

<p style="text-align: center;"><u>MEETING</u></p> <p style="text-align: center;">LICENSING COMMITTEE</p>
<p style="text-align: center;"><u>DATE AND TIME</u></p> <p style="text-align: center;">MONDAY 11TH NOVEMBER, 2019</p> <p style="text-align: center;">AT 7.00 PM</p>
<p style="text-align: center;"><u>VENUE</u></p> <p style="text-align: center;">HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG</p>

TO: MEMBERS OF LICENSING COMMITTEE (Quorum 3)

Chairman: Councillor John Marshall MA (Hons)
Vice Chairman: Councillor John Hart BA (Hons) MA

Linda Freedman
Val Duschinsky
Alison Cornelius
Lachhya Gurung
Gabriel Rozenberg

Lachhya Bahadur Gurung
Wendy Prentice

Claire Farrier
Zakia Zubairi
Barry Rawlings
Danny Rich

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public comments must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is 6/11/19 at 10AM. Requests must be submitted to jan.natynczyk@barnet.gov.uk 020 8359 5129

You are requested to attend the above meeting for which an agenda is attached.

Andrew Charlwood – Head of Governance

Governance Service contact: jan.natynczyk@barnet.gov.uk 020 8359 5129

Media Relations Contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

Two paper copies of the agenda only will be available at the meeting for members of the public. If needed, attendees are requested to print any specific agenda report(s). Committee Agendas are available here: barnet.moderngov.co.uk/uuCoverPage.aspx?bcr=1

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes	5 - 8
2.	Absence of Members	
3.	Disclosable Pecuniary interests and Non Pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Public Comments (if any)	
6.	Members Items (if any)	
7.	Review of the impact of the changes to Animal Welfare Licensing	9 - 16
8.	Proposed adoption of the Licensing Policy 2020-2025	17 - 84
9.	Cumulative Impact Assessment and Adoption of Cumulative Impact Zone	85 - 116
10.	Any item(s) that the Chairman decides is urgent	

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Decisions of the Licensing Committee

18 July 2019

Members Present:-

AGENDA ITEM 1

Councillor John Marshall (Chairman)

Councillor John Hart (Vice-Chairman)

Councillor Linda Freedman

Councillor Val Duschinsky

Councillor Alison Cornelius

Councillor Lachhya Gurung

Councillor Wendy Prentice

Councillor Claire Farrier

Councillor Zakia Zubairi

Councillor Danny Rich

Apologies for Absence

Councillor Barry Rawlings

1. MINUTES

RESOLVED that the minutes of the meeting held on 2 May 2019 be agreed as a correct record.

2. ABSENCE OF MEMBERS

Councillor Rawlings sent apologies.

3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENT (IF ANY)

None.

6. MEMBERS ITEM (IF ANY)

None.

7. CUMULATIVE IMPACT ZONE - PROPOSED LOCATION

This report identified the area proposed for the cumulative impact zone. Consultation on the adoption of this zone would take place during summer 2019.

RESOLVED that the proposed location of the cumulative impact zone be noted.

8. LICENSING AUTHORITY - ANNUAL REPORT ON LICENSING APPLICATIONS

This report provided Members with a summary of the volume of work that the London Borough of Barnet, as a Licensing Authority has dealt with in the financial year April 2018 – March 2019.

It was noted that the figure quoted regarding Licensing Hearings was incorrect. Consequently, Officers would email Members of the Committee with the correct information.

RESOLVED that the annual report of applications received by the licensing department during the financial year 2018/2019 be noted.

9. REVIEW OF THE LICENSING POLICY

It was noted that the Licensing Act 2003 placed a responsibility on all licensing authorities to publish a licensing policy every 5 years. The Council, being a licensing authority, had a current policy which came into effect from January 2015. This report sought approval from the Licensing team to authorise the licensing department to consult on the proposed revised policy.

It was moved by Councillor Marshall, seconded by Councillor Hart and unanimously agreed that the Cumulative Impact Zone should be included in the consultation.

RESOLVED that the draft Licensing policy be approved for consultation (including the Cumulative Impact Zone) and that Officers be instructed to report to the November 2019 meeting on the outcome for recommendation to Council.

10. FORWARD WORK PROGRAMME

The Committee received the Work Programme.

The Chairman requested there be a review of the Animal Welfare Policy over the past year to include dog walkers and dog boarders.

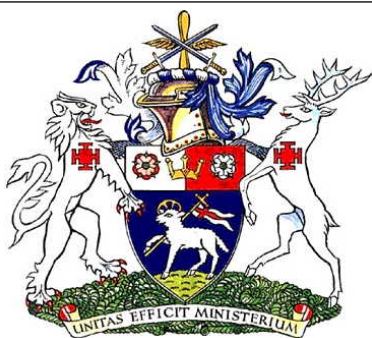
RESOLVED that the Work Programme be noted.

11. ANY ITEM(S) THAT THE CHAIRMAN DECIDES IS URGENT

None.

The meeting finished at 7.15pm

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Licensing Committee

11 November 2019

Title	Review of the impact of the changes to Animal Welfare Licensing.
Report of	Executive Director Environment
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	<i>None</i>
Officer Contact Details	Emma Phasey Group Manager, Commercial Premises Emma.phasey@barnet.gov.uk

Summary

This report as requested by the Licensing Committee, is a review of the impact of the changes in legislation around animal welfare licensing and the work undertaken by the Licensing team in relation to this.

Officers Recommendations

1. That the Licensing Committee note the contents of this report.

1. WHY THIS REPORT IS NEEDED

- 1.1 The Licensing Committee, at their meeting of 18th July 2019, requested a report on the impact of the changes of legislation in relation to animal welfare licences and the work undertaken by the licensing team in relation to this.

1.2 Legislative changes

- 1.3 In April 2018 the Government passed the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (hereinafter referred to as “the Regulations”). The Regulations replaced a number of pieces of legislation that governed the licensing of animals. The Regulations came into force on 1 October 2018.

- 1.4 The main purpose of the Regulations is to introduce an updated licensing system in England for five activities involving animals:
- a) selling animals as pets;
 - b) providing for or arranging for the provision of boarding for cats or dogs;
 - c) hiring out horses;
 - d) dog breeding; and
 - e) keeping or training animals for exhibition.

- 1.5 The Regulations primarily repeal or amend the following pieces of legislation:

- ☐ Animal Boarding Establishments Act 1963;
- ☐ Breeding of Dogs Act 1973;
- ☐ Breeding of Dogs Act 1991;
- ☐ Pet Animals Act 1951;
- ☐ Performing Animals (Regulation) Act 1925;
- ☐ Riding Establishments Act 1964.

- 1.6 The licensing regime has been amended in a number of ways but the key changes are: -

- Premises can have a single licence covering a number of licensed activities (similar to premises licences under the Licensing Act 2003).
- A licence can last for 1 – 3 years depending upon a risk assessment, previously these were annual.
- More activities are now covered within the scope of the legislation, and the requirements set out require a higher standard of animal welfare

- 1.4 Following application all premises must be inspected for their suitability to hold a licence. Within the London Borough of Barnet these inspections are subcontracted to the City of London. As part of the inspection process the officer will determine the level of risk posed by the activities on site using the DEFRA guidance. This risk assessment will determine the length of time that a licence will last for.
- 1.5 Having undertaken an inspection of a premises the London Borough of Barnet may impose conditions where they deem it appropriate to do so in accordance with s.15 of the regulations.
- 1.6 A person can appeal against a risk assessment score, and this appeal can be made in writing to the Licensing Department. This will be determined by the Group Manager.
- 1.7 The licence holder also has a right of appeal to the Council against the imposition of conditions or variation of their licence, and this will be heard by a sub-committee of the Licensing Committee
- 1.8 The legislation has increased the standards expected to obtain a licence so some premises will find they are now no longer suitable for the type of licence they hold. The legislation has also increased the range of activities that should be licenced and as a result, other traders are now in scope to be licensed.

1.9 **Monitoring and performance**

There is a Key Performance Indicator (KPI) in relation to this. It is referred to as EH02G (Animal Welfare Inspections). This KPI monitors performance in this area. It measures whether applications are processed in a timely manner. In the case of an animal welfare licence 10 weeks is the current departmental standard from receipt of valid licence application to the issue of new licence. Any licence that takes longer than 10 weeks to process will be a failure, unless the delay was due to the third-party contractor, or that the licence application went to hearing, in which case the timescale is 14 weeks. The KPI currently shows that the team process 100% of applications within timescales, aside from any delays related to third party contractors.

- 1.10 In early 2019 there was a delay in inspections taking place due to the demand placed on the City of London veterinary services. The issue did not impact on traders in the Borough as they have been fully informed of the delays and have been allowed to continue to trade in the meantime (these were all renewal of licences). The issue has now been resolved.
- 1.11 In 17/18 there were 20 applications. In 18/19 there were 16 applications, a reduction in applications was expected in the initial few months of the new legislation as the increasing standards meant that some traders were no longer in a position to be able to continue to trade with their current set up.

- 1.12 So far in 19/20 there have already been 16 applications, and we expect more to be received before the end of the financial year. The legislation now means that more traders need a licence, and we will be publicising this soon and encouraging traders to apply to ensure that they are operating in accordance with the legislation.
- 1.13 Of the 24 licences issued under the new legislation, five have been for three years, 12 for two years and seven for one year. Here is the information on star ratings given to date. You will note that the majority of premises in Barnet are a 3* and above.

Star Rating	Number of Premises
1*	6
2*	1
3*	7
4*	5
5*	4

1.14 **Enforcement and Compliance**

Recent activity has focused on the impact of anti-social behaviour in relation to dog walkers. In particular, too many dogs being walked at one time, and with inadequate control of these animals. Dog walking itself is not covered under the new legislation however often these dog walkers are also providing “Doggy Day Care” which is a new area that is covered by the legislation.

Officers have been patrolling local parks and green spaces and investigating as to whether the walkers are acting in a responsible manner. This includes ensuring that they carry the correct insurance to carry out this activity. Many of the professional dog walkers also carry out dog sitting/day care, which is a licensable activity and checks are made to ensure that they have the relevant licence.

Most insurance companies state that the policy holder must comply with all local and statutory laws, which would include keeping dogs under close control as per the Dangerous Dogs Act 1991 (which states that if a person is in fear of being attacked by one or more dogs, it is considered the dog dangerously out of control), picking up after their dogs and complying with Barnet By-Laws (some open spaces are dogs on lead only). Although officers do not enforce the Dangerous Dogs Act, depending on the circumstances, they can treat the behaviour as Anti-Social Behaviour which is detrimental to the community or area.

Two Public Space Protection Order (PSPO) are currently in place in relation to this matter in Brook Farm and Barnet Playing Fields. These place strict conditions applied to the area, such as walkers must not walk more than four dogs in the area and must not have more than two dogs off the lead). There are several other Open Spaces under consideration for a further PSPO.

In areas where there is not a PSPO, where an officer witnesses any offences, initially the person in possession of the dogs is given a verbal warning and advice. If further offences are witnessed after the verbal warning a formal Written Warning (Under the Anti-Social Behaviour, Crime and Policing Act 2014) is given which sets out conditions that the dog walker must adhere to in order to prevent further action being taken against them. These ensure that the company is licensed and insured, and limit the amount of dogs that can be walked at one time

2 REASONS FOR RECOMMENDATIONS

- 2.1 The report is just for noting.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The report is for information and noting only.

4 POST DECISION IMPLEMENTATION

- 4.1 The report is for information and noting only.

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5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The approach taken by the Licensing Authority in relation to applications fully supports objectives contained within the corporate plan. In particular it promotes delivering “quality services and striving to continually improve the standard of services” “

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Administration and enforcement is carried out by the Licensing team in Re, together with support from HB Public Law and from Governance Services, when arranging and co-ordinating arrangements for hearings.

5.3 Social Value

- 5.3.1 Not relevant to this report

5.4 Legal and Constitutional References

- 5.4.1 The Local Authority has been provided powers under Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 in order to be able to licence persons in relation to animal activities.

- 5.4.2 Article 7 – Committees, Forums, Working Groups and Partnerships, of the Council’s Constitution states that the Licensing Committee is responsible for, “*all policy matters relating to licensing with licencing hearings concerning all licencing matters delegated to sub-committees.*”

5.5 Risk Management

- 5.5.1 It is important that the London Borough of Barnet adopts a robust and accountable regulatory regime in relation to all Licensing. It needs to ensure that the risk of non-compliance and the regulatory burden to both the Local authority and to the trade is minimised.

5.6 Equalities and Diversity

- 5.6.1 The Council has a legal obligation under section 149 of the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.
- 5.6.2 When considering applications, only issues provided for in the relevant legislation, in addition to the authority’s policy will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits.

5.7 This report is for information only and therefore unlikely to result in any equalities implications.

5.8 Corporate Parenting

- 5.7.1 Not relevant to this report.

5.9 Consultation and Engagement

5.9.1 Not relevant to this report.

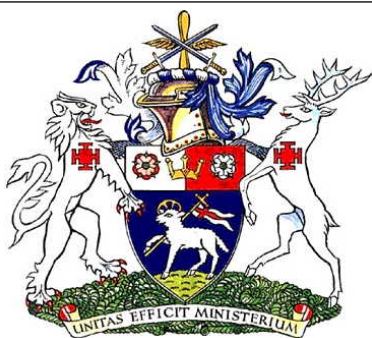
5.9 Insight

5.9.2 Not relevant to this report.

6 BACKGROUND PAPERS

None

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Licensing Committee

11 November 2019

Title	Proposed adoption of the Licensing Policy 2020-2025
Report of	Commissioning Director for Environment
Wards	All
Status	Public
Urgent	No
Key	Yes
Enclosures	Annex 1 – Proposed revised policy Appendix 2 – Summary of responses to the Consultation
Officer Contact Details	Emma Phasey Group Manager, Commercial Premises Emma.phasey@barnet.gov.uk

Summary

The Licensing Act 2003 places a responsibility on all licensing authorities to publish a licensing policy every 5 years. The Council, being a licensing authority, has a current policy which came into effect from January 2015. This report relates to the outcome of the recent consultation in relation to a new policy to take effect in January 2020.

Officers Recommendations

1. For the proposed policy in Appendix 1 to be approved by the Committee
2. That the Committee recommend that this policy be adopted at the next full meeting of the Council

1. WHY THIS REPORT IS NEEDED

- 1.1 Pursuant to the Licensing Act 2003 ('the Act'), the Council is the licensing authority with responsibility for issuing licences under the Act for licensable activities in the Borough.
- 1.2 In accordance with the Act, the Council must prepare, consult on and publish a Licensing Policy which it proposes to have regard to when exercising relevant functions.
- 1.3 The proposed new policy is attached at Appendix 1. This policy must be reviewed at least every 5 years. The policy was last reviewed in January 2015 therefore it must be reviewed before January 2020.
- 1.4 A consultation was undertaken on whether to adopt the Council's draft statement of licensing policy from 19th August 2019 until 11th October 2019. Information on this consultation can be found in paragraph 5.8. Two responses were received and can be found in Appendix 2. Amendments have been made to the draft policy as a result of the responses received. This is outlined in Appendix 2.
- 1.5 Following consideration of the responses in Appendix 2 it is recommended that the Licensing Committee adopt that proposed licensing policy.
- 1.6 This policy must be kept under review by the licensing authority and may be changed at any time after adoption (after further consultation), and must be renewed at intervals of not less than five years.

2 REASONS FOR RECOMMENDATIONS

- 2.1 The local authority is required, under the Licensing Act 2003, to prepare and publish a statement of policy in relation to the exercise of its functions under the Act. This policy must be reviewed at least every 5 years therefore the policy must be reviewed before January 2020.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Committee could consider not consulting on the proposed policy, however the legislation states that the policy must be reviewed and consulted on before the 5 year period ends. This is January 2020 therefore there is no legal alternative.

4 POST DECISION IMPLEMENTATION

- 4.1 The Committee are being asked to recommend that the Policy be adopted at the next meeting of the full Council to come into effect in January 2020.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 This review of licensing policy supports the corporate priority of “Safe and strong communities where people get along”.

