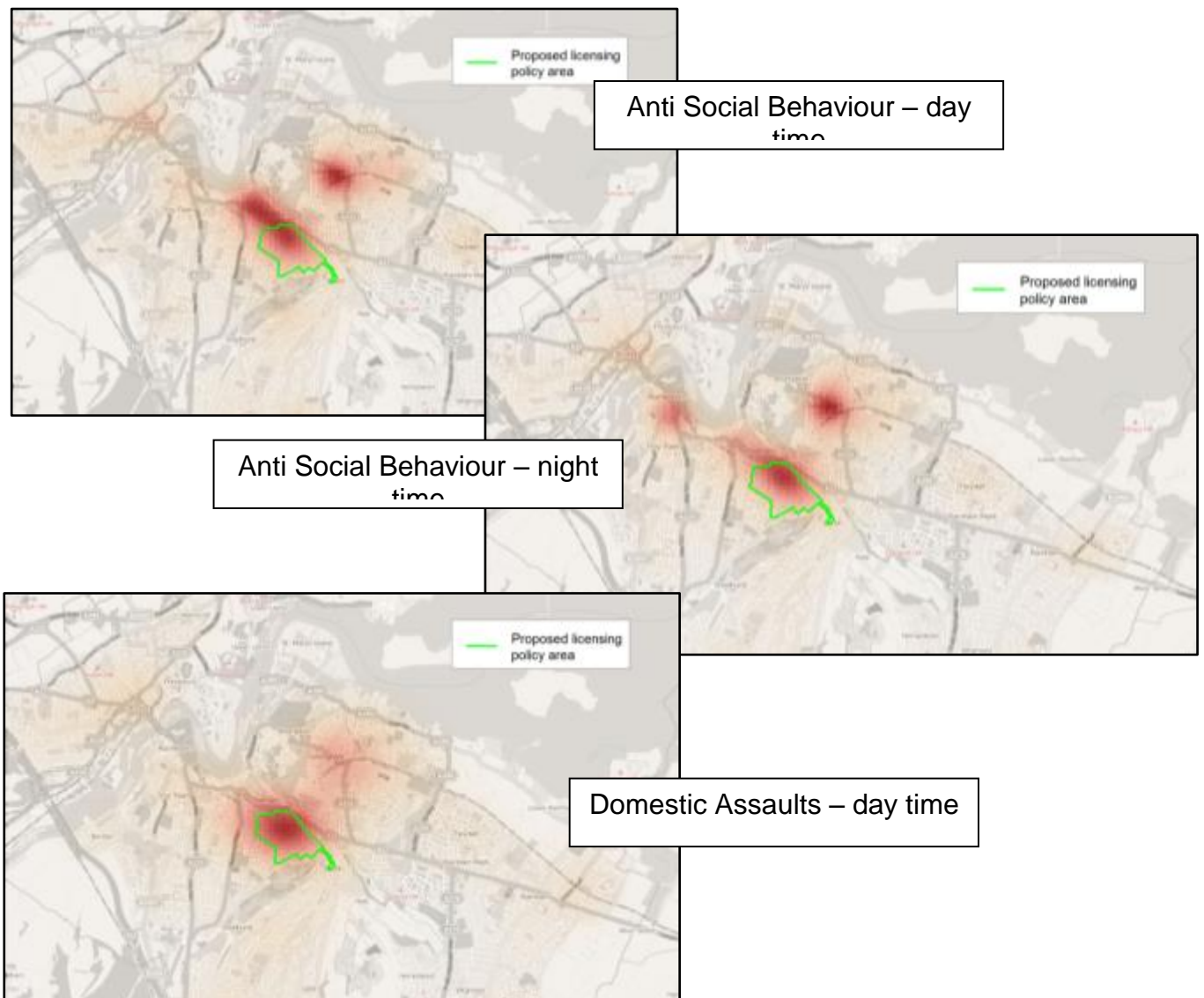
The area above, which straddles both wards and includes Luton Road and a part of Magpie Hall Road, contains 16 off licensed premises, which accounts for 44% of the total off licensed premises for these two wards.

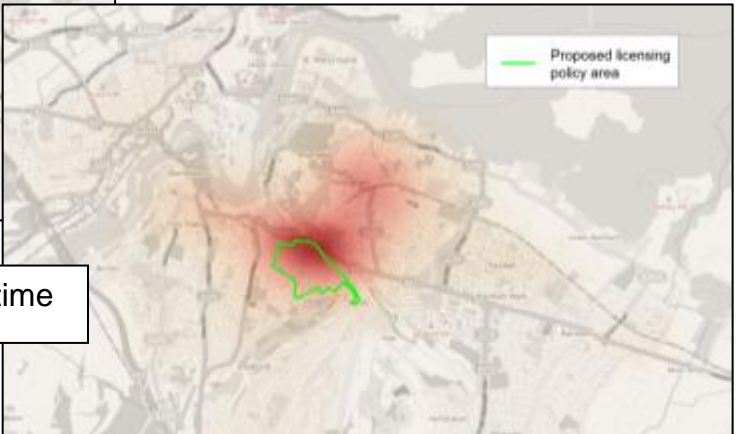
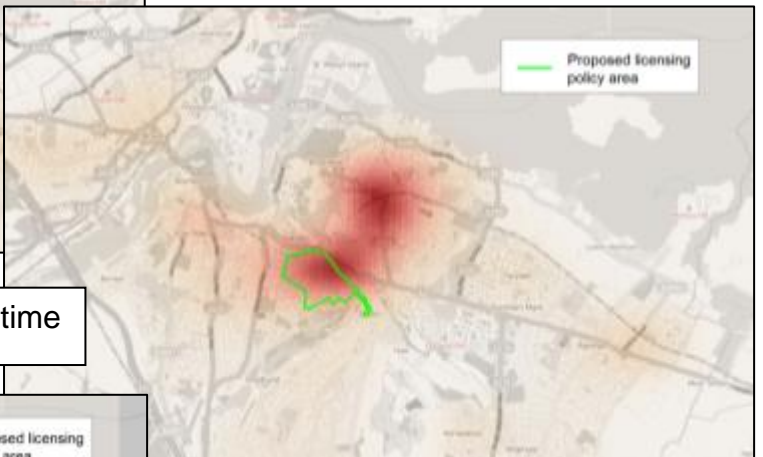
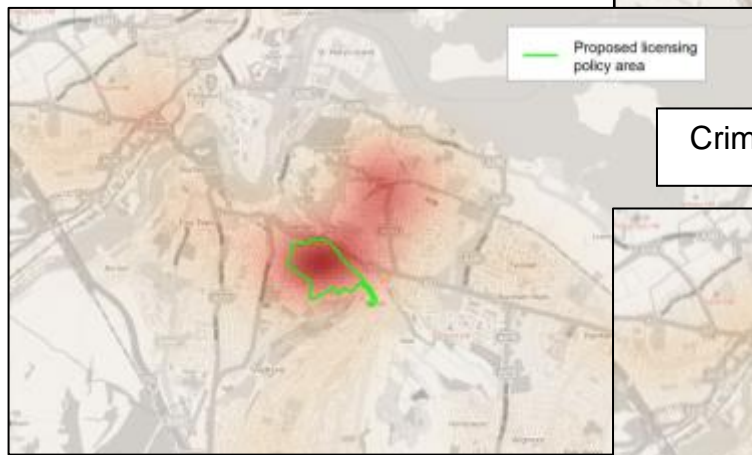
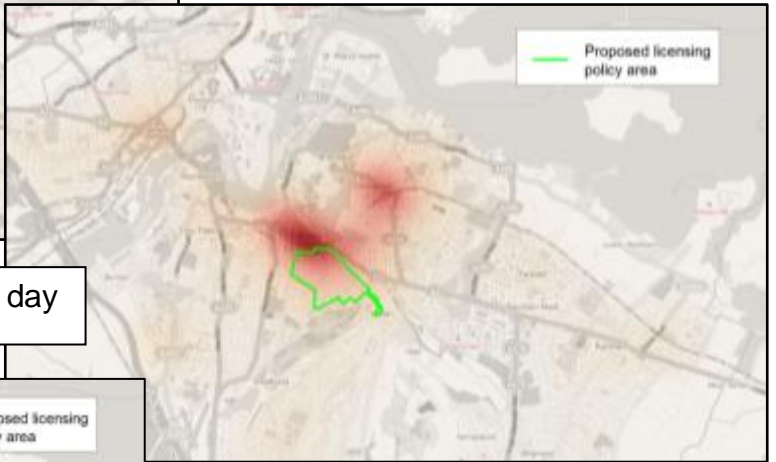
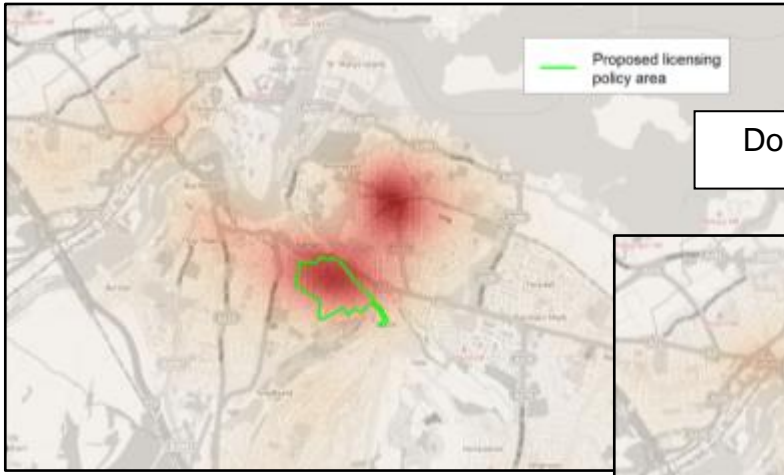
Crime

'Heat' maps of crime for Medway show that Luton has a high concentration of alcohol related crimes compared to the rest of Medway in the following categories:

- Non domestic violence assaults
- Domestic violence
- Criminal damage
- Sexual offences
- Anti social behaviour

This data has been provided by Kent Police and includes crimes reported by the victim based on where the crime occurred covering the three calendar years 2012-2014. Crimes occurring at night are those between the hours of 20:00 and 06:00.





Academic studies have found links between the availability of alcohol, which can include outlet density, the hours alcohol is available for sale, price, and the following crimes

- Domestic Violence ^{1,2}
- Non domestic violence ^{1,2}
- Assaults ^{1,2}

Street Drinking, drunkenness and alcohol dependent drinkers

This area would appear to have a problem with people drinking alcohol in the street. Kent Police are concerned about street drinkers and associated anti social behaviour and crime. There have been reports of alcohol being sold to people who are drunk and who subsequently congregate outside shops and on grassed areas, particularly in Luton Road and Magpie Hall Road. There have been reports of persons urinating in public and of problems with drunks hanging around the school.

During licensing visits carried out along Luton Road by officer from Medway Council Licensing Department received reports of off licences having issues with groups of people standing in the street drinking alcohol. All premises checked sold beer and cider over 5.5% ABV including Skol Super, Kestral Super, Carlsberg Special Brew and Tennents Super, all at 9% ABV, at prices ranging from £1.10 to £2.20 a can. Cider from 7.5% ABV is also readily available, such as Frosty Jacks, K Cider, and White Ace, again at low prices for high volume

Children and Young People

General

Enquiries with off licensed premises in the Luton Road area showed a general concern about young people gaining access to alcohol. All stated that young people trying to buy alcohol was either an ongoing problem or had been a problem in the past. There were also concerns with 'proxy' purchasing, where adults attempted to purchase on behalf of young people.

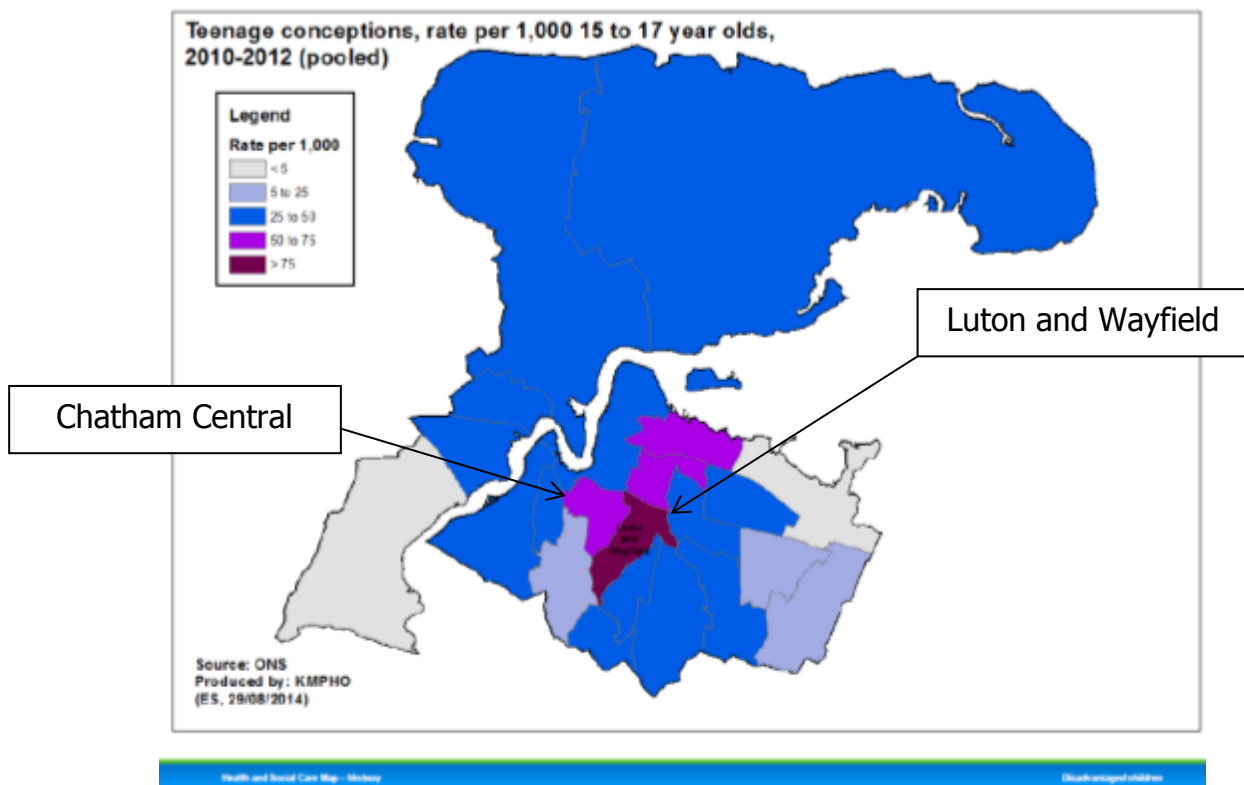
Theft of alcohol was identified by retailers as an even bigger problem, although this was generally not reported to the police, so would appear to be a very under reported issue.

Teenage conceptions

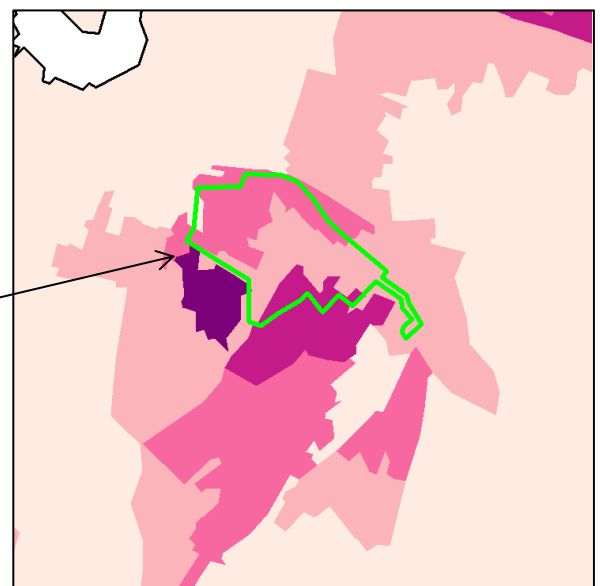
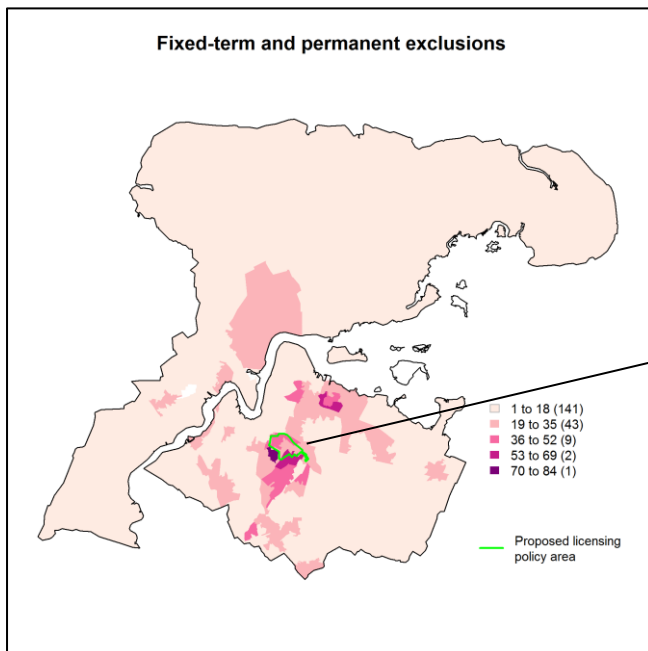
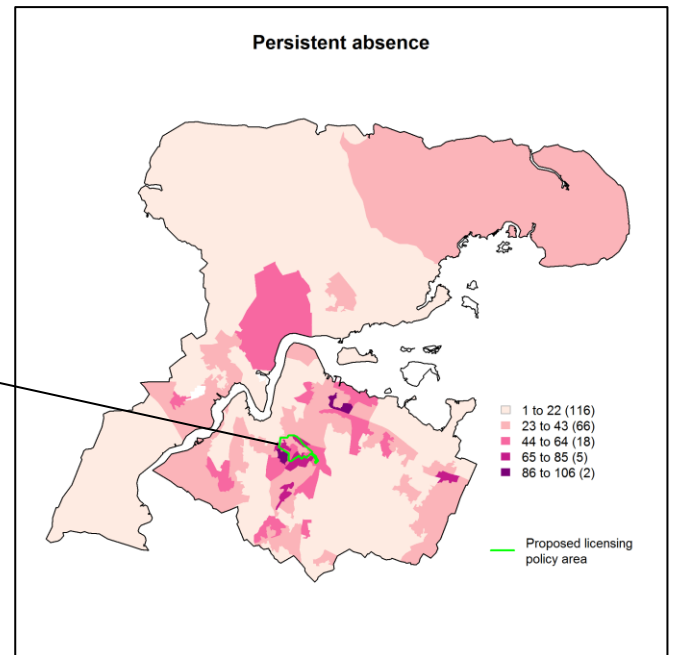
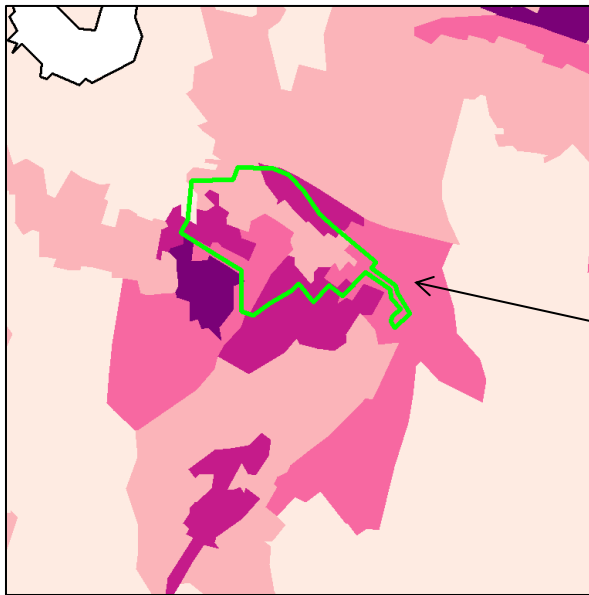
Studies have shown there is a link between alcohol availability and alcohol related harms and risky behaviour in under 18's, such as teenage pregnancy³ and school absence.^{4, 5}