5.1.2 The approach taken by the Licensing Authority in relation to applications fully supports objectives contained within the corporate plan. In particular it promotes delivering “quality services and striving to continually improve the standard of services”

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Administration and enforcement of the Licensing Act will be carried out by the Licensing team, together with support from Legal Services and from Governance Services. The cost of the administration and enforcement of the legislation will be offset by income received within this service. There are no further cost implications in reviewing the licensing policy.

5.2.2 Fees are kept under constant review to ensure that they accurately reflect recovery of costs incurred in administration of the licence process and compliance checks.

5.3 Social Value

5.3.1 The Licensing policy supports all three pillars of social value. It helps support the local economy and economic growth by encouraging well run, compliant businesses to the Borough. By strongly upholding the licensing objectives the policy positively impacts on the environment and contributes to a vibrant and healthy community.

5.4 Legal and Constitutional References

5.4.1 Pursuant to s.5 of the Licensing Act 2003, the licensing authority is required to determine its licensing policy in regard to the exercise of its licensing functions and publish the policy every 5 years from the date of publication of the previous licensing policy.

5.4.2 Before publishing the policy, the licensing authority must consult the following:

- (a) The chief officer of Police for the Barnet area
- (b) The fire and rescue authority
- (c) Barnet’s Director of Public Health
- (d) Licence holders of premises licences
- (e) Holders of club premises certificates
- (f) Personal licence holders and
- (g) Businesses and residents within the London Borough of Barnet

5.4.3 Under the Licensing Act there are four statutory objectives to be met through licensing:

- (1) Protection Children from harm
- (2) Prevention of nuisance
- (3) Public Safety

(4) Prevention of crime and disorder

A good policy ensures that these objectives are promoted by the London Borough of Barnet.

- 5.4.4 Section 5A of the Licensing Act 2003 states the Council as the licensing authority may publish a Cumulative Impact Assessment (“CIA”) and sets out the information required by that section. This may allow the licensing authority to help to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licenced premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 5.4.5 Article 7 – Committees, Forums, Working Groups and Partnerships, of the Council’s Constitution states that the Licensing Committee is responsible for, “all policy matters relating to licensing with licencing hearings concerning all licencing matters delegated to sub-committees.”
- 5.4.6 Article 2 of the Council’s Constitution defines a key decision as one which will result in the Council incurring expenditure or savings of £500,000 or more, or is significant in terms of its effects on communities living or working in an area comprising two or more Wards.

5.5 Risk Management

- 5.5.1 It is important that the London Borough of Barnet adopts a robust and accountable regulatory regime in relation to all Licensing. It needs to ensure that the risk of non-compliance and the regulatory burden to both the Local authority and to the trade is minimised.

5.6 Equalities and Diversity

- 5.6.1 The Council has a legal obligation under section 149 of the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.
- 5.6.2 When considering applications, only issues provided for in the relevant legislation, in addition to the authority’s policy will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits.

5.7 Corporate Parenting

- 5.7.1 Not relevant to this report.

5.8 Consultation and Engagement

- 5.8.1 The consultation document was sent to the all responsible authorities. It was also sent to councillors.
- 5.8.2 The consultation was also be published on London Borough of Barnet's online website and on the Engage Barnet portal.
- 5.8.3 A selection of licence holders were contacted in writing in relation to the proposed changes
- 5.8.4 All replies received have been taken into account

5.9 **Insight**

- 5.9.1 Not relevant to this report.

6 **BACKGROUND PAPERS**

Statutory Guidance issued under section 182 Licensing Act 2003 (April 2018)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Licensing Act 2003

Appendix 1 Proposed Licensing Policy

Appendix 2 Consultation responses

Consultee	Support/Does not support	Further Comments
Responsible Authority - Police	Support	N/A
Responsible Authority - LFB	Support	Requested
Licensed premises in Burnt Oak	Support	Feels they are a responsible retailer and this will protect the area from irresponsible retailers.
Responsible Authority - Licensing	Support	N/A
Responsible Authority – Public Health	Support	See below. Changes have been made where appropriate to the policy and are highlighted in yellow in the draft policy in Appendix 1
Responsible Authority – Noise Nuisance	Support	N/A

Consultation Response by Public Health to the draft Barnet Draft Statement of Licensing Policy (SLP) **by Linda Somerville, Public Health Strategist October 2019**

The Public Health team welcome the review of the Barnet Statement of Licensing Policy (SLP) as per the legal requirement to complete a review every five year or more frequently if felt necessary. The new draft version is a reasonably short document providing information to potential licensing applicants relating to how the licensing authority in Barnet will operate.

Below are some specific comments relating to the draft document that was circulated with the point number location given to enable location of the text that each comment relates to.

Point 1.8 – Whilst the document the Mayor’s plan: A vision for London does focus on the Night Time Economy and a vision of London as a 24-hour city, there is a comment in 7.6.6 stating that “There are many benefits to promoting night-time

economic activity such as generating jobs, improving income from leisure and tourism, providing opportunities for social interaction, and making town centres safer by increasing activity and passive surveillance. Managing issues such as transport, servicing, increased noise, crime, anti-social behaviour, perceptions of safety, the quality of the street environment, and the potential negative effects on the health and wellbeing of Londoners, will require specific approaches tailored to the night-time environment, activities and related behaviour. Boroughs are encouraged to consider appropriate management strategies and mitigation measures to reduce negative impacts on the quality of life of local residents, workers and night-time economy customers, particularly in areas with high concentrations of licensed premises". (Source: https://www.london.gov.uk/sites/default/files/draft_london_plan_-_consolidated_changes_version_-_clean_july_2019.pdf).

As part of the new draft SLP Public health would suggest that greater emphasis is placed on the potential negative impact that alcohol can have on local areas, especially in areas where there are already high numbers of on and off premises selling alcohol.

Point 3.1 in the draft SLP states that there was a wide consultation before the SLP was finalised but in the draft, there is no mention of the Responsible Authorities who can input into licensing decisions. As the SLP is a document that members of the public may look at, Public Health would suggest that a list of all Responsible Authorities and their contact details are included in the SLP. This information will assist members of the public to identify which groups they can potentially contact if they have concerns and would like to input into licensing decisions. Relatedly in Point 4.2 of the draft it is stated that residents should be made aware that they can contact their local councillor for support in relation to submitting a representation and/or calling for a review. Residents would most likely not feel confident in making a representation, in their own right and may need guidance and support from either the licensing authority or another Responsible Authority. If the names and contact details of the Responsible Authorities are listed in the SLP, this will assist.

Point 5.2 states that national analysis of alcohol sales data (sales in the on and off trade) has shown a positive association at local authority level between off-trade sales and alcohol-specific hospital admissions. Public health could add further information on this research if required (please see Appendix 1 below).

In Point 5.3 on Cumulative Impact Zones (CIZ) it states that reducing availability, affordability and attractiveness are some of the most effective ways to reduce alcohol harm and related crime. The CIZ may reduce availability (in the longer-term future as the existing licenses are already in place) but the CIZ will not affect the affordability or the attractiveness of alcohol. Public Health would suggest that this

sentence is altered to include information about a CIZ only impacting on new license applications and that measures to reduce affordability of alcohol can realistically only be achieved through national policy changes.

Point 5.5 on CIZ's, refers to data sources and includes alcohol specific hospital admissions for under 18's. As the number of alcohol specific hospital admissions for under 18s is likely to be extremely low, Public Health would recommend that this measure is changed to alcohol specific hospital admissions for all ages. There is also mention of statistics on alcohol related emergency attendances and hospital admissions. Public Health can supply this data if requested but the data would be on alcohol related hospital admissions (under either a narrow or broad measure). The terms of narrow and broad were introduced to replace alcohol related hospital admissions acute and chronic.

In Point 5.7 relating to the proposed CIZ. Public Health would suggest that text is added to the draft SLP explaining that a 'rebuttal presumption' will be applied to every application in a CIZ unless it can be demonstrated that the granting will not negatively impact on the licensing objectives (Source: Poppleston Allen, 2019).

Similarly, under Point 5.13 in the draft SLP it states that "The Licensing Authority recognises though, that where no relevant representations are made in relation to an application in a cumulative impact area, the application must be granted in terms consistent with the applicants operating schedule". Public Health suggest that this point is reviewed as a CIZ creates a 'rebuttal presumption' and this point currently appears to be slightly contradictory of the rebuttal presumption. Under the CIZ it is important to say that all applications will be denied unless the application can demonstrate that they will not add to the existing cumulative impact of alcohol in the CIZ area.

Point 5.15 in the draft SLP states "It therefore also recognises that, within the Cumulative Impact Policy areas, it may be able to approve licences that are unlikely to add significantly to the existing problems, and will consider the circumstances of each individual application on its merits". Public health suggest that this statement is reviewed for similar reasons to point 5.13 above. In addition, to avoid confusion perhaps the use of the words of 'add significantly' could be reviewed as this may lead to an appeal in a Magistrates Court.

The draft SLP mentions Public Places Protection Orders (Point 8.6) and as there are already PPPO's in place, Public Health suggest that further details of these areas are included in the SLP so that members of the public and potential applicants are aware of the location of these orders.

During Point 10 the health considerations of licensing are mentioned. Public Health recommend that additional information on health and alcohol related harm is included either in this section within the draft SLP and/or in an Appendix at the end of the document (please see below for suggested text).

In Point 15.1 in the draft SLP it states that “The Licensing Authority supports partnership with other regulatory bodies in respect of enforcing the provisions of the Act. This will be reflected in the nature and the extent of the working arrangements agreed between those bodies and the Licensing Authority, and on the need for efficient deployment of staff and avoidance of duplication of role. In particular, special arrangements will be maintained with the Police and other responsible authorities to achieve those ends”. As Public Health is not a regulatory body but is a Responsible Authority, we suggest that consideration is given to changing this text from ‘regulatory bodies’ to ‘supports partnership with other responsible authorities’.

Under Point 15.5 in the draft, it is stated that “The Licensing Authority has enforcement protocols with the police and will develop them with the other responsible authorities to provide for the most effective methods of monitoring and enforcing compliance with licensing requirements”. Public Health suggest that a PH representative participates in the development of enforcement protocols and any other forum where all Responsible Authorities meet.

As previously mentioned Public Health would suggest that additional information is included in Barnet’s draft SLP relating to alcohol and harm. Below is suggested text for inclusion either in the Public Health section of the draft SLP or for an Appendix. The inclusion of alcohol related harm information, mirrors the approach adopted within Islington’s Statement of Licensing Policy 2018-2022.

ALCOHOL RELATED HARM IN BARNET

Alcohol plays an important and positive role in social and family life and contributes to both employment and economic development in Barnet. These positive benefits of alcohol should be balanced with the negative impact that excessive alcohol use can have, including detrimental effects on health and wellbeing.

Drinking levels

The Chief Medical Officer’s guidelines¹ for both men and women are that:

- To keep health risks from alcohol to a low level it is safest not to drink more than 14 units a week on a regular basis
- If you regularly drink as much as 14 units per week, it is best to spread your drinking evenly over 3 or more days. If you have one or two heavy drinking episodes a week, you increase your risks of death from long term illness and from accidents and injuries.

1

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/602132/Communicating_2016_CMO_guidelines_Mar_17.pdf

- The risk of developing a range of health problems (including cancers of the mouth, throat and breast) increases the more you drink on a regular basis.
- If you wish to cut down the amount you drink, a good way to help achieve this is to have several drink-free days each week.

Regularly drinking more alcohol than the recommended daily limit can damage health. Excessive alcohol consumption is associated with over 60 medical disorders. For instance, alcohol has been identified as a causative factor in the following conditions:

- Mouth, throat, stomach, bowel, liver and breast cancer
- Cirrhosis of the liver
- Heart disease
- Depression
- Stroke
- Pancreatitis
- Liver disease

Barnet currently experiences less alcohol related problems than regional and national averages, however this does not mean that there are no alcohol related problems in Barnet as:

- 64, 036 (21%) of residents are consuming alcohol at amounts that represents a level of increasing and/or higher risk to their health (based on a population size of 304, 937)².
- 1,348 hospital admissions by Barnet residents were caused specifically by alcohol in 2017/18.
- 6,182 hospital admissions by Barnet residents were caused by conditions relating to alcohol in 2017/18.
- Three Public Spaces Protection Orders (PSPOs) are in place in Burnt Oak, Edgware Town Centre and Childs Hill, with additional PSPO's being consulted upon, which aim to prevent anti-social behaviour related to alcohol use in public places.

Alcohol is estimated to have contributed to 133 deaths in Barnet (this includes deaths in which alcohol is wholly responsible and those where it has played a lesser role) and during 2015-17, 40 people died directly because of alcohol consumption in the borough.

Given the issues relating to alcohol-related harm in Barnet, a proactive and collaborative approach is required to reduce the detrimental health impacts of alcohol.

AVAILABILITY OF ALCOHOL

² Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables), NHS Digital (Health Survey for England 2017: Adult health related behaviours)

There is national and international evidence that availability of alcohol is linked to increasing alcohol consumption and alcohol related harm³. Reducing the density of licensed premises and reducing permitted hours of sale can reduce violence and other alcohol-related harm. Evidence indicates that increasing numbers of outlets or extended hours of sale potentially increases the competitive pressures on existing outlets, which may result in price reductions that tend to lead to increased levels of consumption⁴. This is supported by an evidence review completed by Public Health England (PHE) in 2016 which suggested that a higher density of off-premises alcohol outlets may be associated with increases in deaths, rates of admission to hospital because of assault or alcohol-related disease, and domestic violence. Higher density of other types of licensed premises may also be associated with increases in admission to hospital because of assault or alcohol-related disease.

A study from Scotland⁵ identified that alcohol-related hospitalisations of those under the legal minimum drinking age were also related to off-site outlet densities. The study suggested the local impact of off-license sales of alcohol is much higher as people tend to use off licenses that are close to the place they consume alcohol, such as home. This emphasises the importance of addressing off-license sales in harm reduction and licensing work.

Research studies have looked at the impact of changing licensing hours on alcohol related hospital admissions. For instance, a retrospective analysis⁶ of admissions to St Thomas' Hospital in London showed a 5.1% increase in alcohol-related attendances, 0.9% increase in alcohol related assault, 2.5% increase in alcohol related injury and 1.9% increase in alcohol-related admissions.

BINGE DRINKING AND PRELOADING

It is not only the amount of alcohol consumed that increases the risk of harm, but also the amount consumed in one sitting. Binge drinking, which refers to a pattern of drinking in which a person consumes a lot of alcohol in one sitting (defined as drinking more than 6 units), can cause acute intoxication and lead to acute, short-term problems. Short term risks are the immediate risks of harm, injury and accident (sometimes fatal) linked to drinking a large amount of alcohol on one occasion, which often leads to drunkenness. They include head injuries, fractures and other injuries, facial injuries and scarring, alcohol poisoning and accidents.

The risks of injury to a person who has been drinking recently have been found to rise between two and five times when 5-7 units are drunk in a 3-6-hour period⁷.

3

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733108/alcohol_public_health_burden_evidence_review_update_2018.pdf

⁴ Popova S, Giesbrecht N, Bekmuradov D, and Patra J. Hours and Days of Sale and Density of Alcohol Outlets: Impacts on Alcohol Consumption and Damage: A Systematic Review. *Alcohol & Alcoholism* 2009;44(5):500-516

⁵ Richardson, EA., Hill, SE, Michell, R, Pearce, J and Shortt, NK. Is local alcohol outlet density related to alcohol-related morbidity and mortality in Scottish cities? *Health and Place*, 2015; 33, 172- 180

⁶ Newton A, Sarker SJ, Pahal GS, van den Bergh E, Young C. Impact of the new UK licensing law on emergency hospital attendances: a cohort study. *Emerg Med J.* 2007.;24(8):532-4

⁷ Hughes K, Anderson Z, Morleo M, Bellis MA. Alcohol, nightlife and violence: the relative contributions of drinking before and during nights out to negative health and criminal justice outcomes. *Addiction.* 2008 Jan;103(1):60-5.

Most common in younger age groups, binge drinking is often associated with 'pre-loading'. Preloading is a term that relates to people, particularly young people, drinking alcohol at home or in streets before going on to pubs and clubs. It has been associated with higher overall alcohol consumption and a greater likelihood of being involved in a violent incident. People pre-load on alcohol because it's much cheaper to buy in the supermarket or other off licence than in a pub or bar. More people are now drinking at home, and over 70% of all alcohol in England is now purchased through the off trade⁸. For instance, it was estimated in 2012 that 6.4 litres of alcohol per person were consumed off-trade compared to 3.2 litres on-trade¹². This highlights the importance of considering the impact of the off-licence trade within local licensing policy.

Later closing hours of licensed premises and cheap off-licensed alcohol create problems for the on-trade sector because customers can attend premises intoxicated from drinking at home. It is against the law to serve alcohol to those who are intoxicated, but research in the UK shows this law is routinely broken. A study conducted in Liverpool in 2013 found that 84% of alcohol purchase attempts by pseudo-intoxicated actors in pubs, bars and nightclubs were successful (i.e. alcohol was sold to the actor)⁹.

Multi-component programmes are the best approach to addressing issues relating to preloading. These aim to reduce alcohol-related harm in drinking environments by co-ordinating and strengthening local preventative activity. If effective, they can help reduce costs to health services, criminal justice agencies and other public services. These typically include efforts to mobilise communities, such as media campaigns and community forums, supporting and working with licensed premises such as server training and voluntary schemes to avoid easy access to cheap alcohol from off-licences (such as through reduced the strength campaigns and not selling single cans and bottles) and increased enforcement activity, such as targeted visits and training.

STREET DRINKING

Street drinkers (including those who are homeless and those who are vulnerably housed) are likely to be a subset of a wider group of change resistant drinkers who are particularly vulnerable. Their drinking is likely to be having a significant impact on their health as well as causing a range of problems in the local community. A small number of street drinkers can incur significant costs: crime and anti-social behaviour on the street but also associated costs such as hospital visits, repeated 999 calls and the opportunity costs of resources used to target their needs. Alcohol Concern's Blue Light¹⁰ project estimated that the average annual cost of a high risk, change resistant drinker is around £35,000 including health, criminal justice and anti-social behaviour costs.

⁸ Health Committee - The Government's Alcohol Strategy. Written evidence from the Association of Licensed Multiple Retailers (GAS 65). May 2012.

⁹ Hughes, K, Bellis, MA, Leckenby, N, Quigg, Z, Hardcastle, K, Sharples, O, Llewellyn, D (2014) Does legislation to prevent alcohol sales to drunk individuals work? Measuring the propensity for night-time sales to drunks in a UK city. JECH Online First

¹⁰ Alcohol Concern. Alcohol Concern's Blue Light Project Working with change resistant drinkers, 2014

Street drinkers depend on a local supply of alcohol. They tend not to buy large quantities for fear that it will be confiscated, or that they will be targeted by other drinkers. Therefore, most need to be near. According to ThamesReach¹¹, which works with rough sleepers in London, “super-strength drinks have become one of the biggest causes of premature death of homeless people in the UK”, with their data indicating that super-strength drinks are doing more damage than both heroin and crack cocaine, with 78% of the deaths in ThamesReach hostels are attributed to high strength alcohol.

In guidance from Police and Crime Commissioners¹² it is suggested that a multi-component approach is needed to tackle street drinking, which includes a multi-agency group, alcohol services which provide outreach and supports change resistant drinkers and appropriate legal powers aimed at individuals. This needs to be supported by a retail environment which discourages street drinking. Initiatives designed to tackle the problems associated with street drinking have removed the sale of low-priced, high strength alcohol products, through voluntary agreements with local retailers. Such schemes have resulted in a reduction in crime and anti-social behaviour.

Cumulative Impact Zones can also support areas particularly affected by street drinking¹³. Using policies not ‘aimed’ at the night-time economy but instead targeting off-licences and late-night refreshment in areas with significant health inequality and many hostels. This can include can marking initiatives to identify where cans used by street drinkers came from and having targeted patrols from the police in areas where there are concerns. Such measures can have a significant impact on alcohol related crime and anti-social behaviour.

Alcohol related violence

Studies have shown that intoxication can lead to violent behaviour in those predisposed to aggression and it has been suggested that consumption leads to weakened inhibitions and relaxed normative behaviour (i.e. perceived allowance of aggression). This can result in an increased risk of alcohol-related violence inside and around drinking premises. For example, Livingston et al¹⁴ found that all types of license were significantly associated with admissions to hospitals because of assault. The largest effect size was for off-licences (0.54), with smaller effect sizes for general (0.13) and on-premises licences (0.06).

Glassing related violence is another important issue that can be addressed through licensing. A “glassing” is a physical attack using glassware as a weapon. These attacks especially affect bars and clubs, where glassware is the principal weapon in licensed premises related violence. It is estimated that 80,000 glass and

¹¹ Thames Reach. Calls for high-strength cider duty increase. Available from: < <http://www.thamesreach.org.uk/news-and-views/calls-for-high-strength-cider-duty-increase/>, 2017

¹² National Consortium of Police and Crime Commissioners (2016) Tackling Street Drinking: Guidance on Best Practice. <http://www.apccs.police.uk/wp-content/uploads/2013/11/Tackling-Street-Drinking-PCC-Guidance-on-Best-Practice.pdf>

¹³ Livingston M, Chikritzhs T, Room R. Changing the density of alcohol outlets to reduce alcohol-related problems. *Drug Alcohol Rev.* 2007;26(5):557–66

¹⁴ Ibid

bottle attacks occur in the UK each year, accounting for 4% of violent crime¹⁵. These attacks, fuelled by alcohol, put a huge strain on NHS resources.

Research undertaken by the University of Bristol estimated that bar glassware accounted for 10% of assault injuries in A&E departments¹⁶. The Licensing Act 2003 enables licensing authorities to require glassware to be replaced by safer alternatives in individual licensed premises where a problem has been identified and representations have been made. The impact of such action has been found to be positive. For instance, in Lancashire, a study into the differences between annealed glass, and polycarbonates found that there were no glass breakages in the venues with polycarbonates¹⁷. Surveys suggest that patrons were happy to use polycarbonates, and that this did not affect sales in licensed premises. Glasgow City Council in addition, banned glassware from all venues holding an Entertainment Licence within the city's centre during the hours after midnight. Drinks had to be served in toughened glass or other recognised safety products. No conventional glass bottles, whether open or sealed could be given to customers. Overall patrons responded positively, with people feeling safer in these venues, and venues that took up plastic were found to incur less injury risk¹⁸.

Children and alcohol

CMO guidelines¹⁹ state that an alcohol-free childhood is the healthiest and best option. However, if children drink alcohol underage, it should not be until at least the age of 15 years. If young people aged 15 to 17 years consume alcohol, it should always be with the guidance of a parent or carer or in a supervised environment. Parents and young people should be aware that drinking, even at age 15 or older, can be hazardous to health and that not drinking is the healthiest option for young people.

If someone is under 18, it's against the law:

- to sell them alcohol
- For them to buy or try to buy alcohol
- For an adult to buy or try to buy alcohol for them
- For them to drink alcohol in licensed premises (e.g. a pub or restaurant)

In a survey of Young People completed by the Office of National Statistics (ONS) in 2016, it was concluded that 44% of 11 to 15-year-old school pupils had ever had an alcoholic drink²⁰. National data suggests a steady decline in the proportion of young people who had drunk alcohol. In Barnet, a crude estimate of the Estimate

¹⁵ Kershaw C, Nicholas S, Walker A. (2008) Crime in England and Wales 2007/08. Findings from the British Crime Survey and police recorded crime. London, Home Office

¹⁶ DH. Safe. Sensible. Social. The next steps in the National Alcohol Strategy.

http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_075219.pdf, 2007

¹⁷ Anderson Z, Whelan G., Hughes K, Bellis M. Evaluation of the Lancashire polycarbonate glass pilot project. Lancashire Constabulary. Liverpool JMU Centre for Public Health, 2009

¹⁸ A Forsyth. Banning glassware from nightclubs in Glasgow (Scotland): Observed impacts, compliance and patron's views. Alcohol & Alcoholism, 2017; Vol. 43, No.1 p 111-117.

¹⁹ Chief Medical Office. UK Chief Medical Officers' Low Risk Drinking Guidelines 2016,

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/545937/UK_CMOs_report.pdf (accessed May 2017), 2016

²⁰ <https://digital.nhs.uk/data-and-information/publications/statistical/smoking-drinking-and-drug-use-among-young-people-in-england/2016>

of the number of 11-15-year olds who drank alcohol within the past week in Barnet is 2434 young people²¹.

Consideration also needs to be given to the harm alcohol causes to people other than the person who is drinking, sometimes referred to as 'social harm' or 'passive drinking'. Children of parents misusing alcohol may experience severe emotional distress, physical abuse and violence as well as a general lack of care, support and protection.

Children and young people experience significant harm because of alcohol. The number of young people (under 18 years) admitted to hospital in Barnet because of alcohol between 2015/16 and 2016/17 was 55 – there would have been more who were taken to A&E but not admitted.

BEST PRACTICE

Barnet strongly promotes working in partnership with licensed premises and the adoption of high standards of management at all premises. We recognise that many licensees are supportive of the need to address the harms issues relating to excessive alcohol use and suggest the following actions should be considered:

- Restrict "special offers" like: cheap shots; 'Happy Hours' and Buy One Get One Free. This slows down consumption, the rate at which blood alcohol concentrations increase and the peak levels reached by drinkers. Rapidly ascending and high blood alcohol concentrations are shown to be associated with violence and uninhibited behaviour.
- Align pricing with Alcohol by Volume (ABV) where possible, and ensure that non-alcoholic drinks are kept much cheaper.
- Increase seating for customers to reduce more intensive drinking.
- Reduce the volume of music as loud music can increase alcohol consumption.
- Actively promote designated driver schemes where a driver is offered discounted or free non-alcoholic drinks.
- Make food available in late night venues.
- Start the sale of alcohol later in the day and not align it purely with opening hours.
- No advertisements for alcohol in the shop windows or on the shop floor.
- Storing alcohol behind the shop counter.
- Cans of alcohol should not be sold singly.
- No beer or cider over 5.5% ABV should be sold.

²¹ <https://www.barnet.gov.uk/health-and-wellbeing/health-and-wellbeing-key-documents/barnet-substance-misuse-needs-assessments>

- No alcopops should be sold where they could attract under age purchasers.

STATEMENT OF LICENSING POLICY LONDON BOROUGH OF BARNET

January 2020

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1. Introduction

- 1.1 The London Borough of Barnet covers an area of 8,675 hectares and has a population of approximately 400,600, which is the largest of all the London Boroughs.
- 1.2 Within Barnet there is considerable variation in the size of wards, so it is useful to look at the population density of each ward to gain a deeper understanding of the distribution of population within the borough. In 2018, Colindale is projected to be the most densely populated borough with 10,215 residents per km², which is considerably higher than the average population density of the borough (5,574 residents per km²). In contrast, both Totteridge and High Barnet have population densities of less than 2,000 residents per km². With the exception of Garden Suburb, the wards with the highest population densities are concentrated in the south of the borough and those with the lower population densities tend to be in the north of Barnet
- 1.3 The Borough is mainly urban in character, being made up of a number of separate retail and commercial centres each surrounded by residential accommodation. However 28% of the borough is greenbelt with over 200 parks and greenspaces.
- 1.4 The Barnet Corporate plan 2019-2024 sets out the vision for the next 5 years. The 3 outcomes identified for the borough focus on place, people and communities. These are:
 - a pleasant, well maintained borough that we protect and invest in
 - our residents live happy, healthy, independent lives with the most vulnerable protected
 - safe and strong communities where people get along well
- 1.5 The Licensing Policy under the Licensing Act 2003 has a role to play in promoting these outcomes and ensuring, where applicable, that it is achieved, subject to the requirements of the legislation and statutory guidance.
- 1.6 The London Borough of Barnet supports a diverse and vibrant daytime, evening and night economies all complementing and benefitting from each other.
- 1.7 Local licensed premises need to operate and flourish within the requirements of relevant licensing legislation, statutory guidance and the local licensing policy but effective management and partnership working with other businesses, regulators and other relevant stakeholders should ensure this is achieved. Barnet has a diverse residential community and needs to be able to offer that community venues that meet its needs, offering as wide a range of entertainment, food and leisure as is possible. This includes pubs, clubs, restaurants and entertainment venues of varying types, which would include the use of open spaces.

- 1.8 London is a 24 hour City. The Mayor of London has published the document entitled 'A Vision for London as a 24 Hour City' (available from London.gov.uk), which sets out the Mayor's desire to see creativity and talent flourish and which also acknowledges the economic benefits that a vibrant and diverse night time economy can bring. Encouraging and permitting such an economy needs to be balanced against the needs and rights of residents and other businesses and to ensure that where premises provide licensable activities, this is done in a way that promotes the four licensing objectives in the Act. The London Borough of Barnet will ensure that premises are well managed to ensure compliance with the licensing objectives and that there is no increased noise, crime, anti-social behaviour, and to reduce any potential negative effects on the health and wellbeing of Londoners.
- 1.9 Licensing is a balance and requires consideration of all these various, sometimes conflicting, needs.
- 1.10 For the purposes of this 'Statement of Licensing Policy', the licensing authority under the Licensing Act 2003 (the Act) is the London Borough of Barnet.
- 1.11 The Act requires that the Licensing Authority carries out its various licensing functions so as to promote the following four licensing objectives:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 1.12 The London Borough of Barnet has produced this Licensing Policy Statement in accordance with the provisions of the Licensing Act 2003 and the guidance issued under Section 182 of the Act by the Home Office.
- 1.13 The aim of this licensing policy is to set out how the Licensing Authority, will seek to meet the four licensing objectives and has been devised based on best practice.
- 1.14 This policy succeeds Licensing Authority Policy statement dated January 2015 and whilst subject to on-going review will be in force for a period of 5 years from January 2020.

2. Scope

- 2.1 The sale and supply of alcohol, the provision of regulated entertainment, and of late night refreshment play a key role in our economy and society and are activities which takes place throughout the Borough. How the Licensing Authority deals with this issue will impact on many residents and businesses.
- 2.2 The licensing policy will form an important part of the development strategy for the Borough and will work in connection with:
- The London Borough of Barnet Enforcement and Prosecution Policy

- The Human Rights Act 1998
- Crime and Disorder Act 1998
- Equality Act 2010 and other anti-discrimination legislation,
- Guidance issued by the Home Office on behalf of the Secretary of State under section 182 Licensing Act 2003
- Police Reform and Social Responsibilities Act 2011,
- Live Music Act 2012

*The above is not an exhaustive list.

2.3 The licensing policy has 3 main purposes:

- To inform licence applicants of the parameters under which the Licensing Authority will make licence decisions, and therefore how a licensed premises is likely to be able to operate within an area¹.
- To inform residents and business of the parameters under which the Licensing Authority will make licence decisions and therefore how their needs will be addressed.
- To assist the elected Members on the licensing Committee in relation to the powers of the Licensing Authority and the limits of those powers, and to provide them with parameters under which to make decisions.

2.4 The Licensing Authority is empowered under the Act to grant, review, vary, suspend or refuse premises licences, club premises certificates, personal licences and deal with temporary event notices in the Borough. The licensable activities dealt with by the licensing authority and set out in the act are as follows:

- The sale by retail of alcohol for consumption on or off the premises
- Supply of alcohol to club members
- Provision of “regulated entertainment” – to the public, to club members or with a view to profit. This includes the;
 - Performance of a play
 - Exhibition of a film
 - Indoor sporting events
 - Boxing or wrestling entertainment
 - Performance of live music
 - Playing recorded music
 - Performance of dance
- The provision of late night refreshment being the supply of hot food and/or drink from any premises between 11pm and 5am.

2.5 The Act divides licences into premises licences for the building and personal licences for each licensee.

¹ Each case will be examined on its individual merits.