The below is taken from the current Joint Strategic Needs Assessment for Medway

*'Teenage pregnancy rates across Medway wards vary greatly, with some wards displaying significantly higher rates than the 2011 Medway average of 38.8. In terms of the number of under-18 conceptions the four highest wards are: Gillingham North, **Chatham Central**, Gillingham South and **Luton and Wayfield**, all of which have rates higher than 55 conceptions per 1,000 females aged 15–17. Strood South is also slightly higher than the Medway average. As expected these areas also correlate with high levels of deprivation and experience issues such as low income, unemployment, poor health and crime.'* (Medway JSNA, 2015)



School exclusions and persistent absence

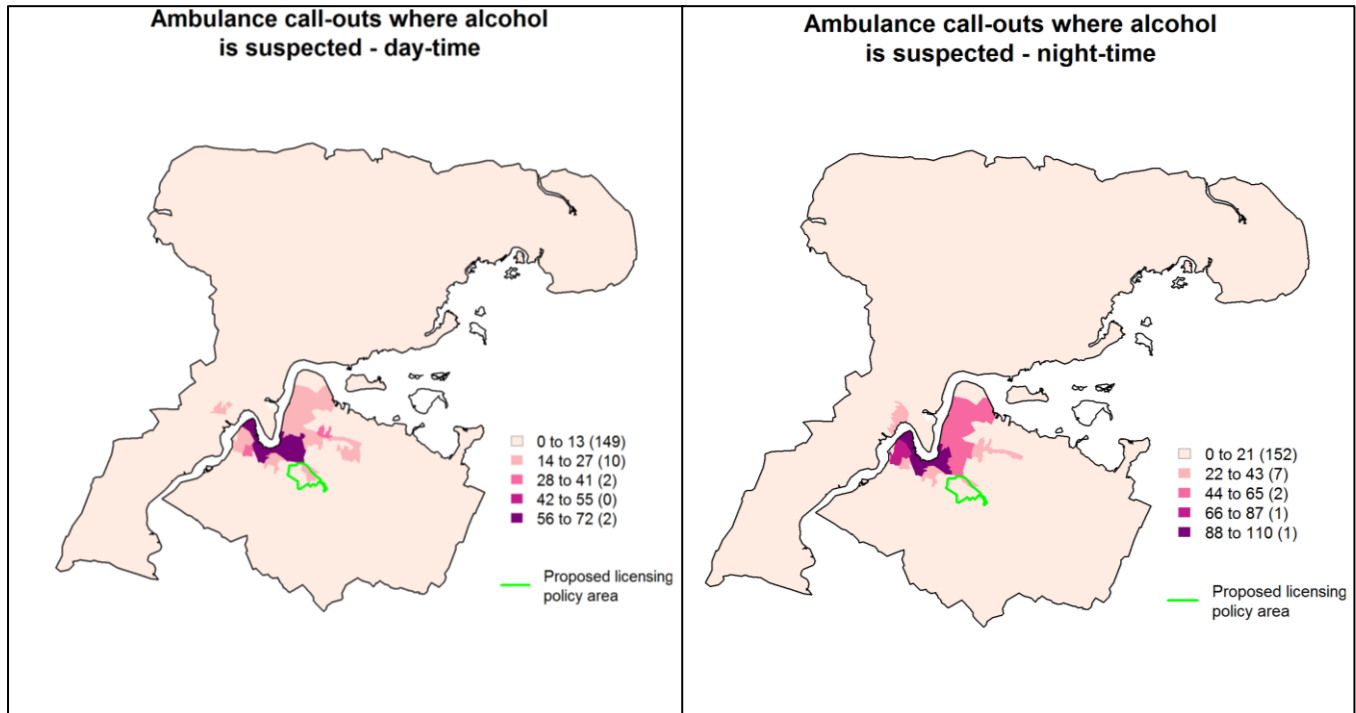


LSOAs both within and surrounding the defined area have higher incidents of both persistent absence and fixed term and permanent exclusion from school compared to the rest of Medway.

There are several studies and reports that show a link between alcohol use and school absence, as well as other risky behaviour, such as smoking and drug use. ^{6, 7}

Ambulance call outs

The following maps show call-outs by LSOA between March 2014 and February 2015 attended by South East Coast Ambulance Service where alcohol is suspected as a contributory factor. The maps below show the number of call outs to corresponding LSOAs shown in brackets.



In total Chatham Central and Luton and Wayfield wards have 185 and 169 callouts during the above period respectively and are the 4th and 5th highest wards in Medway for calls where alcohol is suspected as being a contributory factor. (Medway has 22 wards)

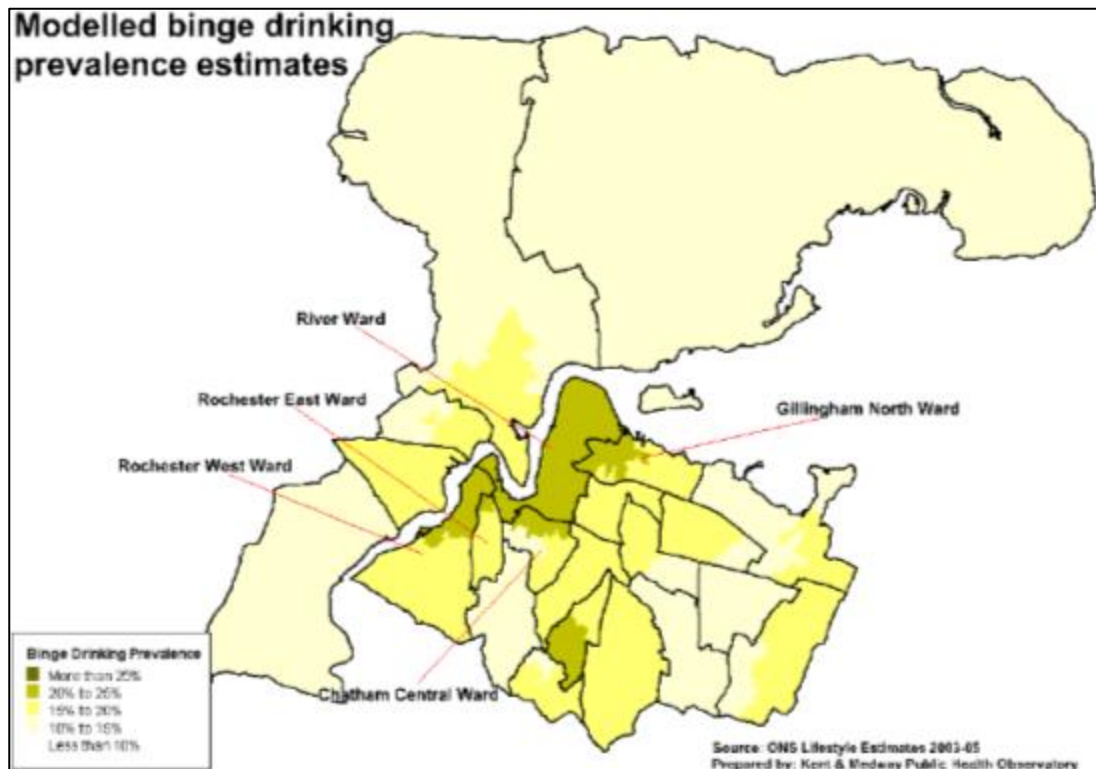
Examples of the types of calls and frequency are:

Call type	Luton and Wayfield	Chatham Central
Limb/pain injury	25	10
Overdose/ingestion accidental	18	6
Shot/stabbing	11	2
Alcohol intoxication	10	19
Unconscious/faint	8	23
Trauma/bleeding	7	13
Falls <12ft	3	9
Assault	1	6

This is not the complete list of all the categories of call out listed by the ambulance service but are those considered most relevant to one or more of the four licensing objectives.

Binge Drinking Prevalence

Binge drinking can be defined as drinking more than the recommended daily intake and is classified as more than eight units in a day for men and more than six units for women. Binge drinking can relate to alcohol-related accidents and poisoning, which can result in attendance at Accident and Emergency departments. It can also impact on alcohol-related crime and many social problems. Binge drinking over a prolonged period of time can lead to chronic ill health and premature death through cirrhosis of the liver.⁸



The estimated prevalence of binge drinking in Medway is highest in River, Chatham Central, Gillingham North and Gillingham South

Illicit Alcohol and Tobacco

Illicit alcohol and tobacco is the term used to describe both non UK duty paid goods and counterfeit products.

Both Trading Standards and Her Majesties Revenue and Customs have made significant seizures of both illicit alcohol and tobacco from unlicensed and licensed premises in this area.

Intelligence leads the authorities to believe that this continues to be a serious problem in Luton.

In 2010 a study was undertaken looking at tobacco control in Medway⁹. Part of the study involved looking at children, smoking and their knowledge and use of illicit tobacco. There were several points that came out of the study:

- The children who were part of the study were aware of illicit tobacco, whether that was non duty paid, foreign brands or counterfeit
- 41% of those questioned had smoked a 'fake' brand
- 56% of those questioned had smoked 'foreign' brands
- There was a preference for illicit tobacco products as they were seen as cheap
- The supply of illicit tobacco products was identified by the study as an 'enabler', allowing children to start and continue smoking

The most recent Tobacco Control Survey for Medway, which is produced by Public Health England, shows that 10% of 15 year olds in Medway are classed as 'current smokers'.¹⁰

Children in Medway are aware of illicit tobacco. They seek it out, buy and use it, as illicit tobacco is cheap and easy to obtain.

The Local Picture – Medway Insight: Alcohol (2014)¹¹

In 2014 Public Health commissioned a study aimed at learning how to encourage Medway residents to reduce their drinking' including reducing the level of pre-loading. The final report came to several conclusions that are relevant to this mapping exercise.