3. Development of this policy

- 3.1 There are a number of groups who have a stake in licensing, including providers, customers, residents and regulators, all who have views and concerns that require consideration as part of the licensing function. Before publishing this licensing statement, the Licensing Authority consulted widely, including with the chief borough police officer, the chief officer of the London fire brigade and bodies representing local holders of premises licences, club premises certificates, personal licences and businesses and residents in the borough.
- 3.2 The Licensing Authority has given proper weight to the views of all the persons/bodies consulted before publishing this finalised licensing statement.

4. Fundamental Principles

- 4.1 The Licensing Authority will carry out its various licensing functions ensuring it promotes the four licensing objectives:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance, and
 - The protection of children from harm
- 4.2 The Licensing Authority is not expected to act as a responsible authority on behalf of other parties (for example, local residents, local Councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the licensing authority in their own right, and it is reasonable for the licensing authority to expect them to make representations themselves where they are reasonably able to do so.
- 4.3 However, if these bodies have failed to take action and the licensing authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as a responsible authority.
- 4.4 Any responsible authority may make representations with regard to any of the licensing objectives where it has evidence to support the same. It is also reasonable for the licensing authority to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority.

For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.

- 4.5 In determining a licence application the overriding principle will be that each application will be determined on its individual merits.
- 4.6 Nothing in the Licensing Policy will:
- Undermine the rights of any person to apply the Act for a variety of permissions and have the application considered on its individual merits.
 - Override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act.
- 4.7 The decision taken by the Licensing Authority will be focused on matters that are within the control of the individual licensees and others granted relevant permissions in accordance with the legislation and Statutory Guidance. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. The Licensing Authority will focus on the direct impact of activities taking place at the licensed premises on both adults and children living in, working in or visiting the area concerned.
- 4.8 In taking its decisions, the Licensing Authority will take into account that licensing law is not the primary mechanism for the control of anti-social behaviour once individuals are beyond the direct control of the premises concerned. Nonetheless, licensing law will be part of a holistic approach to the management of the evening and night-time economy in town and city centres
- 4.9 Licence conditions imposed will be relevant to the individual application and appropriate to meet the licensing objectives. Licence conditions will not be imposed where other regulatory regimes, such as fire safety legislation, provide sufficient protection for patrons and other members of the public.
- 4.10 Individual applicants are expected to address the licensing objectives in their Operating Schedule within the context of the nature of the location, type of premises, regulated activities to be provided, operational procedures and the needs of the local community.
- 4.11 Where an application is made for a new or transfer and/or variation of a licence, in respect of premises that have closed and that closure was to a relevant extent as a consequence of crime and disorder and/or nuisance issues at the premises, the Licensing Authority would expect the applicant to make clear in their Operating Schedule how they will ensure the crime and disorder and public nuisance objectives will be met, bearing in mind any previous crime and disorder/nuisance concerns there may have been.
- 4.12 The Licensing Authority recommends that all applicants carry out sufficient risk assessments for the activities on their premises, and that the findings are put into practice. The Licensing Authority encourages applicants to carry out an assessment of the likely impact of the activities to be carried on at the premises, with a view to identifying any control measures that may be appropriate.

- 4.13 The Licensing Authority encourages applicants to send risk assessments as well as any other supporting documentation with the application.
- 4.14 Appropriate weight is given to all relevant representations made to the Licensing Authority. This does not include those representations which are considered to be frivolous, vexatious or repetitious, which will be disregarded.

5. Approach to licensing applications

- 5.1 When exercising its licensing functions the Licensing Authority will not be influenced by the question of need. The question of whether or not there is a need for any particular premises is a commercial matter which is not relevant to the Licensing Authority's considerations. The issue of need may be a matter for planning consideration or for the market to decide and does not form part of this licensing policy statement.
- 5.2 However, the Licensing Authority recognises that a significant number and type of licensed premises in a particular area may lead to problems of crime, disorder and nuisance and notes that in accordance with the Statutory Guidance to the Act, their cumulative impact on the promotion of the licensing objectives is a proper matter for the Licensing Authority to consider.

For example, national analysis of alcohol sales data (sales in the on and off trade) has shown a positive association at local authority level between off-trade sales and alcohol-specific hospital admissions. For more information please see Appendix 3.

Cumulative Impact Assessment and Cumulative Impact Zones

- 5.3 A Cumulative impact Assessment (CIA) may help to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 5.4 CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area. Temporary event notices are not affected.
- 5.5 While the evidence underpinning the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the Act. Each decision in an area still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives.
- 5.6 There must be a good evidential basis for a decision to publish a CIA. Information which licensing authorities may be able to draw on includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires;
- evidence from local and parish councillors; and
- evidence obtained through local consultation

5.7 The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:

- trends in licence applications, particularly trends in applications by types of premises and terminal hours;
- changes in terminal hours of premises;
- premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

5.8 Where the Licensing Authority recognises that there is such a cumulative effect it will consider adopting a specific Cumulative Impact Zone (CIZ) for that area, if this is shown to be necessary. In these circumstances, the Licensing Authority may consider that the imposition of conditions is unlikely to address the apparent problems and may consider the adoption of a CIZ whereby there will be a presumption that new premises licence or club premises certificate applications, or applications to materially vary a premises licence, will be refused, (although also see paragraph 5.12) . A material variation may be, for example, an increase in permitted hours or to add a licensable activity onto a premises licence.

5.9 Based on the Statutory Guidance to the Act, in deciding whether to adopt such a Policy in an area, the Licensing Authority will consider the following:

- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots
- Statistics on local anti-social behaviour offences
- The density and number of current premises selling alcohol
- Alcohol use and misuse in the local population
- Alcohol specific hospital admissions for under 18's
- Ambulance incidents and dispatches
- Statistics on alcohol related emergency attendances and hospital admissions
- Complaints recorded by the local authority
- Evidence from local councillors and Police

- Evidence obtained through local consultation.

- 5.10 The location of the current Cumulative Impact Zones adopted by the London Borough of Barnet can be found in Appendix 4 of this policy.
- 5.11 The effect of a Cumulative Impact Zone for the areas listed in Appendix 4 is that where relevant representations are received on any new applications for a premises licence to sell alcohol off the premises, or on a material variation to an existing such premises licence there will be a presumption under the special policy that the application will be refused.
- 5.12 The Cumulative Impact Zone is intended to be strict, and will only be overridden in genuinely exceptional circumstances. A 'rebuttal presumption' will be applied to every application in a CIZ unless it can be demonstrated that the granting will not negatively impact on the cumulative impact. The Licensing Authority will always consider the individual circumstances of each application; even where an application is made for a proposal that is apparently contrary to the CIZ. Applications in an area covered by a CIZ should consider any potential cumulative impact issues when setting out the steps they propose to take to promote the licensing objectives.
- 5.13 It is not possible to give a full list of examples of when the Licensing Authority may treat an application as an exception. However, in considering whether a particular case is exceptional, the Licensing Authority will consider the reasons underlying the policy.
- 5.14 The Licensing Authority will not consider a case to be exceptional merely on the grounds that the premises have been or will be operated within the terms of the conditions on the licence, or that are or will be generally well managed because of the reputation or good character of the licence holder or operator. This is expected in the conduct of all licensed premises. Moreover, licences are for premises and can be easily transferred to others who intend to operate within the scope of the licence and its conditions.
- 5.15 The Licensing Authority will review the special policies regularly to see whether they have had the effect intended and whether they are still needed or whether they need expanding.
- 5.16 The Licensing Authority will not use these policies solely:
- As the grounds for removing a licence when representations are received about problems with existing licensed premises, or,
 - To refuse modifications to a licence, except where the modifications are directly relevant to the policy, for example where the application is for an extension in permitted hours or to add a licensable activity.
- 5.17 The Licensing Authority recognises though that where no relevant representations are made in relation to an application in a cumulative impact area, the application must be granted in terms consistent with the applicants operating schedule.

- 5.18 The Licensing Authority recognises that the diversity of premises selling alcohol, serving food and providing entertainment covers a wide range of contrasting styles and characteristics and will have full regard to those differences and the differing impact these will have on the local community.
- 5.19 It therefore also recognises that, within the Cumulative Impact Policy areas, it may be able to approve licences that are unlikely to add significantly to the existing problems, and will consider the circumstances of each individual application on its merits.

6. Public safety

- 6.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.
- 6.2 The Act covers a wide range of premises that require licensing including: cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants, members clubs, fast food outlets and other entertainment venues. Each type of these premises present mixtures of risks with are common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted so as to safeguard occupants by minimising these risks.
- 6.3 The Licensing Authority will expect Operating Schedules to satisfactorily address public safety issues and applicants are advised to seek appropriate Health and Safety advice and consult the London Fire and Emergency Planning Authority before preparing their plans and schedules.
- 6.4 The following examples of influencing factors are given to assist applicants when addressing the issue of public safety during the preparation of their Operating Schedule:
- the number of people attending the premises
 - the condition, design and layout of the premises, including the means of escape in case of fire
 - the nature of the activities to be provided, in particular the sale of alcohol and including whether those activities are of a temporary or permanent nature
 - the hours of operation and hours of opening if different
 - customer profile (i.e. age, mobility)
 - the use of special effects such as strobe lighting, lasers, pyrotechnics, smoke machines, foam machines etc

- 6.5 Applicants are reminded that any performers are also members of the public and as such their safety should be specifically addressed in operating schedules.
- 6.6 Where door supervision is in operation, supervisors must be registered with the Security Industry Authority. The Licensing Authority strongly recommends that a record of SIA registered staff on duty in this capacity is maintained on the premises and that an incident report book is maintained. Both of these records should be available for inspection at all reasonable times by authorised officers of the Council or a Police Officer.
- 6.7 Public safety will be promoted by the effective management and operation of the licensed activities, these should be reflected in the operating schedule of the licence application. The issues addressed could include, where relevant:
- Effective and responsible management of premises
 - Provision of a sufficient number of people employed or engaged to secure the safety of everyone attending the premises or event, i.e. number of door supervisors within nationally accepted standards (and having SIA accreditation where necessary)
 - Appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises or event
 - Suitable customer-care policies for assisting lone customers taken ill or injured etc. at the premises
 - Provision of effective CCTV in and around premises
 - Provision of toughened or plastic glasses
 - Implementation of crowd management measures
 - Regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety codes and standard.

7. Protection of children from harm

- 7.1 The wide range of premises that require licensing means that children can be expected to visit them, often on their own to buy food and/or avail of the entertainment.
- 7.2 Although the 2003 Act details certain age and/or time limitations on the admission of accompanied or unaccompanied children to certain types of licensed premises, the Council recognises that additional limitations may have to be considered where it appears necessary to protect them from physical, moral or psychological harm.
- 7.3 While no policy can anticipate every situation, the following are examples of premises that will raise concern:
- Any licence holder or employee has been convicted of serving alcohol to minors or the premises have a reputation for underage drinking.

- Premises where there is evidence of an association with drug taking or drug dealing.
- Gambling takes place on the premises, except for the provision of a small number of cash prize machines. (The Licensing Authority expects all premises which have gambling on the premises to have read its policy on Gambling licensing in relation to this exemption for small cash prize machines)
- Whenever entertainment or services of an adult nature or sexual nature are provided.
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

7.4 It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature and the Council acknowledges that any such proposal will require careful discussion with the applicant and responsible authorities. However, as a guide (notwithstanding the implications of the re classification of lap dancing type venues brought about by section 27 of the Policing and Crime Act 2009), the provision of topless bar staff, striptease, lap table or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong or offensive language would be included in any such considerations.

7.5 Where it is considered that the protection of children from harm requires conditions to limit their access to any premises, the Licensing Authority will consider options such as:

- Limitations on the hours when children may be present.
- Limitations on ages below 18.
- Limitations or exclusion when certain activities are taking place.
- Limitations on parts of the premises to which children might be given access
- Requirements for an accompanying adult.
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

7.6 Protection from harm issues may be addressed by the following examples of good practice being included in the operating schedule, where appropriate:

- Effective and responsible management of premises
- Provision of a sufficient level of adult supervision
- Appropriate instruction and training for staff in the prevention of underage sales, including acceptance of accredited 'proof of age' identification, such as a photo card driving licence, a passport, a citizens card, a validate card or a scheme which carries the PASS hologram logo
- Keeping a 'refusal' book
- Methods employed for the prevention of unlawful supply, consumption, and use of alcohol, drugs and other products
- A notice giving details of any restrictions relating to access by children is displayed.

- The provision of unbreakable drinking “glasses” for children (especially relevant for premises with play areas and/or including outdoor areas).
- The provision of suitable safe child seating (stable high chairs with straps in dining areas etc.)
- Provision for child friendly facilities (low urinals, smaller w.c; low wash basins and provision of nappy changing facilities etc.)
- Arrangements for the inspection of play areas and/or equipment on licensed premises.
- Any instructions to be issued to staff about action to be taken in the event of concerns for the welfare of children in the care of intoxicated parents on licensed premises.
- Any other relevant issues relating to protecting children from harm.

7.7 As an important element in the protection of children from harm, the Council recognises the need for alcoholic drinks to be named, packaged and promoted in such a manner as not to appeal to or attract those under 18 years old.

7.8 The Council therefore commends the Portman Group’s ‘Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks’ to licensees and expects that they will act on any Retailer Alert Bulletins issued under that Code.

Showing of Films, Videos etc

7.9 In accordance with Section 20 of the Act where the exhibition of films is permitted, the specified classification body will normally be the British Board of Film Classifications and the Licensing Authority will require age restrictions to be strictly complied with in accordance with their recommendations.

7.10 Applicants should make it clear in their Operating Schedule what steps will be taken to ensure that only children of the appropriate age are admitted to exhibitions.

Children and Public Entertainment

7.10 Many children go to see and/or take part in an entertainment arranged especially for them (e.g. children’s film shows, dance productions) and additional arrangements are required to safeguard them while they are at the premises.

7.11 Where a regulated entertainment is specially presented for children, the Licensing Authority will require their safety to be specifically addressed in the Operating Schedule, including where appropriate:

- Numbers and locations of supervising adults. Supervising adults should remain in the area(s) occupied by children, in the vicinity of each exit. The minimum number of attendants on duty should be a minimum of one member of staff per 50 children;
- Supervision of other areas of the premises during performances;

- Arrangements for entry and departure from the premises;
- Whether supervising adults employed or deployed by the organiser will be required to provide a current (less than 3 years old) disclosure from the Criminal Records Bureau and to renew this every 3 years.

8. Prevention of crime & disorder

- 8.1 The London Borough of Barnet is committed to reducing crime and disorder in the Borough and creating an environment where people feel safe.
- 8.2 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the Borough. The Licensing Authority also has responsibilities under the Anti-Social Behaviour Act 2003.
- 8.3 Licensed premises, especially those offering late night/early morning entertainment, alcohol and/or refreshment, can be a source of crime and disorder problems or may attract people who may cause such problems.
- 8.4 The Licensing Authority will expect applicants to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained so as to minimise or prevent crime and disorder in and around the vicinity of their premises and events.
- 8.5 The Licensing Authority recommends that for certain events, a comprehensive risk assessment is undertaken by premises licence applicants & holders to ensure that crime and disorder and public safety matters are identified and addressed. For larger public events, including those in open spaces and for premises that wish to stage promotions or events, the Licensing Authority recommends that licence applicants and holders address Risk Assessment and post event debrief processes in their application Operating Schedule/event planning. Applicants and premises licence holders are recommended to engage the services of suitably trained individuals or companies to assist them in this risk assessment process. In addition, they may seek guidance and advice from the Licensing Authority or the Metropolitan Police, though neither body is able to actually undertake such risk assessments for applicants/licence holders. It is their responsibility.
- 8.6 The Licensing Authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises including (but not limited to):
 - Planning controls
 - On-going measures to create a safe and clean environment in partnership with local businesses, transport operators and other Licensing Authority departments.

- Regular liaison with the Borough Police on enforcement issues, including (but not limited to): fixed penalty notices, prosecution of selling alcohol to those underage, confiscation of alcohol from adults and children
- The power of the Police to close down instantly for up to 24 hours any licensed premises or temporary event on the grounds of disorder, the likelihood of disorder or excessive noise from the premises.
- The power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate.
- Designation if necessary of parts of the Borough as designated public place order which provides police with greater powers to prevent people drinking alcohol within this zone.

*The London Borough of Barnet has designated public place orders in relation to drinking alcohol in a number of areas. For a current list of these areas please see:
<https://www.barnet.gov.uk/pspo>

8.7 In considering all licence applications, the Licensing Authority will consider the adequacy of measures proposed in the operating schedule to deal with the potential for crime and public disorder having regard to all the circumstances of the case.

8.8 The Licensing Authority will expect to see these issues addressed, where appropriate, by good management practices. Examples of ways to address this include:

- Effective and responsible management and supervision of the premises, including associated open areas, appropriate storage of alcohol, discouraging loitering/consuming alcohol outside the premises, ensuring opening hours are adhered to
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of crime and disorder
- Measures to prevent crime and disorder and anti-social behaviour have been taken, such as the use of CCTV or the employment of registered door supervisors
- Measures proposed to prevent the consumption or supply of illegal drugs, including any search procedures,
- Crime prevention design, including appropriate lighting of exterior areas
- The amount of seating that is provided and seat/table ratio to drinking area.
- Door supervision, including screening for weapons and drugs.
- Other measures to control violent, drunken or abusive behaviour, including exclusion of trouble makers and refusal to sell to those who are or appear to be drunk or under age and in appropriate circumstances, the use of toughened and/or polycarbonate glasses and the refusal to supply drinks over the counter in glass bottles.
- Methods to discourage drinking in public places in the vicinity of the premises.

- In premises seeking to sell alcohol for consumption off the premises, whether displayed stock will be in the view of staff at all times and/or covered by CCTV and whether spirits will be kept behind the counter.
- Methods to discourage and prevent, in so far as possible, the handling and distribution of stolen, counterfeit or other illegal goods by customers and staff.
- Whether radio or other means of communication will be used.
 - How the management of the premises will avoid irresponsible drinks promotions.
 - Any other relevant issues relating to the prevention of crime and disorder

8.9 In addition to the statutory requirements for plans, applicants should indicate on the plan provided to the Licensing Authority the proposed locations for the display and storage of any alcohol and the locations where sales and/or consumption will take place.

8.10 In order to avoid disruption to businesses during the absence of the Designated Premises Supervisor, the Licensing Authority strongly recommends that a minimum of one additional member of staff should hold a personal licence. It is considered good practice for personal licence holders who authorise others to sell alcohol to formalise the authorisation process and the Licensing Authority encourages such authorities to be written in clear and unambiguous terms.

8.11 The Licensing Authority strongly encourages Designated Premises Supervisors and others connected with the retail sale of alcohol to attend meetings supported by the Licensing Authority and/or the Borough Police aimed at the reduction of crime and disorder. An example of this would be the Pubwatch Scheme(s).

8.12 In addition to the above, recent times have seen a significant increase in terrorist attacks and the threat from terrorist attacks. Licensed premises, licensed open spaces and public events, where large numbers of people may gather can unfortunately be a target for terrorist activity. Licence/certificate applicants and holders and people submitting temporary event notices are therefore recommended to ensure they have assessed, planned and initiated suitable control measures to counter and mitigate against such a terrorist attack. To assist, licence applicants/holders and persons submitting temporary event notices are recommended to acquaint themselves with the content of the following documents:

Counter Terrorism Protective Security Advice for Bars, Pubs and Nightclubs,
produced by ACPO, Police Scotland & NaCTSO

Protecting Crowded Places: Design and Technical Issues, produced by the Home Office

8.13 The Metropolitan Police will be able to provide further assistance and guidance with regard to these specific documents and counter terrorism measures

9. Public Nuisance

- 9.1 In addition to the requirements of the Licensing Authority to promote the licensing objectives, the London Borough of Barnet also has a duty under the Environmental Protection Act 1990 to do all it reasonably can to prevent nuisance, including noise.
- 9.2 Where appropriate, the Licensing Authority will attach conditions to licences and permissions to deter and prevent nuisance. Such conditions will so far as possible reflect local strategies.
- 9.3 For all licence applications, the Licensing Authority will consider the adequacy of measures proposed to deal with the potential for nuisance having regard to all circumstances of the case, and will particularly consider the following:
- The steps the applicant has taken or proposes to take to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment and human voices. Such measures may include sound proofing, air conditioning, acoustic lobbies and sound limitation.
 - The steps the applicant has taken or proposes to take to prevent disturbance created by patrons arriving or leaving the premises.
- 9.4 The means by which nuisance will be prevented by the effective management and operation of the licensed activities. The issues addressed could include, where relevant:
- Noise emanating from the premises included extended areas such as beer garden and smoking areas, including whether noise suppression and/or cut-off devices will be used.
 - The times of operation of outside areas where persons congregate for periods of time, such as beer gardens
 - Noise, anti-social behaviour and other disturbances caused by persons leaving the premises.
 - Urination in public places in the vicinity of the premises (including the adequacy of lavatories provided at the premises).
 - Congregation of persons from the premises whether consuming alcohol or not
 - Noise from vehicles driven by, delivering or collecting customers.
 - Where more than one licensable activity is permitted whether different times of finishing will apply (e.g. serving alcohol ceases at a specific period before musical entertainment finishes).
 - Whether there will be a drinking up time before the premises close.
 - Whether there will be a terminal hour or specific period before closure after which there will be no further admissions or readmissions to the premises.
 - Litter.
 - Light pollution.
 - Any proposed fireworks.
 - Whether the arrangements to dispose of refuse from the premises is conducted at a reasonable hour.
 - Any other relevant issues relating to nuisance.

10 Health Considerations of Licensing

- 10.1 Health bodies are now responsible authorities as identified by the Act and as such are notified of all new premises applications to which they can make representations. Their representations must however still be relevant to the existing statutory licensing objectives.

11 Live Music, Dancing & Theatre

- 11.1 The Licensing Authority wishes to encourage and promote live music, dance and theatre for the wider cultural benefit of the community particularly for children.
- 11.2 When considering applications for such events and the imposition of conditions on licences, the Licensing Authority will carefully balance the cultural needs with the necessity of promoting the licensing objectives. The Licensing Authority would wish to avoid, so far as possible, measures which deter live music, dancing and theatre.
- 11.3 The Licensing Authority draws all applicant's attention to the Schedule 1 of the Act dealing with regulated entertainment, as amended by the Live Music Act 2012 and other similar deregulations to the provision of regulated entertainment.
- 11.4 Where applicants are minded to consider restricting the timings of live or recorded music in an attempt to satisfy responsible authority concerns, the Licensing Authority recommends that they also consider conditions in relation to the application of the deregulation. This is applicable when the application is requesting the sale of alcohol on the licence and would be entitled to utilise the deregulations mentioned above. In such circumstances, it is advisable that the applicant speaks to the Noise Nuisance department prior to submitting their application.

12. Representations

- 12.1 A person can make a representation in support of or against an application. Representations should be made in writing to the Licensing Authority. The interested party must ensure they include their name, address and contact details. Please be aware that the Act requires all parties that wish to make a representation in respect of an application ensure that their name and addresses are included in the representation to make it valid.
- 12.2 The name and address is required so that the Licensing Authority and the applicant or their representation can validate that the person making the representation is

qualified to do so in terms of living or working in the vicinity of the premises concerned.

- 12.3 In exceptional cases an interested party can request the Licensing Authority to withhold their details, in any event the original letter must contain the information required.
- 12.4 All representations will be available in the public domain and some will be contained in reports that will be able to be viewed on the website.
- 12.5 All representations must be about the likely effect of granting the licence or certificate on the promotion of at **least one** of the four licensing objectives. It would be wise, therefore, to explicitly link any representation to one or more of the objectives.
- 12.6 It will also assist if the representations are specific to the premises and evidence based. Interested parties may, therefore wish to talk to the relevant responsible authority beforehand, or document problems themselves by, for example, keeping a diary or photographic evidence of any incidents.
- 12.7 The Licensing Authority will need to be satisfied that there is an evidential and causal link between the representations made, and the effect on the licensing objectives.
- 12.8 In addition, the Licensing Authority can only consider representations that are not “vexatious” or “frivolous”. Whether representations are frivolous or vexatious will be for the Licensing Authority to determine. For example, the Licensing Authority might find the representations were vexatious if they arise because of disputes between rival businesses or they might be frivolous representations if they plainly lacked seriousness.
- 12.9 It is also important that an applicant is able to respond to a representation, for example, if they believe that it is not a “relevant” representation. If interested parties are concerned about possible intimidation, they could consider asking the appropriate responsible authority to make a representation on their behalf.
- 12.10 If no relevant representations are made, the licence or variation must be granted, therefore interested party representations are very important.
- 12.11 It may be beneficial for those wishing to make a representation to get the backing of other people living, or businesses operating in the vicinity of the premises.
- 12.13 If any party is considering raising a petition, it is important to ensure that the Licensing Authority can determine whether all the signatories are within the ‘vicinity’ of the premises. So, including addresses and indicating clearly what representation(s) they are all making is essential.
- 12.14 If interested parties want to ask another person, such as an MP or local Councillor to represent them, it is advisable to make such a request in writing so that the individual can demonstrate he or she was asked.

- 12.15 Representees should address how they would like the situation to be rectified. The Licensing Authority often has to balance conflicting needs when determine licensing applications, it is beneficial for representees to outline what they feel would resolve or reduce their concerns.

13. Temporary Event Notices (“TEN”)

- 13.1 Whilst the Act requires 10 working days’ notice to be given of the temporary event (exclusive of the day which the event is to start and the day on which the notice is given), it is advisable that applicants contact the Licensing Authority at an early stage before a formal application is made. This is particularly important for large events and will enable responsible authorities to consider proposals. Early consideration will allow issues and the licensing objectives to be addressed and may avoid objections from the police and/or the Environmental Health Department.
- 13.2 Applicants should be aware that the serving on the Licensing Authority of a TEN does not remove their obligations under other legislation. Where appropriate, permissions should be sought from the appropriate body. The Licensing Authority expects that applicants understand their obligations in respect of:
- Planning permissions
 - Health and safety
 - Noise pollution
 - The erection of temporary structures
 - Road closures
 - The use of pyrotechnics
 - Anti-social behaviour
- 13.4 Applicants intending to sell alcohol should be aware that it is an offence to supply alcohol to minors or persons who are drunk. Also that the Police have powers to close down events without notice on the grounds of disorder, the likelihood of disorder or because of public nuisance caused by noise.
- 13.5 Applicants should be aware that a limit of 499 people at any one time applies to temporary events and failure to comply with this limit may lead to prosecution. Organisers should be aware this is the total number of persons, not customers, therefore staff should be included in this number.
- 13.6 Where appropriate, organisers are strongly recommended to employ means of recording the number of persons entering and leaving the premises.
- 13.7 The attention of applicant is drawn to the Licensing Authorities need to be provided with adequate information on the TEN. The applicant should make clear:
- The nature of the event
 - If the event involves live or DJ music
 - whether it is open to the public or section of the public

The applicant should also ensure all fields on the application form are completed, including their national insurance number.

If a TEN is submitted without the required information it will be refused as invalid. In these circumstances any fee submitted is non-refundable.

Late Temporary Events Notices

13.8 Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. For the Licensing Authority to be able to accept the application, the applicant should confirm that they are submitting a late TEN. Failure to do so will deem the TEN invalid. In these circumstances any fee submitted is non-refundable.

14. Integrating strategies & avoiding duplication

14.1 The Licensing Authority recognises the need to avoid, so far as possible, duplication of the existing legislation and other mechanisms to deal with any environmental or other impacts on the leisure economy such as:

- Planning controls
- Positive measures to create a safe and clean town centre environment
- Powers of the Licensing Authority to designate public places where the consumption of alcohol is not permitted
- Police enforcement of disorder and anti-social behaviour
- Prosecuting of personal licence holders and staff selling alcohol to those underage.
- Police and the Licensing Authority's powers to close down instantly any licence premises on the ground of disorder or likely to cause disorder or excessive noise emanating from the premises
- Environmental Protection Act 1990
- Children Act 1989
- Health and Safety at Work Act 1974 etc.
- Powers of the police/local residents/businesses ability to seek a review of a licence.

14.2 The Licensing Authority recognises that there should be a clear separation of the planning and licensing regimes in respect of applications to avoid duplication or a re-run of the planning application process but also recognises that some factors affecting the planning decision may also affect the decision of the Licensing Committee.

14.3 The Licensing Authority expects all applicants to ensure that they have both the relevant Licensing and Planning consents in place in relation to their business prior to commencing to trading.

14.4 There may be circumstances when as a condition of planning permission a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant MUST observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

15. Enforcement.

15.1 The Licensing Authority supports partnership with other responsible authorities and regulatory bodies in respect of enforcing the provisions of the Act. This will be reflected in the nature and the extent of the working arrangements agreed between those bodies and the Licensing Authority, and on the need for efficient deployment of staff and avoidance of duplication of role. In particular, special arrangements will be maintained with the Police and other responsible authorities to achieve those ends.

15.2 The Licensing Authority will adopt enforcement regimes that will take account of the entire range of business activities and of individuals that require licensing under the Act, with emphasis on the continued promotion of the licensing objectives. This will include both permanent business premises and premises used for temporary events. The Licensing Authority will make appropriate arrangements to monitor premises with a view to implementing targeted and proportionate enforcement action to achieve these objectives. Unlicensed activities and non-compliance with conditions will not be tolerated at ANY premises.

15.3 Routine enforcement activity undertaken by the Licensing Authority will be targeted to ensure that high risk and/or poorly run premises, receive a high level of intervention, and that lower risk and/or well-run premises, receive a lower level of intervention. Complaint led enforcement will be subject to normal service response standards by the licensing team. The frequency of inspections will be based on a risk-rating system for the relevant licensed premises, dependent on business type and characteristics, the activities taking place and on historic data held by the Licensing Authority. Inspection frequency will be subject to review and possible amendments following the outcome of any inspection by the Licensing Authority and/or following investigation of a complaint received.

15.4 Enforcement action will be taken in accordance with the principles of the Regulators' Code in addition to the Code for Crown Prosecutors and Attorney Generals Guidelines.

15.5 The Licensing Authority has enforcement protocols with the police and will develop them with the other responsible authorities to provide for the most effective methods of monitoring and enforcing compliance with licensing requirements.

16. Administration, delegation & exercise of functions

- 16.1 The Licensing Authority is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 16.2 Appreciating the need to provide a speedy, efficient and cost effective service to all parties involved in the licensing process, the Licensing Authority has delegated certain decisions and functions to its Licensing Committee, Sub-Committees and officers.
- 16.3 The grant of non-contentious applications, including for an example, those licenses and certificates where no representations have been made, has been delegated to Licensing Authority officers.
- 16.4 The table in Appendix 1 sets out agreed delegation of decisions and functions to the Licensing Committee, Sub Committee and officers. This form of delegation is without prejudice to officers referring an application to a Sub-Committee, or a Sub-Committee to the Licensing Committee, if considered appropriate in the circumstances of any particular case.
- 16.5 The Licensing Authority will maintain a Licensing Register containing the information required by statute and keep it available for inspection.

17. Licence suspensions

- 17.1 This is a power introduced in to the Act as part of the amendments brought about by the Police Reform and Social Responsibility Act 2011. This power of suspension has been given to local authorities in relation to non-payment of annual fees for a premises licence/club premises certificate.
- 17.2 A single request for payment will be sent and the Licensing Authority will then take measures to suspend the licence if payment is not received within 21 days.
- 17.3 The regulations state that the premises licence holder will be given notice of a suspension at least 2 working days before the suspension is to take place. The Licensing Authority must then suspend the premises licences/club premises certificate should the outstanding annual fees remain unpaid.
- 17.4 The licence will be reinstated once full payment of all outstanding annual fees have been received.