- It concluded there was a clear link between alcohol related health harms, hospital admissions, alcohol related crimes and living in a deprived area.
- There was a clear link between the concentration of alcohol related crime in deprived wards and where there is a higher density of licensed premises.
- In the wards with the highest density of alcohol related crime occurring between 2000 and 0600 there was a correlation with the density of licensed premises in these areas
- 48% or 70k, of Medway drinkers occasionally pre-load, having a drink before they go out
- 11% or 16k, pre-load regularly and this can often turn into a binge drinking episode.

Specific concerns for this area

- The number of and grouping together of premises providing off sales of alcohol in the Luton Road and surrounding areas.
- The link between the number and density of alcohol retail outlets in the identified area, alcohol related crime and disorder and other alcohol related health harms.

- The relatively high number of alcohol related ambulance callouts in Luton & Wayfield and Chatham Central Wards compared to the rest of Medway.
- The wide and obvious availability of alcohol in many forms of retail outlet, such as convenience stores, newsagents and corner shops, as well as nearby supermarkets.
- The prevalence of binge drinking that can lead to alcohol related accidents, crime and disorder
- The use of alcohol by young people which has a link to risky behaviour, such as teenage conceptions, exclusion and absence from school.
- Alcohol related crime, particularly criminal damage, anti social behaviour and assaults, both domestic and non domestic.
- The ready availability of cheap 'super strength' beer and cider over 5.5% ABV.
- The sale of 9% and 10% ABV beer being sold in 500ml cans, which contain 4.5 or 5 units of alcohol each. The consumption of one of these cans puts the consumer over the government recommended daily limit of 3 to 4 units for a man and 2 to 3 units for a woman.
- A concern that much of the cheap super strength alcohol may be from an illicit source due to the price per can, which is being offered for sale on or very close to the mandatory price of duty + VAT.
- The link between violent crime/domestic violence which has been shown to be exacerbated by the availability of alcohol in an area due to the numbers of premises which sell alcohol for consumption off the premises.
- The link between deprivation and alcohol related crime and anti social behaviour in the Luton Road area.
- The normalisation of alcohol abuse and the effect this has on children living in the area.

Suggested measures to address highlighted issues and concerns.

The following suggestions can be considered, although they may vary for each premises. The lists are not exhaustive and are intended to act as prompts. Applicants are expected to use their own experience and knowledge of the location, customers and retail environment to incorporate those that are relevant into an operating schedule. The content of an operating schedule will form the basis of any subsequent conditions on the premises licence and therefore should be expressed in the form of an enforceable condition. Failure to address any or all of the concerns detailed above may lead to a representation from a responsible authority.

- **Crime and Disorder**

- Consideration needs to be taken for the installation of CCTV.
- If CCTV is installed does it cover relevant areas; does it have the ability to see a clear full face recording of customers; what is the period for retention of recordings; how is access given to the police and licensing authority officers to the recordings; what is the ability to produce copies or download images?
- Will areas for the display of alcohol be marked on the plan of the premises, and will any changes to this area require an application for a minor variation to the Licensing Authority?
- Will alcohol always be displayed within the premises in a way that is capable of being supervised by a member of staff?
- Consideration to be given to no alcohol being displayed within an agreed distance of the exit/entrance to the premises.
- Will consideration be given to a personal licence holder being present on the premises to supervise sales of alcohol?
- Premises licence holders should consider joining Safer Medway Partnership to provide a direct radio link to the town centre CCTV and access to intelligence concerning street drinkers and those likely to steal or be the cause of anti social behaviour.

- **Prevention of Public Nuisance**

- If there are residential premises/nursing homes/residential care homes/hospitals or any other sensitive premises nearby what actions will be taken to reduce any disturbance from customers?
- How will the premises licence holder ensure that any litter associated with the premises is reduced as far as possible?

- **Public Safety**

- Will there be a restriction on the sale of beers and ciders or similar of 5.5% ABV or above in order to discourage street drinkers/dependent drinkers?
- Should beers and ciders or anything similar that are sold in a can or bottle be sold only in multiple packs in order to discourage street drinkers?
- Will retail alert bulletins from the Portman Group be adhered to?

- **Protection of Children from harm**

- What are the details of staff training? How will new staff be trained and until they are trained how will they be supervised? How regularly will staff be retrained and how will this be recorded; what access will the police and licensing authority officers have to the training?

- Consideration to be given to the display of legal point of sale material clearly stating the shop policy for checking identification and the type of identification accepted.
- The mandatory age verification policy will include a 'Challenge 25' direction to staff.
- No alcohol will be displayed within an agreed distance of the exit/entrance to the premises.
- Will there be no display of promotional material in the window advertising alcohol?
- What form will a refusals register/book take? When will it be used and how often will the premises licence holder/DPS check it to ensure it is being consistently used?

Advice giving examples of good practice for licensed premises and a pool of example conditions for licensed premises can be found under the Medway Statement of Licensing Policy. It is strongly recommended that all applicants show they have read and considered the contents of this document in their licensing application. The link to the statement of licensing policy and associated annex can be found at the end of this document.

Responsible Retailing

Retailers are referred to Responsible Retail of Alcohol: Guidance for the Off Trade, which can be found at the following link

<http://www.brc.org.uk/Downloads/FCSG0475ResponsibleRetailingofAlcohol.pdf>

The British Institute of Innkeepers also offer a course in Responsible Alcohol Retailing which applicants are urged to consider for all staff. Details of the course can be found at the following link

<http://biiab.bii.org/qualifications/qualification-ARAR>

Links and Resources

Section 182 Statutory Guidance Licensing Act 2003

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363262/GuidanceS182web.pdf

Medway Licensing Authority Statement of Licensing

<http://www.medway.gov.uk/businessandinvestment/licensingyourbusiness/licensedpremises.aspx>

Medway Local Area Profiles

<http://www.medway.gov.uk/planningandbuilding/planningpolicy/factsandfigures/areaprofiles.aspx>

The British Retail Consortium - The responsible retailing of alcohol

<http://www.brc.org.uk/Downloads/FCSG0475ResponsibleRetailingofAlcohol.pdf>

Community Safety Partnership

<http://www.medway.gov.uk/crimenuisanceandsafety/communitysafety/communitysafetypartnership.aspx>

Kent Police in Medway

http://www.kent.police.uk/Your%20Area/your_area.html

Crime information and data for your area

<http://www.police.uk/>

Kent Fire and Rescue

<http://www.kent.fire-uk.org/>

Local Alcohol Profiles for England

<http://www.lape.org.uk/LAProfile.aspx?reg=X25004AE>

Neighbourhood Statistics

<https://neighbourhood.statistics.gov.uk/dissemination/>

Safer Medway Partnership

<http://www.safermedway.com/>

Other useful contacts

National Proof of Age Standards Scheme (PASS)

For information on PASS accredited card schemes, please visit:

<http://www.pass-scheme.org.uk/>

To download PASS posters and other resources, please visit:

<http://www.pass-scheme.org.uk/downloads/>

Challenge 25 posters can be downloaded from

<http://www.challenge25.org>

British Institute of Innkeeping (BII)

<http://biiab.bii.org/courses>

Association of Convenience Stores

www.thelocalshop.com

Retail of Alcohol Standards Group (RASG)

<http://www.wsta.co.uk/about-us/committees/133-info/686-retail-of-alcohol-standards-group>

Wine and Spirit Trade Association

<http://www.wsta.co.uk/>

The Portman Group

<http://www.portmangroup.org.uk>

Drinkaware

www.drinkaware.co.uk

References

1. Livingston, M. (2011) cited in NICE PH24: Alcohol Use Disorders: Preventing harmful drinking. Evidence Update 54 (2014)
2. Livingstone, M (2013) To reduce alcohol-related harm we need to look beyond pubs and nightclubs: Drug and Alcohol Review.
3. Fuller, E. (2005) cited in Indications of Public Health in the English Regions: Alcohol (2011)
4. Wight D, Henderson M, Raab G et al (2000). Cited in Indications of Public Health in the English Regions: Alcohol (2011)
5. Green, R. Ross, A. (2010) Young People's Alcohol Consumption and its Relationship to Other Outcomes and Behaviours: Department of Education.
6. Fuller, E. Ed (2012) Smoking, drinking and drug use among young people in England in 2012: Health and Social Care Information Centre
7. Green, R. Ross, A. (2010) Young people's alcohol consumption and its relationship to other out comes and behaviour
8. Medway Joint Strategic Needs Assessment 2015
9. Medway Insight: Tobacco 2010
10. Local Tobacco Control Profile – Medway 2015.
11. Medway Insight: Alcohol 2014

Appendix A

List of roads covered by the Luton Licensing Guidance

A2, New Road from junction with Otway Street to A2, Chatham Hill to junction with Thorold Road	Hope Street
Albert Road	Leopold Road
Ambose Hill from Constitution Road to Luton Road	Lester Road
Bank Street	Listmas Road
Brisbane Road	Luton High Street to junction with Capstone Road
Castle Road	Luton Road
Chalk Pit Hill	Magpie Hall Road to junction with Castle Road
Constitution Road	Mark Street
Cromwell Terrace	Melbourne Road
Diana Road	Mills Terrace
East Street	Natal Road
Ernest Road	Newham Street
Glencoe Road	Otway Street
Gordon Road	Russell Court
Hartington Street	Ruth Street
Henry Street	Salisbury Road
Herbert Road	Steven Close
Herman Terrace	Sturla Road
Hilda Road	Sydney Road
	Thorold Road
	Waghorn Street

Chatham High Street Local Licensing Guidance –

Off licence Premises

This guidance relates to the following area



This guidance applies to any application for a new Premises Licence (PL) and a full PL variation covered by the above area outlined in green for the facility to sell alcohol for consumption off the premises. A list of the roads covered by this guidance is at Appendix A

Background

The Licensing Act 2003 requires an applicant for a Premises Licence (PL) or an application to vary this, to complete an operating schedule allowing the applicant to set out how the four licensing objectives will be promoted.

When filling out an operating schedule applicants are expected to have regard to the following documents

- The Statutory Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.
- Medway Council's Statement of Licensing Policy

Applicants are also expected to be aware of the expectations of all the responsible authorities as to what steps are appropriate to promote the four licensing objectives and to address any issues in the area in which the premises is situated. A full list of the responsible authorities, along with contact details can be found on the council website.