Appendix 1 –Table of Delegated Functions

Matter to be dealt with	Licensing Committee	Licensing Sub - Committee	Officers
Application for a personal licence			All cases
Application for a personal licence with unspent relevant convictions		If a Police objection notice is received	
Application for a premises licence/club premises certificate		If a valid representation is made	If no valid representations are made
Application for a provisional statement		If a valid representation is made	If no valid representations are made
Application to vary a premises licence/club premises certificate		If a valid representation is made	If no valid representations are made
Application to vary a designated premises supervisor		If a Police representation is received	All other cases
Request to be removed as designated premises supervisor			All cases
Application to transfer a premises licence		If a Police representation is received	All other cases
Application for interim Authorities		If a Police representation is received	All other cases
Application to review a premises licence/club premises certificate		All Cases	
Decision on whether a representation is irrelevant frivolous, vexatious etc.			All cases
Decision to make objection when local authority is consultee and not the relevant authority considering the application		All Cases	
Determination of an objection to a temporary		All Cases	

event notice			
Decision on whether a minor variation application is valid, the need to go out to consultation and determination			All cases
Power to suspend a premises licence (S.55A (1) LA2003) or club premises certificate (S.92A (1) LA2003) for non payment of annual fees			All Cases
Determination of application to vary a premises licence at community premises to include alternative licence condition		If a Police objection is received	All other cases
Power to specify the date on which suspension takes effect. This must be at least 2 working days after the day the Authority gives notice			All Cases
Fulfil the function of the responsible authority for the Licensing Authority under the Licensing Act 2003			All Cases

Appendix 2 – List of responsible authorities

The contact details for responsible authorities that must be notified when applications are made for certain licences under the Licensing Act 2003 are listed below:

Application to Vary a Premises Licence / Club premises Certificate

- ☐ Licensing Authority
- ☐ Police
- ☐ Health and Safety Team
- ☐ Nuisance Team
- ☐ Planning
- ☐ Safeguarding Children Board
- ☐ Fire Authority
- ☐ Trading standards
- ☐ Primary Care Trust
- ☐ Secretary of State - Home Office Immigration Enforcement

New Premises Licence / Club Premises Certificate

- ☐ Licensing Authority
- ☐ Police
- ☐ Health and Safety Team
- ☐ Nuisance Team
- ☐ Planning
- ☐ Safeguarding Children Board
- ☐ Fire Authority
- ☐ Trading standards
- ☐ Primary Care Trust
- ☐ Secretary of State - Home Office Immigration Enforcement

Provisional Statement

- ☐ Licensing Authority
- ☐ Police
- ☐ Health and Safety Team
- ☐ Nuisance Team
- ☐ Planning
- ☐ Safeguarding Children Board
- ☐ Fire Authority
- ☐ Trading standards
- ☐ Primary Care Trust
- ☐ Secretary of State - Home Office Immigration Enforcement

New Personal Licence

- ☐ Licensing Authority only

Interim Authority Notice

- ☐ Licensing Authority

- ☐ Police
- ☐ Designated premises supervisor
- ☐ Secretary of State - Home Office Immigration Enforcement

Application for a review of a Premises licence (s51) / Club Premises Certificate (s87)

- ☐ Licensing Authority
- ☐ Police
- ☐ Health and Safety Team
- ☐ Nuisance Team
- ☐ Planning
- ☐ Safeguarding Children Board
- ☐ Fire Authority
- ☐ Trading standards
- ☐ Primary Care Trust
- ☐ Secretary of State - Home Office Immigration Enforcement
- ☐ Premises licence holder/club in whose name the application was made

Transfer of Premises Licence

- ☐ Licensing Authority
- ☐ Police
- ☐ Secretary of State - Home Office Immigration Enforcement

Interim Authority Notice

- ☐ Licensing Authority
- ☐ Police
- ☐ Designated premises supervisor
- ☐ Secretary of State - Home Office Immigration Enforcement

More information including up to date contact details can be found here:

<https://www.barnet.gov.uk/licences-permits-and-registrations/alcohol-entertainment-late-night-refreshment-licences/premises>

Appendix 3 – Information on Alcohol Harm in Barnet

Alcohol plays an important and positive role in social and family life and contributes to both employment and economic development in Barnet. These positive benefits of alcohol should be balanced with the negative impact that excessive alcohol use can have, including detrimental effects on health and wellbeing.

Drinking levels

The Chief Medical Officer's guidelines² for both men and women are that:

- To keep health risks from alcohol to a low level it is safest not to drink more than 14 units a week on a regular basis
- If you regularly drink as much as 14 units per week, it is best to spread your drinking evenly over 3 or more days. If you have one or two heavy drinking episodes a week, you increase your risks of death from long term illness and from accidents and injuries.
- The risk of developing a range of health problems (including cancers of the mouth, throat and breast) increases the more you drink on a regular basis.
- If you wish to cut down the amount you drink, a good way to help achieve this is to have several drink-free days each week.

Regularly drinking more alcohol than the recommended daily limit can damage health. Excessive alcohol consumption is associated with over 60 medical disorders. For instance, alcohol has been identified as a causative factor in the following conditions:

- Mouth, throat, stomach, bowel, liver and breast cancer
- Cirrhosis of the liver
- Heart disease
- Depression
- Stroke
- Pancreatitis
- Liver disease

Barnet currently experiences less alcohol related problems than regional and national averages, however this does not mean that there are no alcohol related problems in Barnet as:

- 64,036 (21%) of residents are consuming alcohol at amounts that represents a level of increasing and/or higher risk to their health (based on a population size of 304,937)³.
 - 1,348 hospital admissions by Barnet residents were caused specifically by alcohol in 2017/18.

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/602132/Communicating_2016_CMO_guidelines_Mar_17.pdf

³ Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables), NHS Digital (Health Survey for England 2017: Adult health related behaviours)

- 6,182 hospital admissions by Barnet residents were caused by conditions relating to alcohol in 2017/18.
- Three Public Spaces Protection Orders (PSPOs) are in place in Burnt Oak, Edgware Town Centre and Childs Hill, with additional PSPO's being consulted upon, which aim to prevent anti-social behaviour related to alcohol use in public places.

Alcohol is estimated to have contributed to 133 deaths in Barnet (this includes deaths in which alcohol is wholly responsible and those where it has played a lesser role) and during 2015-17, 40 people died directly because of alcohol consumption in the borough.

Given the issues relating to alcohol-related harm in Barnet, a proactive and collaborative approach is required to reduce the detrimental health impacts of alcohol.

AVAILABILITY OF ALCOHOL

There is national and international evidence that availability of alcohol is linked to increasing alcohol consumption and alcohol related harm⁴. Reducing the density of licensed premises and reducing permitted hours of sale can reduce violence and other alcohol-related harm. Evidence indicates that increasing numbers of outlets or extended hours of sale potentially increases the competitive pressures on existing outlets, which may result in price reductions that tend to lead to increased levels of consumption⁵. This is supported by an evidence review completed by Public Health England (PHE) in 2016 which suggested that a higher density of off-premises alcohol outlets may be associated with increases in deaths, rates of admission to hospital because of assault or alcohol-related disease, and domestic violence. Higher density of other types of licensed premises may also be associated with increases in admission to hospital because of assault or alcohol-related disease.

A study from Scotland⁶ identified that alcohol-related hospitalisations of those under the legal minimum drinking age were also related to off-site outlet densities. The study suggested the local impact of off-license sales of alcohol is much higher as people tend to use off licenses that are close to the place they consume alcohol, such as home. This emphasises the importance of addressing off-license sales in harm reduction and licensing work.

Research studies have looked at the impact of changing licensing hours on alcohol related hospital admissions. For instance, a retrospective analysis⁷ of admissions to St Thomas' Hospital in London showed a 5.1% increase in alcohol-related attendances, 0.9% increase in alcohol related assault, 2.5% increase in alcohol related injury and 1.9% increase in alcohol-related admissions.

BINGE DRINKING AND PRELOADING

4

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733108/alcohol_public_health_burden_evidence_review_update_2018.pdf

⁵ Popova S, Giesbrecht N, Bekmuradov D, and Patra J. Hours and Days of Sale and Density of Alcohol Outlets: Impacts on Alcohol Consumption and Damage: A Systematic Review. *Alcohol & Alcoholism* 2009;44(5):500–516

⁶ Richardson, EA., Hill, SE, Michell, R, Pearce, J and Shortt, NK. Is local alcohol outlet density related to alcohol-related morbidity and mortality in Scottish cities? *Health and Place*, 2015; 33, 172- 180

⁷ Newton A, Sarker SJ, Pahal GS, van den Bergh E, Young C. Impact of the new UK licensing law on emergency hospital attendances: a cohort study. *Emerg Med J.* 2007.;24(8):532–4

It is not only the amount of alcohol consumed that increases the risk of harm, but also the amount consumed in one sitting. Binge drinking, which refers to a pattern of drinking in which a person consumes a lot of alcohol in one sitting (defined as drinking more than 6 units), can cause acute intoxication and lead to acute, short-term problems. Short term risks are the immediate risks of harm, injury and accident (sometimes fatal) linked to drinking a large amount of alcohol on one occasion, which often leads to drunkenness. They include head injuries, fractures and other injuries, facial injuries and scarring, alcohol poisoning and accidents.

The risks of injury to a person who has been drinking recently have been found to rise between two and five times when 5-7 units are drunk in a 3-6-hour period⁸.

Most common in younger age groups, binge drinking is often associated with 'pre-loading'. Preloading is a term that relates to people, particularly young people, drinking alcohol at home or in streets before going on to pubs and clubs. It has been associated with higher overall alcohol consumption and a greater likelihood of being involved in a violent incident. People pre-load on alcohol because it's much cheaper to buy in the supermarket or other off licence than in a pub or bar. More people are now drinking at home, and over 70% of all alcohol in England is now purchased through the off trade⁹. For instance, it was estimated in 2012 that 6.4 litres of alcohol per person were consumed off-trade compared to 3.2 litres on-trade. This highlights the importance of considering the impact of the off-licence trade within local licensing policy.

Later closing hours of licensed premises and cheap off-licensed alcohol create problems for the on-trade sector because customers can attend premises intoxicated from drinking at home. It is against the law to serve alcohol to those who are intoxicated, but research in the UK shows this law is routinely broken. A study conducted in Liverpool in 2013 found that 84% of alcohol purchase attempts by pseudo-intoxicated actors in pubs, bars and nightclubs were successful (i.e. alcohol was sold to the actor)¹⁰.

Multi-component programmes are the best approach to addressing issues relating to preloading. These aim to reduce alcohol-related harm in drinking environments by co-ordinating and strengthening local preventative activity. If effective, they can help reduce costs to health services, criminal justice agencies and other public services. These typically include efforts to mobilise communities, such as media campaigns and community forums, supporting and working with licensed premises such as server training and voluntary schemes to avoid easy access to cheap alcohol from off-licences (such as through reduced the strength campaigns and not selling single cans and bottles) and increased enforcement activity, such as targeted visits and training.

STREET DRINKING

⁸ Hughes K, Anderson Z, Morleo M, Bellis MA. Alcohol, nightlife and violence: the relative contributions of drinking before and during nights out to negative health and criminal justice outcomes. *Addiction*. 2008 Jan;103(1):60-5.

⁹ Health Committee - The Government's Alcohol Strategy. Written evidence from the Association of Licensed Multiple Retailers (GAS 65). May 2012.

¹⁰ Hughes, K, Bellis, MA, Leckenby, N, Quigg, Z, Hardcastle, K, Sharples, O, Llewellyn, D (2014) Does legislation to prevent alcohol sales to drunk individuals work? Measuring the propensity for night-time sales to drunks in a UK city. *JECH Online First*

Street drinkers (including those who are homeless and those who are vulnerably housed) are likely to be a subset of a wider group of change resistant drinkers who are particularly vulnerable. Their drinking is likely to be having a significant impact on their health as well as causing a range of problems in the local community. A small number of street drinkers can incur significant costs: crime and anti-social behaviour on the street but also associated costs such as hospital visits, repeated 999 calls and the opportunity costs of resources used to target their needs. Alcohol Concern's Blue Light¹¹ project estimated that the average annual cost of a high risk, change resistant drinker is around £35,000 including health, criminal justice and anti-social behaviour costs.

Street drinkers depend on a local supply of alcohol. They tend not to buy large quantities for fear that it will be confiscated, or that they will be targeted by other drinkers. Therefore, most need to be near. According to ThamesReach¹², which works with rough sleepers in London, "super-strength drinks have become one of the biggest causes of premature death of homeless people in the UK", with their data indicating that super-strength drinks are doing more damage than both heroin and crack cocaine, with 78% of the deaths in ThamesReach hostels are attributed to high strength alcohol.

In guidance from Police and Crime Commissioners¹³ it is suggested that a multi-component approach is needed to tackle street drinking, which includes a multi-agency group, alcohol services which provide outreach and supports change resistant drinkers and appropriate legal powers aimed at individuals. This needs to be supported by a retail environment which discourages street drinking. Initiatives designed to tackle the problems associated with street drinking have removed the sale of low-priced, high strength alcohol products, through voluntary agreements with local retailers. Such schemes have resulted in a reduction in crime and anti-social behaviour.

Cumulative Impact Zones can also support areas particularly affected by street drinking¹⁴. Using policies not 'aimed' at the night-time economy but instead targeting off-licences and late-night refreshment in areas with significant health inequality and many hostels. This can include can marking initiatives to identify where cans used by street drinkers came from and having targeted patrols from the police in areas where there are concerns. Such measures can have a significant impact on alcohol related crime and anti-social behaviour.

Alcohol related violence

Studies have shown that intoxication can lead to violent behaviour in those predisposed to aggression and it has been suggested that consumption leads to weakened inhibitions and relaxed normative behaviour (i.e. perceived allowance of aggression). This can result in an increased risk of alcohol-related violence inside and around drinking premises. For example, Livingston et al¹⁵ found that all types of license were

¹¹ Alcohol Concern. Alcohol Concern's Blue Light Project Working with change resistant drinkers, 2014

¹² Thames Reach. Calls for high-strength cider duty increase. Available from: < <http://www.thamesreach.org.uk/news-and-views/calls-for-high-strength-cider-duty-increase/>, 2017

¹³ National Consortium of Police and Crime Commissioners (2016) Tackling Street Drinking: Guidance on Best Practice. <http://www.apccs.police.uk/wp-content/uploads/2013/11/Tackling-Street-Drinking-PCC-Guidance-on-Best-Practice.pdf>

¹⁴ Livingston M, Chikritzhs T, Room R. Changing the density of alcohol outlets to reduce alcohol-related problems. *Drug Alcohol Rev.* 2007;26(5):557-66

¹⁵ Ibid

significantly associated with admissions to hospitals because of assault. The largest effect size was for off-licences (0.54), with smaller effect sizes for general (0.13) and on-premises licences (0.06).

Glassing related violence is another important issue that can be addressed through licensing. A “glassing” is a physical attack using glassware as a weapon. These attacks especially affect bars and clubs, where glassware is the principal weapon in licensed premises related violence. It is estimated that 80,000 glass and bottle attacks occur in the UK each year, accounting for 4% of violent crime¹⁶. These attacks, fuelled by alcohol, put a huge strain on NHS resources.

Research undertaken by the University of Bristol estimated that bar glassware accounted for 10% of assault injuries in A&E departments¹⁷. The Licensing Act 2003 enables licensing authorities to require glassware to be replaced by safer alternatives in individual licensed premises where a problem has been identified and representations have been made. The impact of such action has been found to be positive. For instance, in Lancashire, a study into the differences between annealed glass, and polycarbonates found that there were no glass breakages in the venues with polycarbonates¹⁸. Surveys suggest that patrons were happy to use polycarbonates, and that this did not affect sales in licensed premise. Glasgow City Council in addition, banned glassware from all venues holding an Entertainment Licence within the city’s centre during the hours after midnight. Drinks had to be served in toughened glass or other recognised safety products. No conventional glass bottles, whether open or sealed could be given to customers. Overall patrons responded positively, with people feeling safer in these venues, and venues that took up plastic were found to incur less injury risk¹⁹.

Children and alcohol

Chief Medical Office guidelines²⁰ state that an alcohol-free childhood is the healthiest and best option. However, if children drink alcohol underage, it should not be until at least the age of 15 years. If young people aged 15 to 17 years consume alcohol, it should always be with the guidance of a parent or carer or in a supervised environment. Parents and young people should be aware that drinking, even at age 15 or older, can be hazardous to health and that not drinking is the healthiest option for young people.