Applicants are expected to be fully aware of the four licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public Safety
- The protection of children from harm

All the above objectives have equal importance.

The Licensing Objectives are at the heart of the Licensing Act and the operating schedule allows applicants to demonstrate how they propose to address each objective. How each objective is addressed will form the basis of how responsibly authorities will respond to an application, and will inform any decision made by the Licensing Authority.

For these reasons it is in the interest of all applicants to make any application as detailed, complete and meaningful as possible enabling all parties to understand the nature of the application, and if a licence or certificate is granted, how the premises will operate. In addition a full and detailed operating schedule will give parties a greater confidence that the applicant is seeking to contribute in a positive way to the locality in which it is proposed the premises will operate.

Steps to promote the Licensing Objectives

Paragraph 8.34 of the Statutory Guidance states that applicants are expected to demonstrate a knowledge and understanding of the area in which the premises will operate and the particular steps needed to address these particular issues in the area.

Applicants will be expected to show an understanding of the following

- The layout of the local area, including crime and disorder hotspots, as well as the physical environment, such as the proximity of the premises to residential areas, or how close the premises is situated to areas where children congregate.
- Any risk to the area by the applicant's proposed licensable activities

- Any local initiatives that may mitigate any of these risks, such as local crime reduction initiatives or voluntary schemes.

The above list is not definitive and depending on local conditions additional information may be required as part of the application.

A full explanation of the above requirement can be found in the Section 182 Licensing Guidance at para 8.33 to 8.41 (published October 2014)

Publicly available sources of information may include

- Medway Council website, which would include information relevant to
 - Trading Standards
 - Environmental Health
 - Community Safety Partnership
 - Access to an online mapping tool
- Kent Fire and Rescue website
- Kent Police website
- Police UK website
- Neighbourhood Statistics website

Links to all these sites can be found at the end of this guidance.

Applicants may find it useful to make enquiries in the area of residents and businesses, or groups representing these people such as resident associations, business forums and safer business partnerships if they operate in the area.

The operating schedule forms the basis for conditions that are placed on the licence, therefore any details relating to the promotion of the licensing objectives must be capable of being translated into enforceable conditions. Applicants might want to use the general box in section P of the operating schedule to outline the local factors they have considered and use each of the four boxed for the licensing objectives to detail how each will be promoted using the evidence given.

The Licensing Authority and responsible authorities are expected to ensure that applicants can readily access advice about these matters, and the Licensing Authority considers it best practice for all applicants to contact the responsible authorities prior to an application, as they will have detailed and expert knowledge of the area. This does not reduce the responsibility of applicants to make their own enquiries and carry out research.

This guidance has been produced to assist applicants in the defined area, where the issues have been identified as being of particular concern. It will be given to all applicants in this area to assist in the application process.

This guidance will also be made available to members of the Licensing –Hearing Panel in the event of a determination being necessary on receipt of representations.

This guidance may also be used by any resident, business or other interested party who make a representation against an application.

This guidance does not reduce the requirement on applicants to make their own enquires to ensure all four licensing objectives are properly addressed within their application.

Local profile – Chatham High Street area

The following consultees were asked for data, evidence, comment and observations during the consultation that has lead to this guidance.

- Kent Police
- Medway Council Licensing Department
- Trading Standards
- Environmental Health
- South East Coast Ambulance Service
- Community Wardens
- Public Health
- Turning Point
- Medway Children’s Services
- Medway Youth Services
- Chatham town centre business forum

How was the extent of the local profile area decided?

We gathered and analysed a wide range of information relating to the factors known to be associated with alcohol-related harm and together with local partners have agreed upon this area. As well as the location of current establishments, we have considered crime data (including anti-social behaviour), use of emergency health care, children’s social care assessments, anecdotal evidence from local businesses and council staff, the location of existing establishments and the levels of deprivation across Medway.

Explanatory note:

Several of the maps in this guidance show information by Local Super Output Areas or LSOA. These are units of geography corresponding to an average of 1,600 people or 650 individual households which have been developed and maintained by the Office for National Statistics. Like electoral wards, each LSOA has a clearly defined geographical boundary. There are 163 LSOAs within the Medway Council boundary.

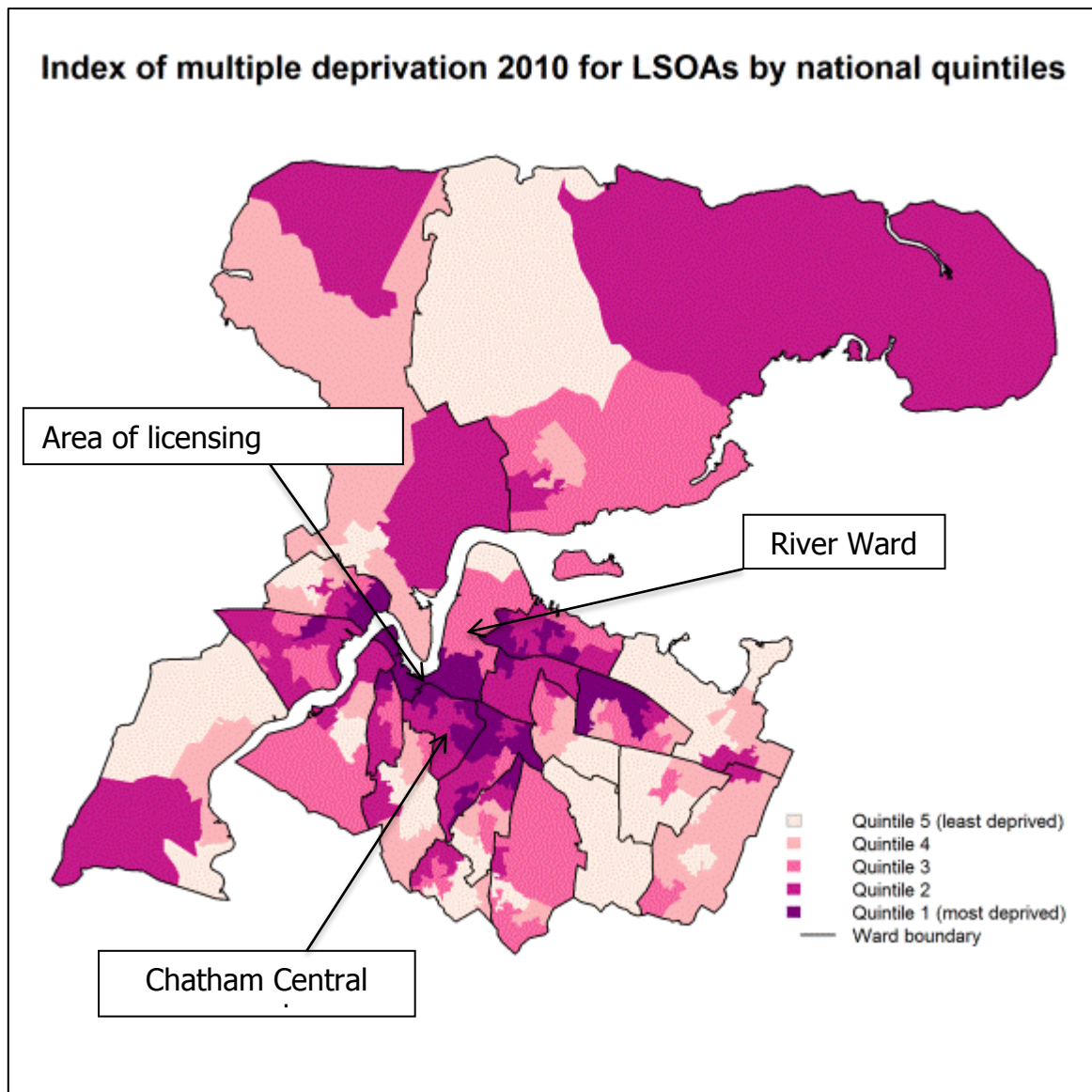
Deprivation

The Index of Multiple Deprivation 2010, published by Department of Communities and Local Government, provides a relative measure of deprivation in small areas across England. Apart from income, it includes employment, health, education, crime, access to services and the living environment.

All the neighbourhoods except two in Chatham Central and River wards are classed as being in the most deprived 40% across England. River ward covers a relatively large diverse geographical area and contains the most and least deprived lower super output areas in Medway.

In 2014 a study was undertaken in order to understand alcohol related harms in Medway and one of the conclusions was the following:

'There is a clear link between alcohol related health harms, hospital admissions, alcohol related crimes and living in a deprived area'¹



Location of premises licensed to sell alcohol for consumption off the premises in Chatham High Street area.



Chatham High Street area.

There are a total of 43 off licensed premises in the wards of River and Chatham Central. River ward has 24 off licenced premises and Chatham Central has 19, which makes these two wards the highest and 3rd highest respectively in Medway for this type of licensed premises.

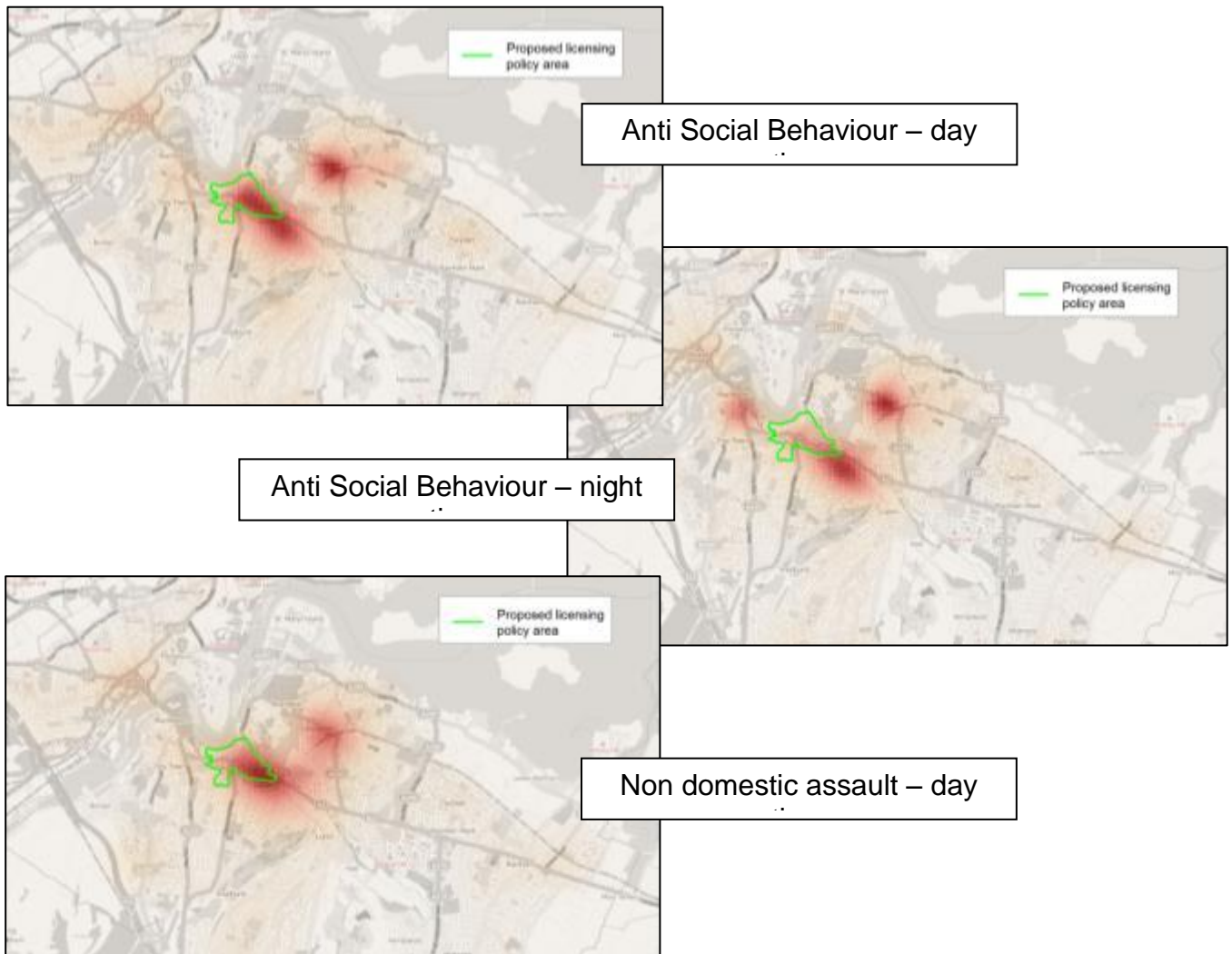
The area above, which straddles both wards and includes Chatham High Street and extends south across the A2 to include the area immediately around the train station, contains 23 off licensed premises, which accounts for 53% of the total off licensed premises for these two wards.

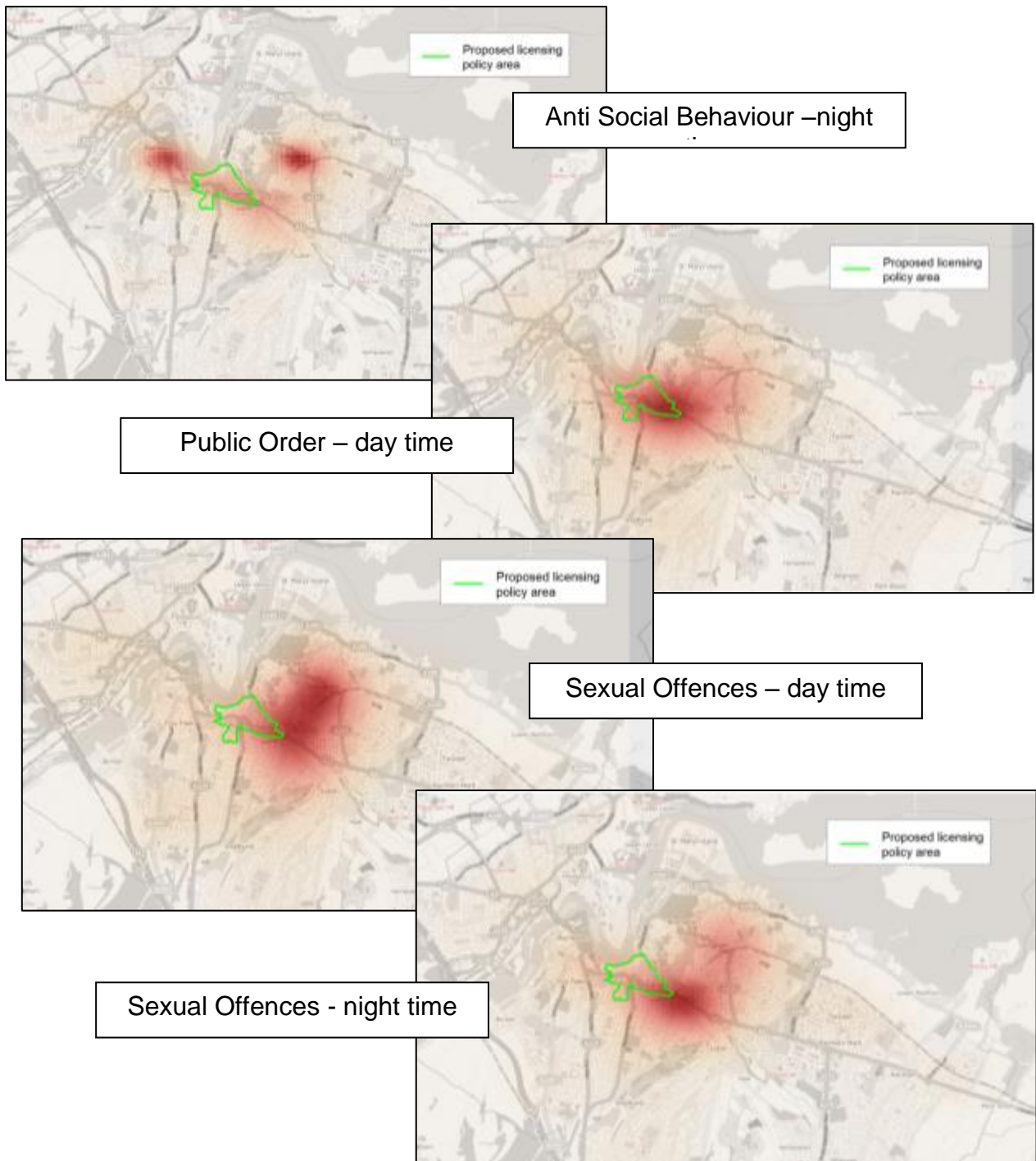
Crime

'Heat' maps of crime for Medway show that Chatham High Street area has a high concentration of alcohol related crimes compared to the rest of Medway in the following categories:

- Non domestic violence assaults
- Public order
- Sexual offences
- Anti social behaviour

This data has been provided by Kent Police and includes crimes reported by the victim based on where the crime occurred covering the three calendar years 2012-2014. Crimes occurring at night are those between the hours of 20:00 and 06:00.





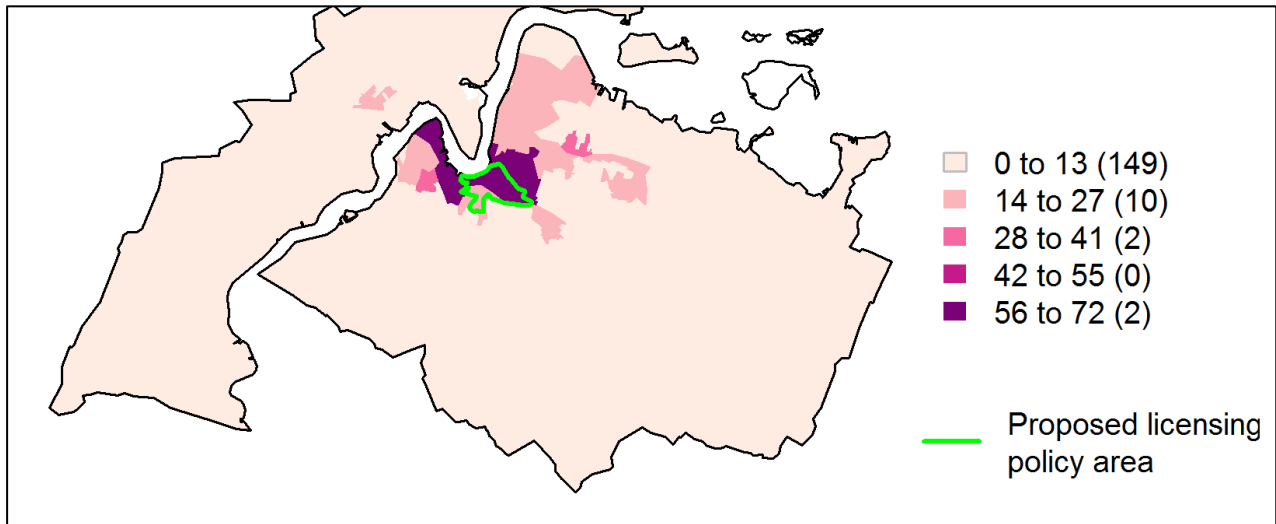
Academic studies have found links between the availability of alcohol, which can include outlet density, the hours alcohol is available for sale, price, and the following crimes