If someone is under 18, it’s against the law:

- to sell them alcohol
- For them to buy or try to buy alcohol
- For an adult to buy or try to buy alcohol for them

¹⁶ Kershaw C, Nicholas S, Walker A. (2008) Crime in England and Wales 2007/08. Findings from the British Crime Survey and police recorded crime. London, Home Office

¹⁷ DH. Safe. Sensible. Social. The next steps in the National Alcohol Strategy.

http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_075219.pdf, 2007

¹⁸ Anderson Z, Whelan G., Hughes K, Bellis M. Evaluation of the Lancashire polycarbonate glass pilot project. Lancashire Constabulary. Liverpool JMU Centre for Public Health, 2009

¹⁹ A Forsyth. Banning glassware from nightclubs in Glasgow (Scotland): Observed impacts, compliance and patron’s views. Alcohol & Alcoholism, 2017; Vol. 43, No.1 p 111-117.

²⁰ Chief Medical Office. UK Chief Medical Officers’ Low Risk Drinking Guidelines 2016, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/545937/UK_CMOS_report.pdf (accessed May 2017), 2016

- For them to drink alcohol in licensed premises (e.g. a pub or restaurant)

In a survey of Young People completed by the Office of National Statistics (ONS) in 2016, it was concluded that 44% of 11 to 15-year-old school pupils have had an alcoholic drink²¹. National data suggests a steady decline in the proportion of young people who had drunk alcohol. In Barnet, a crude estimate of the Estimate of the number of 11-15-year olds who drank alcohol within the past week is 2,434 children²².

Consideration also needs to be given to the harm alcohol causes to people other than the person who is drinking, sometimes referred to as 'social harm' or 'passive drinking'. Children of parents misusing alcohol may experience severe emotional distress, physical abuse and violence as well as a general lack of care, support and protection.

Children and young people experience significant harm because of alcohol. The number of young people (under 18 years) admitted to hospital in Barnet because of alcohol between 2015/16 and 2016/17 was 55 – there would have been more who were taken to A&E but not admitted.

BEST PRACTICE

Barnet strongly promotes working in partnership with licensed premises and the adoption of high standards of management at all premises. We recognise that many licensees are supportive of the need to address the harms issues relating to excessive alcohol use and suggest the following actions should be considered:

- Restrict "special offers" like: cheap shots; 'Happy Hours' and Buy One Get One Free. This slows down consumption, the rate at which blood alcohol concentrations increase and the peak levels reached by drinkers. Rapidly ascending and high blood alcohol concentrations are shown to be associated with violence and uninhibited behaviour.
- Align pricing with Alcohol by Volume (ABV) where possible, and ensure that non-alcoholic drinks are kept much cheaper.
- Increase seating for customers to reduce more intensive drinking.
- Reduce the volume of music as loud music can increase alcohol consumption.
- Actively promote designated driver schemes where a driver is offered discounted or free non-alcoholic drinks.
- Make food available in late night venues.
- Start the sale of alcohol later in the day and not align it purely with opening hours.

²¹ <https://digital.nhs.uk/data-and-information/publications/statistical/smoking-drinking-and-drug-use-among-young-people-in-england/2016>

²² <https://www.barnet.gov.uk/health-and-wellbeing/health-and-wellbeing-key-documents/barnet-substance-misuse-needs-assessments>

- No advertisements for alcohol in the shop windows or on the shop floor.
- Storing alcohol behind the shop counter.
- Cans of alcohol should not be sold singly.
- No beer or cider over 5.5% ABV should be sold.
- No alcopops should be sold where they could attract under age purchasers.

Appendix 4 – Cumulative Impact Zones

The following areas are designated as CIZ's in Barnet.

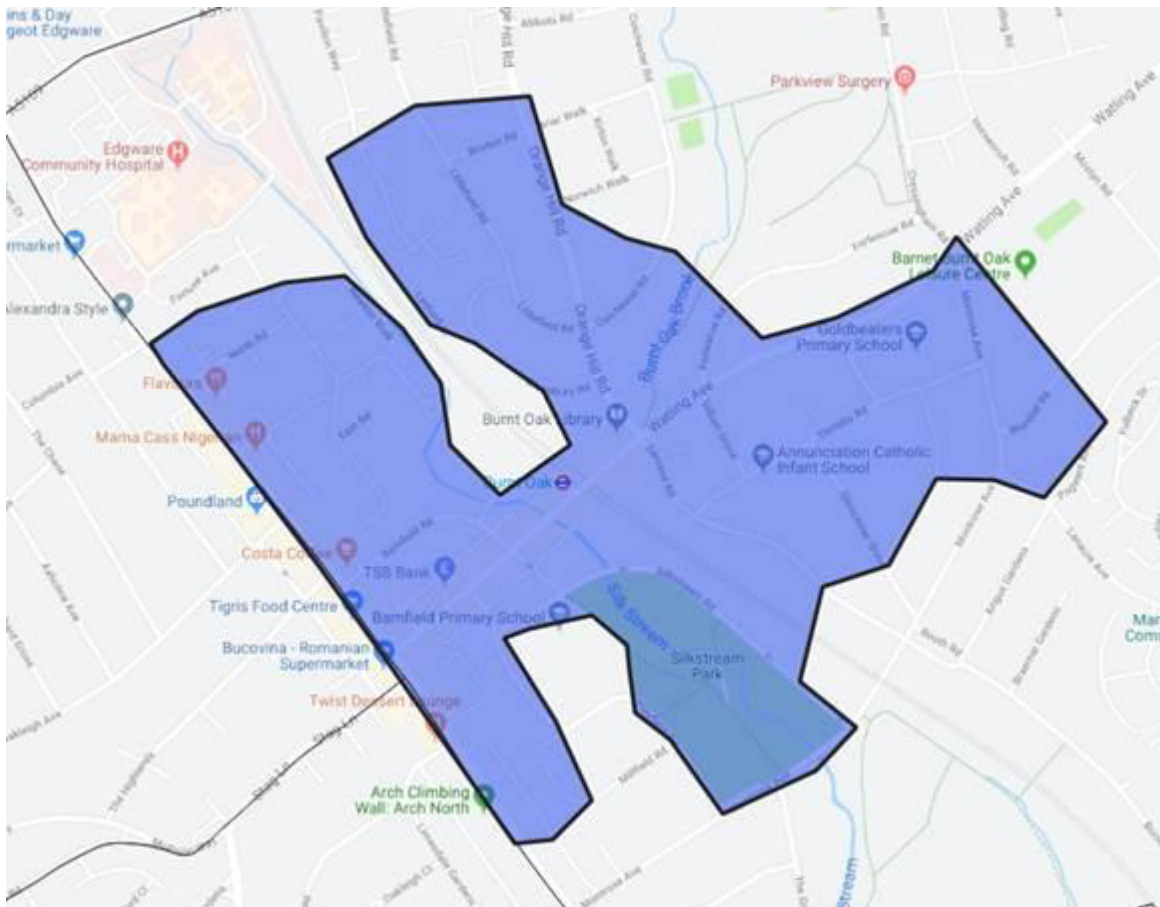
1. BURNT OAK

Appendix 4 – Cumulative Impact Zones

- A. Statement of Adoption
- B. Area
- C. Date of Adoption
- D. Evidence for Assessment
 - a. A Report for Safer Communities Partnership Board: Substance misuse prevalence, trends, preventative interventions and local opportunities
 - b. Alcohol misuse impact in Burnt Oak Report
 - c. Public Health Assessment October 2019

The licensing authority considers that the number of relevant authorisations in respect of premises in the area outlined below are is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts.

Area - BURNT OAK



C. Date of adoption:

Date of Adoption: TBC

Date of review by: TBC (Three years from adoption)

D.Evidence for assessment.

**1. A Report for Safer Communities Partnership Board:
Substance misuse prevalence, trends, preventative interventions and local opportunities**

**Louisa Songer - Public Health Strategist
October 2018**

Executive Summary

Local Prevalence Data

The rate of opiate users in Barnet is lower than London and England, but the age profile follows a similar pattern to elsewhere in the country. The prevalence of opiate use in Barnet is highest in people aged 35-64 which is reflective of an aging heroin using population and fewer younger people commencing heroin use. Younger substance users are showing a preference to other substances such as cocaine, ecstasy and cannabis. In London and England, the largest cohort of opiate users is those aged 25-35. As the Barnet opiate using cohort ages, we can expect the group to become more complex and develop a need for wider health and social care services.

Similarly, it is estimated that there are fewer opiate and crack users in Barnet than elsewhere in the country. However, Barnet follows a different age pattern. The most noticeable difference is in the younger age group 15-24 year olds. Barnet's prevalence of opiate and cocaine users in this group is higher than London and England, indicating there is possibly a group of young crack users not accessing services.

There is a large gap between the number of people accessing substance misuse treatment (for opiates, other drugs and alcohol) and prevalence estimates, indicating that there is substantial unmet need in the community. It is estimated that 61% of opiate users in Barnet are not accessing local treatment services and 88% of dependent drinkers are not accessing treatment services.

Substance Misuse Trends – Adults

A snapshot taken in the last quarter showed that of the 652 people in treatment, primary opiate users account for 58% of people in treatment. This is followed by alcohol users, forming 24% of the treatment population, crack and cocaine 13% and the remaining 5% other drugs. This is a similar picture nationally.

People accessing substance misuse treatment services in Barnet reported higher levels of mental health conditions than other areas, lower misuse of “over the counter”/prescription medication, and are more likely to be economically inactive.

A greater focus is needed on older adults and other drug users to understand the needs of this group.

Understanding the relationship between substance misuse, mental health and domestic abuse is a corporate priority. A deep dive has been completed locally to explore the relationship between the areas. Recommendations have been made to a) Addressing ineffective referral pathways, learning lessons from audit and case review b) improving the identification and management of domestic abuse in Mental Health and Substance Misuse settings by embedding best practice through evidence based commissioning and c) improve holistic, multi-agency working in Family Services to ensure parents have access to the right support at the right time

Substance Misuse Trends – Young People

The picture is very different to that of the adults service. Primary cannabis users account for 78.5% of people in treatment. This is followed by alcohol users, forming 9.2% of the treatment population. This reflects a total 65 young people in treatment. Unlike the adult population, young people in treatment are more likely to report benzodiazepine, hallucinogen and ecstasy use. Whilst opiate and cocaine use is less common than in adults, there are some young people using these substances. This is a similar picture nationally.

Risk Groups

Recent evidence has been published demonstrating the effectiveness of interventions that aim to delay the onset of, and reduce the harms of drug and alcohol misuse. There are specific groups who are more at risk of developing substance misuse issues. These include people with a family history of substance misuse, people with lower socio-economic status, people with mental health conditions, people who have been sexually assaulted or exploited, people who are not in employment, education or training, people in contact with the criminal justice system and homeless people.

The costs of substance misuse

A Cabinet Office estimate placed the economic costs of alcohol in England at around £21 billion in 2012, equivalent to 1.3% GDP. This estimate included costs relating to alcohol-related health disorders and disease, crime and anti-social behaviour, loss of productivity in the workplace and problems for those who misuse alcohol and their families, including domestic violence. Similarly, drug misuse also impacts all those around the user and the wider society. The Home Office estimated in 2010 to 2011 that the cost of illicit drug use in the UK was £10.7 billion per year.

28% of costs relate to deaths linked to illicit substances. Deaths involving opioids (such as heroin) account for the majority of drug poisoning deaths. Heroin related deaths in England and Wales have more than doubled since 2012 to the highest number since records began 20 years ago. In Barnet the rate of drug related deaths has remained steady.

Prevention Opportunities

Some of the key ways we can impact alcohol related harm (including crime and disorder) centre on affecting national policy and regulation, for example considering options around taxation and price regulation and regulating marketing. Having said that, there is much that can be done at a local level, particularly when considering options for regulating the availability of alcohol. There are also intervention that can be conducted in the immediate drinking environment that have a great impact.

It is also essential, particularly when looking at preventing substance misuse more widely, to consider specific interventions that should be delivered with those particular risk groups and in particular settings. For example, offering information, advice and awareness raising in settings such as primary care, mental health services, sexual health services, health visiting, midwifery, criminal justice services, A&E, hostels, nightclubs, festivals and gyms (to target people using image and performance enhancing drugs) .

Screening, identification and brief advice should be delivered at opportunistic and routine appointments with statutory and other services such as those listed above, and skills training for vulnerable children and young people should be upscaled to help vulnerable young people develop appropriate skills such as conflict resolution and managing stress

Key recommendations for the board to consider – Putting the evidence into practice

Partners must work collaboratively on local opportunities for improving outcomes. There are local structures and processes currently in place support a reduction in drug and alcohol-related harm however there is much work to be done to ensure these structures and processes are effective.

1. **Leadership, vision & governance:** The Health and Wellbeing Board and Community Safety Partnership Board should articulate a clear and shared ambition for reducing alcohol harm, demonstrated by strong oversight of the local substance misuse strategy and implementation plan. They should also ensure strategic join up, and ensure common purpose reflected in strategy and commissioning.
2. **Planning and commissioning services:** The partnership must be up to date with the needs of the local substance misusing population and in a position to address the needs of all at risk groups, including offenders, homeless people and those with complex needs. More must be understood about the new and emerging groups such as club-drug users and older adults. There must also be an updated plan for preventing and reducing alcohol related harm.
3. **Data and Intelligence:** Routine, co-ordinated data sharing across local alcohol partners should be used to inform strategic planning and operational service

delivery and relevant indicators of alcohol related harm should also be reflected in KPI dashboards across partnership boards.

4. Alcohol Licensing: Influencing local licencing policy is one of the most effective ways to prevent alcohol related harm. It is recommended that there should be improved recognition of alcohol-related harm in the local licensing policy with a commitment to use local crime, health and social care data to inform policy and planning.

The full report can be found here:

http://barnet.moderngov.co.uk/documents/s49121/e_item8_Barnet%20Public%20Health%20Update.pdf

B. Alcohol misuse impact in Burnt Oak Report

In the last 12 months Burnt Oak has the second highest rate of alcohol related ASB related calls to the police and the highest alcohol related violent crimes in Barnet borough.

In both cases rates are significantly higher in Burnt Oak than the Barnet borough average.

Alcohol related ambulance callouts and violence against person crime peak from around 2200 hours to after midnight. A correlation to Burnt Oak night time economy.

Alcohol related anti-social behaviour peak days are Friday, Saturday and Sunday

Underage drinking cases have reduced across the borough by 50% in Qtr 4 compared to the previous 3 months. No report of underage drinking reported from Burnt Oak in a space of 6-month to date.

Alcohol related ambulance callouts, alcohol related crimes and alcohol related anti-social behaviour hotspots are in close proximity to licensed premises.

The London Ambulance Service attendances to alcohol related illness, alcohol related violent crime and alcohol related ASB hotspot is Watling Avenue and its surrounding streets.

Impact of Burnt Oak crime and disorder on emergency services

For the purpose of this topic, Crime and ASB related incidents in Burnt Oak have been grouped into quarters (Dec 2017-Feb 2018 = Q1, Mar – May = Q2, Jun – Aug = Q3 and Sep -Nov = Q4).

Metropolitan Police

- Anti-social behaviour in Burnt Oak has reduced by 4% in Qtr4 compared to the previous 3 months.
- However, crimes in general in Burnt Oak have increased by 8% compared to the previous 3 months.
- Burnt Oak is in the worst 10 of crime rate per 1000 population in the borough.
- Violence Against the Person is the top for alcohol related crimes in the last 12 months in Burnt Oak.
- During the last 12 months, Burnt Oak accounted for 6% of the total number of ASB related calls to the police
- The total number of ASB related calls where alcohol is one of the contributing factors is higher by 3 incidents in Q4 compared to the previous 3 months – Q3. This translates as 33% increase.

- During Q4 of 2018, 5% of the total number of crimes in Barnet borough and 5% of the total number of emergency calls to police were accounted in Burnt Oak.