- Non domestic violence ^{2,3}
- Assaults ^{2,3}
- Anti Social Behaviour⁴

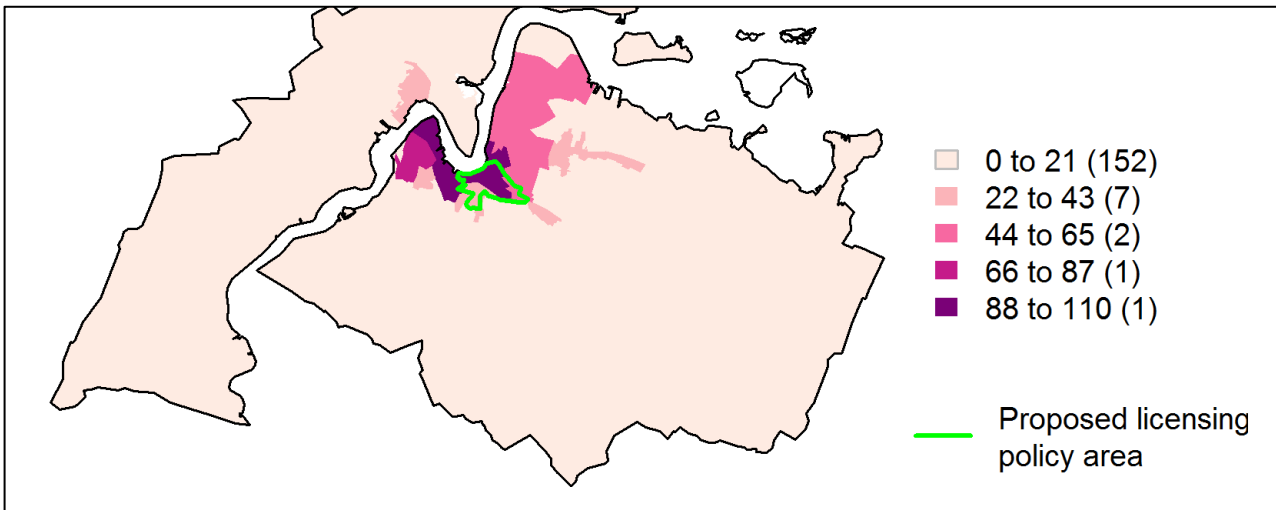
Ambulance call outs

The following maps show call-outs by LSOA between March 2014 and February 2015 attended by South East Coast Ambulance Service where alcohol is suspected as a contributory factor. The maps below show the number of call outs to the corresponding number of LSOAs, which are shown in brackets.

Ambulance call outs during the day - 0600 hours to 2000 hours



Ambulance call outs during the night – 2000 hours to 0600 hours



In total River ward and Chatham Central ward have 387 and 185 call outs respectively during this period, making them the highest and 4th highest wards in Medway for alcohol related ambulance call outs.

Examples of the types of calls and frequency are:

Call type	River	Chatham Central
Trauma/bleeding	62	13
Unconscious/faint	62	23
Alcohol intoxication	40	19
Falls <12ft	21	9
Assault	15	6
Limb/pain injury	16	10
Overdose/ingestion accidental	7	6
Shot/stabbing	3	2

This is not the complete list of all the categories of call out listed by the ambulance service but are those considered most relevant to one or more of the four licensing objectives.

Alcohol Control Zone

Chatham High Street and surrounding area is an alcohol control zone due to the proven alcohol related anti social behaviour.



Binge drinking prevalence

Binge drinking can be defined as drinking more than the recommended daily intake and is classified as more than eight units in a day for men and more than six units for women. Binge drinking can relate to alcohol-related accidents and poisoning, which can result in attendance at Accident and Emergency departments. It can also impact on alcohol-related crime and many social problems. Binge drinking over a prolonged period of time can lead to chronic ill health and premature death through cirrhosis of the liver



The estimated prevalence of binge drinking in Medway is highest in **River, Chatham Central, Gillingham North and Gillingham South wards**.⁵

Street Drinking

People drinking alcohol in the street has been witnessed by public health staff on many occasions all along Chatham High Street and in the surrounding area. Kent Police are also concerned about street drinkers and associated anti social behaviour and crime. Staff from shops in the area have also witnessed people gathering in groups and drinking in the street, which they report is intimidating for both customers and staff of the businesses concerned.

Licensing visits carried out in this area by Medway Council Licensing Department received reports of off licences having issues with street drinkers. Several premises checked sold beer and cider over 5.5% ABV including Skol Super, Kestral Super, Carlsberg Special Brew and Crest Super, all at 9% and 10% ABV at prices ranging from £1.40 to £2.49 a can. Cider from 7.5% ABV is also readily available, such as Frosty Jacks, K Cider, and White Ace, again at low prices for high volume

Alcohol related litter has been found in varying amounts in several locations in this area. The following page shows pictures of alcohol related litter that can be found in the area, believed to as a direct result of street drinking.

This is a seating area between the High Street and car parks. Public Health staff have witnessed persons drinking alcohol here and on nearby benches

This area is at the back of the empty church in Railway Street and is one of the worse areas for alcohol related litter. There is a very strong smell of urine here and what are believed to be human faeces have also been seen in this location.



This is by one of the station car parks. There is also alcohol related litter by the bus station and in the public gardens in this area, near to the Alexander Public House.

This is the area by the multi storey car park behind the High Street. There is evidence of street drinking by the discarded beer and cider cans and bottles.

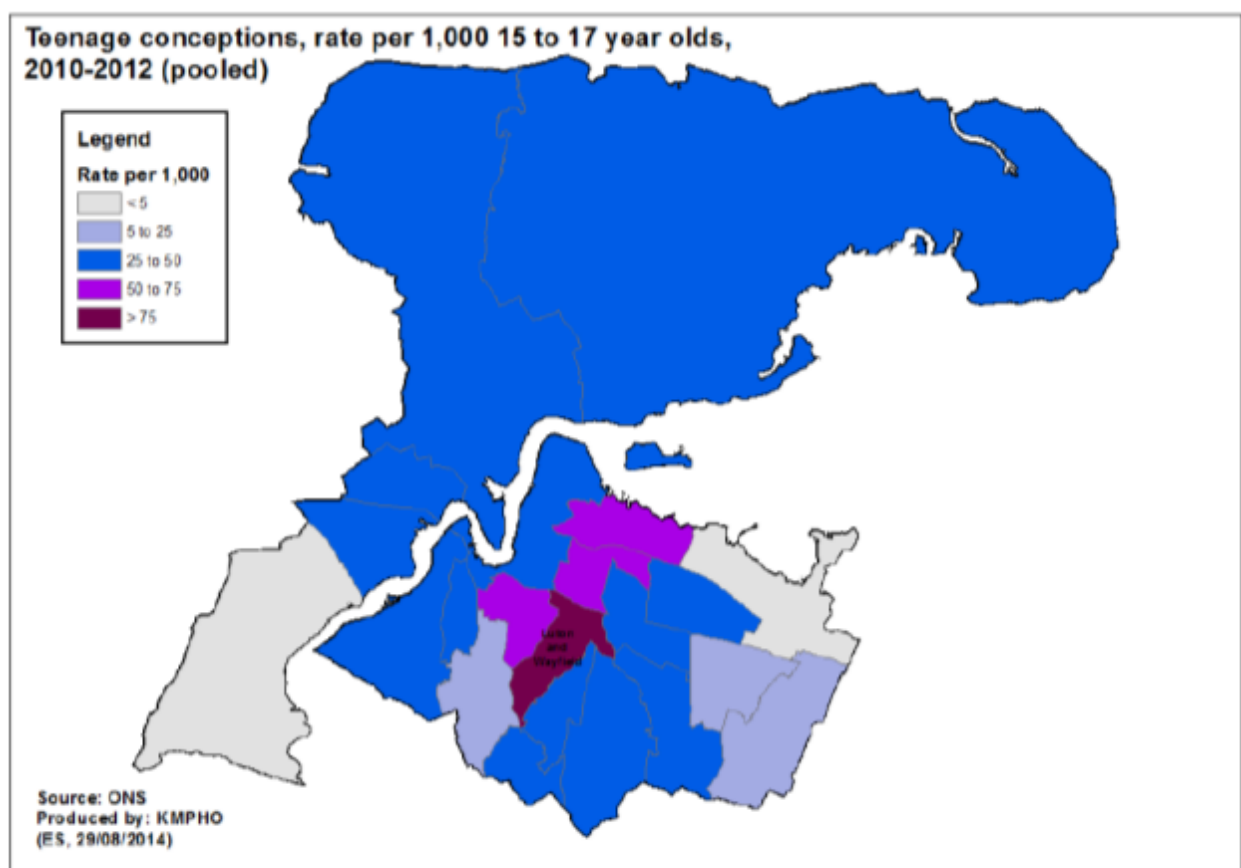
The car park and rough area behind the Gala Bingo has high levels of alcohol related litter. People are often witnessed drinking by public health staff in this location.

Chatham High Street area attracts dependant and street drinkers due to the presence of several services and service providers located in or near to Chatham town centre. There are, among others,

- Medway Magistrates Court
- Anchorage House County and Family Court
- AMAT Housing (housing for people who are recent prison releases or homeless)
- Caring Hands (charity for persons needing shelter, food or medical attention)
- The Salvation Army
- Turning Point (service provider for persons needing help with substance misuse, both alcohol and drug misuse or both)
- Numerous solicitors
- Job Centre
- Probation (KSSCRC)

Children and Young People

Studies have shown there is also a link between alcohol availability and alcohol related harms and risky behaviour in under 18's, such as teenage pregnancy.^{6,7}



The below paragraph is taken from the current Joint Strategic Needs Assessment for Medway

*'Teenage pregnancy rates across Medway wards vary greatly, with some wards displaying significantly higher rates than the 2011 Medway average of 38.8. In terms of the number of under-18 conceptions the four highest wards are: Gillingham North, **Chatham Central**, Gillingham South and Luton and Wayfield, all of which have rates higher than 55 conceptions per 1,000 females aged 15-17. Strood South is also slightly higher than the Medway average. As expected these areas also correlate with high levels of deprivation and experience issues such as low income, unemployment, poor health and crime.'*⁸⁰¹

Illicit Alcohol and Tobacco

Illicit alcohol and tobacco is the term used to describe both non UK duty paid goods and counterfeit products.

Both Trading Standards and Her Majesties Revenue and Customs have made significant seizures of both illicit alcohol and tobacco from unlicensed and licensed premises in this area.

Intelligence leads the authorities to believe that this continues to be a serious problem in Chatham.

In 2010 a study was undertaken looking at tobacco control in Medway⁹. Part of the study involved looking at children, smoking and their knowledge and use of illicit tobacco. There were several points that came out of the study:

- The children who were part of the study were aware of illicit tobacco, whether that was non duty paid, foreign brands or counterfeit
- 41% of those questioned had smoked a 'fake' brand
- 56% of those questioned had smoked 'foreign' brands
- There was a preference for illicit tobacco products as they were seen as cheap
- The supply of illicit tobacco products was identified by the study as an 'enabler', allowing children to start and continue smoking

The most recent Tobacco Control Survey for Medway, which is produced by Public Health England, shows that 10% of 15 year olds in Medway are classed as 'current smokers'.¹⁰

Children in Medway are aware of illicit tobacco. They seek it out, buy and use it, as illicit tobacco is cheap and easy to obtain.

The Local Picture – Medway Insight: Alcohol¹

In 2014 Public Health commissioned a study aimed at learning how to encourage Medway residents to reduce their drinking' including reducing the level of pre-loading. The final report came to several conclusions that are relevant to this mapping exercise.

- It concluded there was a clear link between alcohol related health harms, hospital admissions, alcohol related crimes and living in a deprived area.

- There was a clear link between the concentration of alcohol related crime in deprived wards and where there is a higher density of licensed premises.
- In the wards with the highest density of alcohol related crime occurring between 2000 and 0600 there was a correlation with the density of licensed premises in these areas
- 48% or 70k, of Medway drinkers occasionally pre-load, having a drink before they go out
- 11% or 16k, pre-load regularly and this can often turn into a binge drinking episode.

Specific concerns for this area

- The accumulation and grouping together of premises providing off sales of alcohol in Chatham High Street and surrounding area.
- The link between the number and density of alcohol retail outlets in the identified area, alcohol related crime and disorder and other alcohol related health harms.
- The relatively high number of alcohol related ambulance callouts in River and Chatham Central wards compared to the rest of Medway.
- The wide and obvious availability of alcohol in many forms of retail outlet, such as convenience stores, newsagents and corner shops as well as nearby supermarkets.
- The ready availability of cheap 'super strength' beer and cider over 5.5% ABV.
- The sale of 9% and 10% ABV beer being sold in 500ml cans, which contain 4.5 or 5 units of alcohol each. The consumption of one of these cans puts the consumer over the government recommended daily limit of 3 to 4 units for a man and 2 to 3 units for a woman.
- A concern that much of the cheap super strength alcohol may be from an illicit source due to the price per can, which is being offered for sale on or very close to the mandatory price of 'duty + VAT'.
- The link between deprivation and alcohol related crime and anti social behaviour in River and Chatham Central wards
- The high number of dependent drinkers attracted to the area by various services and service providers located in and around Chatham High Street.

- The perceived intimidation and nuisance reported by staff at local businesses from street drinkers.
- The littering of empty alcohol related cans and bottles in the area

Suggested measures to address highlighted issues and concerns.

The following suggestions can be considered, although they may vary for each premises. The lists are not exhaustive and are intended to act as prompts. Applicants are expected to use their own experience and knowledge of the location, customers and retail environment to incorporate those that are relevant into an operating schedule. The content of an operating schedule will form the basis of any subsequent conditions on the premises licence and therefore should be expressed in the form of an enforceable condition. Failure to address any or all of the concerns detailed above may lead to a representation from a responsible authority.

- **Crime and Disorder**

- Consideration needs to be taken for the installation of CCTV.
- If CCTV is installed does it cover relevant areas; does it have the ability to see a clear full face recording of customers; what is the period for retention of recordings; how is access given to the police and licensing authority officers to the recordings; what is the ability to produce copies or download images?
- Will areas for the display of alcohol be marked on the plan of the premises, and any changes to this area will require an application for a minor variation to the Licensing Authority?
- Will consideration be given to a personal licence holder being present on the premises to supervise sales of alcohol?
- Will alcohol always be displayed within the premises in a way that is capable of being supervised by a member of staff?
- Consideration to be given to no alcohol being displayed within an agreed distance of the exit/entrance to the premises.
- Premises licence holders should consider joining Safer Medway Partnership to provide a direct radio link to the town centre CCTV and access to intelligence concerning street drinkers and those likely to steal or be the cause of anti social behaviour.
- Outline training given to staff in relation to the sale of alcohol to drunk people and consider conflict resolution training to give staff the skills to refuse sales of alcohol in this circumstance.
- Consider a minimum of two staff on duty at all times that alcohol is being sold.

- **Prevention of Public Nuisance**

- How will the premises licence holder ensure that any litter associated with the premises is reduced as far as possible?

- **Public Safety**

- Will there be a restriction on the sale of beers and ciders or similar of 5.5% ABV or above in order to discourage street drinkers?
- Should beers and ciders or anything similar that are sold in a can or bottle be sold only in multiple packs in order to discourage street drinkers?
- Will retail alert bulletins from the Portman Group be adhered to?

- **Protection of Children from harm**

- What are the details of staff training? How will new staff be trained and until they are trained how will they be supervised? How regularly will staff be retrained and how will this be recorded; what access will the police and licensing authority officers have to the training?
- Consideration to be given to the display of legal point of sale material at the point of sale clearly stating the shop policy for checking identification.
- The mandatory age verification policy will include a 'Challenge 25' direction to staff.
- No alcohol will be displayed within an agreed distance of the exit/entrance to the premises.
- There will be no display of promotional material in the window advertising alcohol.
- What form will a refusals register/book take? When will it be used and how often will the premises licence holder/DPS check it to ensure it is being consistently used?

Advice giving examples of good practice for licensed premises and a pool of example conditions for licensed premises can be found under the Medway Statement of Licensing Authority. It is strongly recommended that all applicants show they have read and considered the contents of this document in their licensing application. The link to the statement of licensing policy and associated annex can be found at the end of this document.

Responsible Retailing

Retailers are referred to Responsible Retail of Alcohol: Guidance for the Off Trade, which can be found at the following link

<http://www.brc.org.uk/Downloads/FCSG0475ResponsibleRetailingofAlcohol.pdf>

The British Institute of Innkeepers also offer a course in Responsible Alcohol Retailing which applicants are urged to consider for all staff. Details of the course can be found at the following link

<http://biab.bii.org/qualifications/qualification-ARAR>

Section 182 Statutory Guidance Licensing Act 2003

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363262/GuidanceS182web.pdf

Medway Licensing Authority Statement of Licensing

<http://www.medway.gov.uk/businessandinvestment/licensingyourbusiness/licensedpremises.aspx>

Medway Local Area Profiles

<http://www.medway.gov.uk/planningandbuilding/planningpolicy/factsandfigures/areaprofiles.aspx>

The British Retail Consortium - The responsible retailing of alcohol

<http://www.brc.org.uk/Downloads/FCSG0475ResponsibleRetailingofAlcohol.pdf>

Community Safety Partnership

<http://www.medway.gov.uk/crimenuisanceandsafety/communitysafety/communitysafetypartnership.aspx>

Kent Police in Medway

http://www.kent.police.uk/Your%20Area/your_area.html

Crime information and data for your area

<http://www.police.uk/>

Kent Fire and Rescue

<http://www.kent.fire-uk.org/>

Local Alcohol Profiles for England

Links and Resources

<http://www.lape.org.uk/LAProfile.aspx?reg=X25004AE>

Neighbourhood Statistics

<https://neighbourhood.statistics.gov.uk/dissemination/>

Safer Medway Partnership

<http://www.safermedway.com/>

Other useful contacts

National Proof of Age Standards Scheme (PASS)

For information on PASS accredited card schemes, please visit:

<http://www.pass-scheme.org.uk/>

To download PASS posters and other resources, please visit:

<http://www.pass-scheme.org.uk/downloads/>

Challenge 25 posters can be downloaded from

<http://www.challenge25.org>

British Institute of Innkeeping (BII)

<http://biiab.bii.org/courses>

Association of Convenience Stores

www.thelocalshop.com

Retail of Alcohol Standards Group (RASG)

<http://www.wsta.co.uk/about-us/committees/133-info/686-retail-of-alcohol-standards-group>

Wine and Spirit Trade Association

<http://www.wsta.co.uk/>

The Portman Group

<http://www.portmangroup.org.uk>

Drinkaware

www.drinkaware.co.uk

References

1. Medway Insights: Alcohol (2014)
2. Livingston, M. (2011) cited in NICE PH24: Alcohol Use Disorders: Preventing harmful drinking. Evidence Update 54 (2014)
3. Livingston, M (2013) To reduce alcohol-related harm we need to look beyond pubs and nightclubs: Drug and Alcohol Review.
4. Chaing, C. (2010) Review of the link between outlet density and crime in NHS GGC.
5. Kent and Medway Public Health Authority
6. Fuller, E. (2005) cited in Indications of Public Health in the English Regions: Alcohol (2011)
7. Wight D, Henderson M, Raab G et al (2000). Cited in Indications of Public Health in the English Regions: Alcohol (2011)
8. Medway Joint Strategic Needs Assessment (2015)
9. Medway Insight: Tobacco 2010
10. Local Tobacco Control Profile – Medway 2015

Appendix A

List of roads covered by the Chatham High Street Licensing Guidance

A2 from junction with A231 to A2 Chatham Hill roundabout	Gibraltar Hill	Old Rd
A2 New Road from junction with Chatham Hill to Gundolph Rd	Globe Lane	Ordnance St to junction with Charles St
A231 from junction with Library car park entrance to A2	Gundolph Rd	Queen St
Albany Terrace	Hammond Hill	Railway St
Barrier Road	Hards Town	Rhode St
Batchelor St	High St, Chatham to junction with Ship Lane	Richard St
Best St	Hill's Terrace to junction with New St	Rochester St to junction with New St
Cambridge Terrace	Hillside Rd	Rome Terrace
Carpeaux Close	Hospital Lane	Rope Walk
Charles St	Institute Rd	Ship Lane
Charwell Ct	James St	Sir Johns Hawkins Way
Chemar Rd	King St	Solomons Rd
Church St	Lines Terrace	St Bartholomew's Lane
Claremont Way	Manor Rd	Sun Wharf
Clover St	Meadowbank Rd	The Brook
Cross St	Medway St	The Paddock
Eldon St	Meeting House Lane	Union St
Fort Pitt Hill	Military Rd	Upbury Way
Fort Pitt St	New Cut	Waterfront Way
	New Road Ave	Whiffen's Ave
	New St	Whittaker St