London Ambulance Service (LAS)

- Burnt Oak is the second highest ward for calls to the London Ambulance Service (2,354 calls between Jan and Oct 2018), but the fifth largest in the number of alcohol related calls.

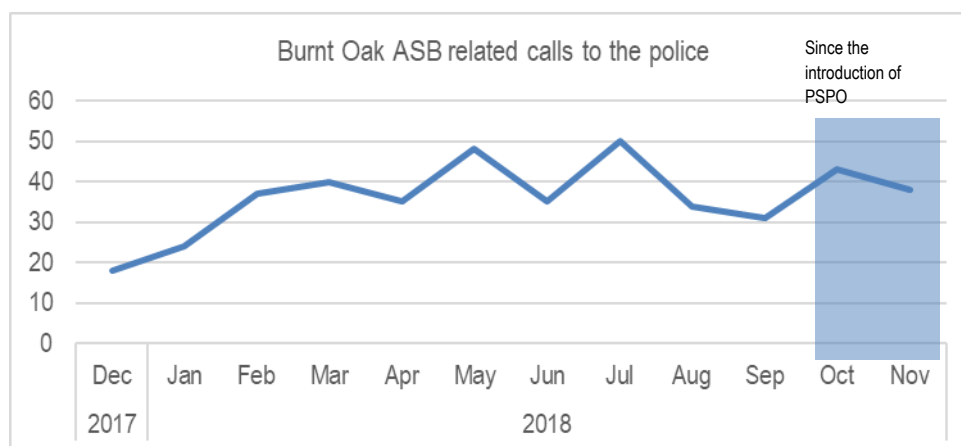
London Borough of Barnet Noise Team

- During the last 12 months, Burnt Oak Commercial noise related nuisance cases (Commercial Alarm, Construction, Deliveries or Collections, Loud Music Commercial) are the lowest compared to the rest of the borough.
- Commercial noise related nuisance cases have significantly reduced in Burnt Oak due to none being reported in Q4, compared to 2 cases reported in Q3

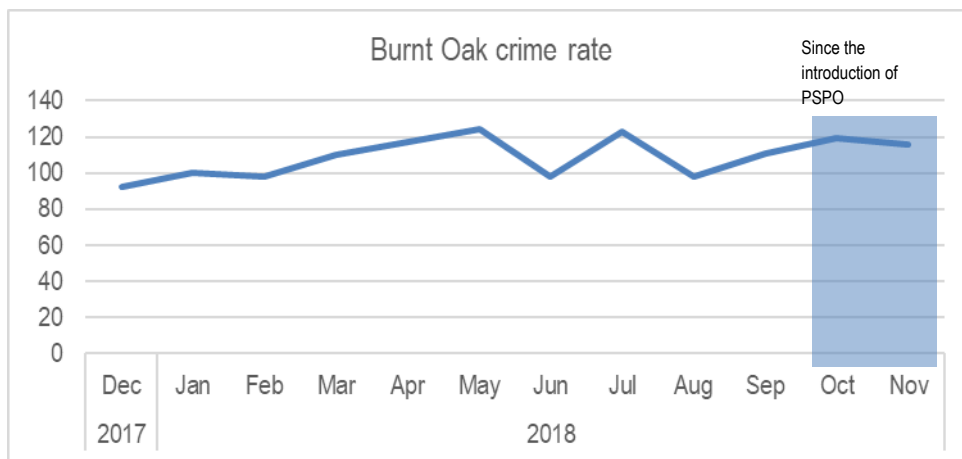
Street drinking

- Street drinking activities have significantly reduced in Burnt Oak, due to no report of street drinking in Q4 compared to 5 incidents reported in Q3.

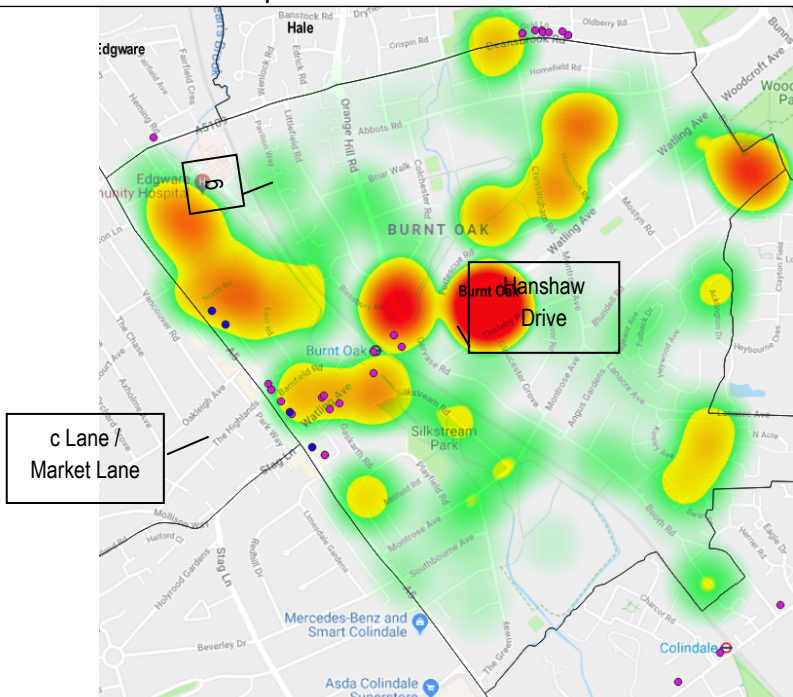
Data:



Since the
introduction of
PSPO



Burnt Oak ASB hotspots between Dec 2017 and Nov 2018



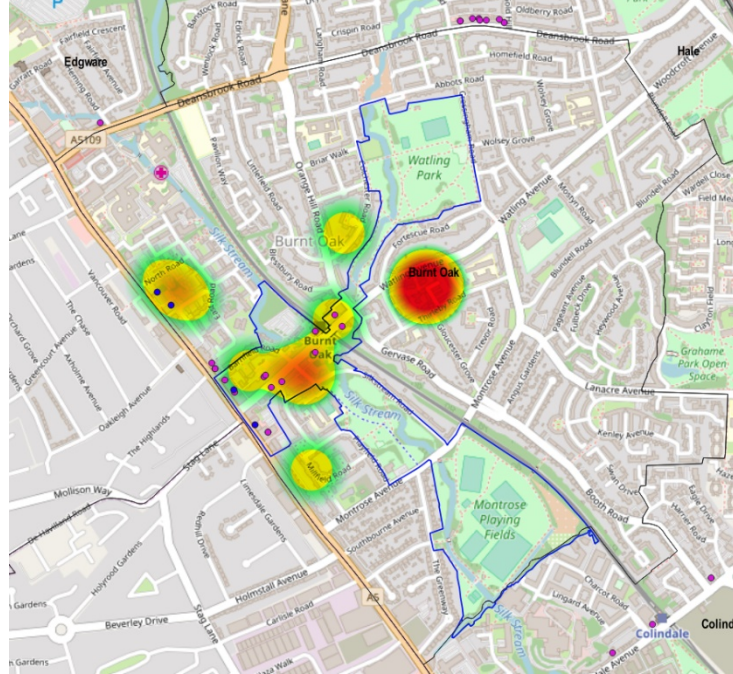
ASB hotspot in Burnt Oak ward is Watling Avenue and its surrounding streets (e.g. Orange Hill Road, Hanshaw Drive, North/South/East Road, Market Lane/ Barnfield Road, Silkstream, Back Lane)

12-month alcohol related violent crimes in Burnt Oak



The violent crimes hotspot where victim and/or suspect had been drinking prior to the offence are in close proximity to licensed premises, especially off licence premises.

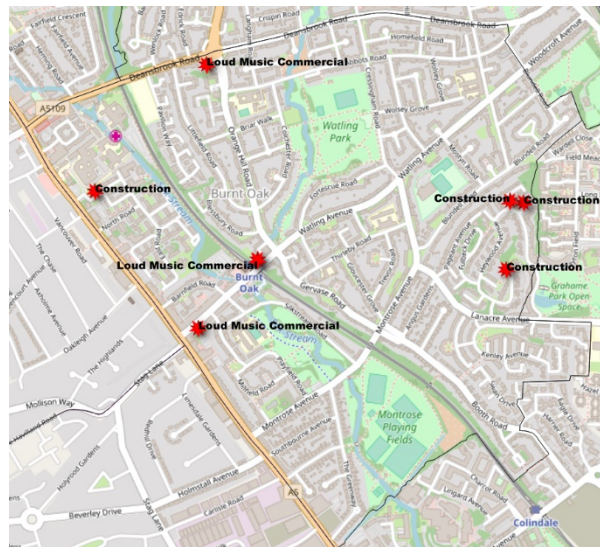
Q4 Alcohol related ASB overlaid on Burnt Oak PSPO



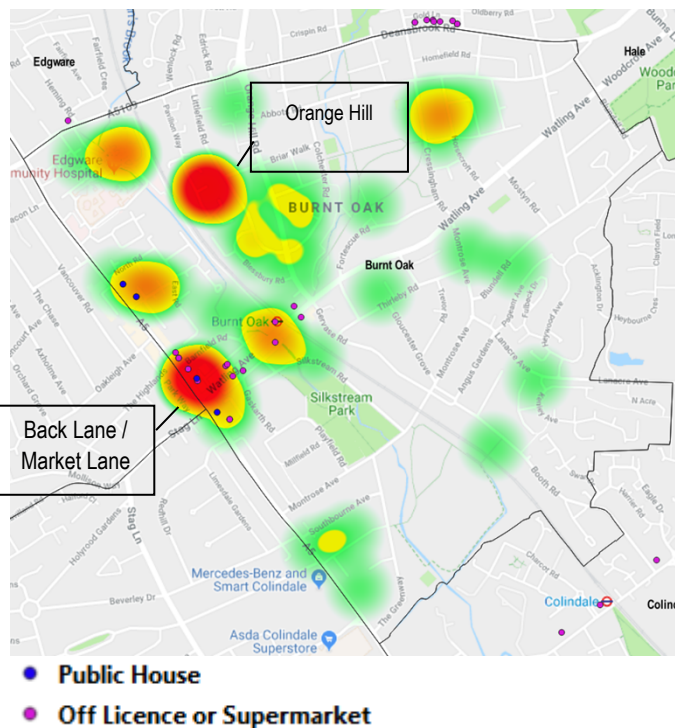
Alcohol related calls to the police are still noticeable within the perimeters of Burnt Oak PSPO boundary, however these incidents have significantly reduced compared to the previous 3 months.

12 months Commercial noise nuisance (Dec 2017 and Nov 2018)

Commercial noise nuisance is not a major concern in Burnt Oak. 8 incidents in the last 12 months and were isolated. No repeat venue or offender found.



12 months Alcohol related incident attendances by London Ambulance Service (Jan-Oct 2018)



Watling Avenue and its surrounding streets (e.g. Market Lane/ Barnfield Road, Silkstream, Back Lane) and in and around Orange Hill Road are the hotspots. Licensed establishments are common in Watling Avenue.

Exploring ways to improve the services we provide

Current action

The council and Burnt Oak SNT have worked together in obtaining evidence of ASB in order to obtain the legal requirement and funding for a gating order to be put into place so the two public stairwells in Watling Avenue which were the location for the highest amount of ASB could be closed off.

Operational Partnership

- 3.1 This is already an ongoing partnership operation by Barnet Council (Community Safety, Regulatory Service) working with Burnt Oak SNT, NSL (enforcement agency) Westminster Drugs Project

3.2

3.3

d. Public Health Assessment October 2019

Public Health have reviewed the evidence supplied as part of the consultation and the map of the proposed CIZ. Public Health would like to suggest that in addition to the introduction of a CIZ, consideration is given to other interventions, such as a forum for Responsible Authorities to meet and discuss licensing issues, increased provision of outreach work from substance misuse services across Barnet and work with retailers within the proposed CIZ area. This should assist in ensuring that residents in Barnet see a reduction in alcohol related issues.

Public Health would also like to add to the evidence base in relation to the need for a CIZ in Burnt Oak. The information below on alcohol in Barnet and especially ambulance call outs data, could add weight to the arguments in favour of a CIZ in Burnt Oak.

For additional background data relating to alcohol use in Barnet overall, please see <https://www.barnet.gov.uk/health-and-wellbeing/health-and-wellbeing-key-documents/barnet-substance-misuse-needs-assessments>

Figure 1 below is taken from Public Health England's (PHEs), Local Alcohol Profile for England. This provides information on a range of indicators relating to alcohol and there is a comparison between Barnet and the England average. Figure 1 shows that Barnet is significantly better across all indicators than the average for England but this does not mean that Barnet has no issues with alcohol. For example, 1,068 years of life were lost due to alcohol in 2017 in Barnet and there were 1,576 admissions for alcohol related conditions (narrow measure see below) and 6,182 admission episodes for alcohol related conditions (broad measure see below).

Figure 1: Barnet local alcohol profile indicators

* a note is attached to the value, hover over to see more details

Compared with benchmark: ● Better ● Similar ● Worse ○ Not compared

Recent trends: — Could not be calculated ↑ Increasing / Getting worse ↑ Increasing / Getting better ↓ Decreasing / Getting worse ↓ Decreasing / Getting better → No significant change ↑ Increasing ↓ Decreasing

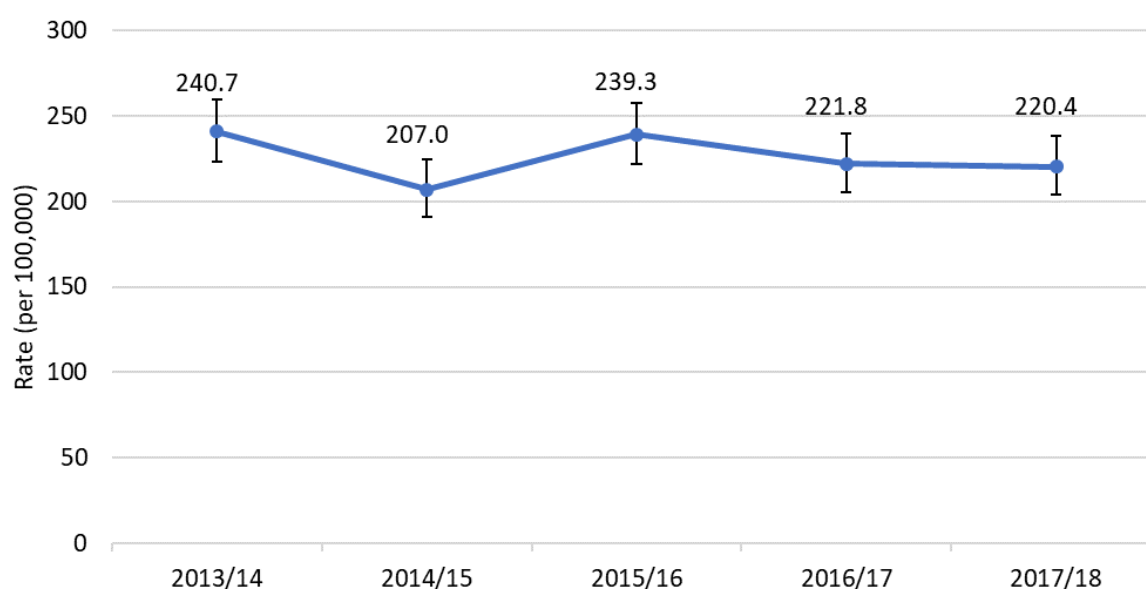


Indicator	Period	Barnet			Region England		England		
		Recent Trend	Count	Value	Value	Value	Worst	Range	Best
1.02 - Years of life lost due to alcohol-related conditions (Persons)	2017	—	1,068	317	455	626	1,495		317
1.02 - Years of life lost due to alcohol-related conditions (Male)	2017	—	829	496	655	898	2,249		459
1.02 - Years of life lost due to alcohol-related conditions (Female)	2017	—	238	142	259	358	765		142
2.01 - Alcohol-specific mortality (Persons)	2015 - 17	—	40	4.0	7.9	10.6	30.1		4.0
2.01 - Alcohol-specific mortality (Male)	2015 - 17	—	31	6.5	11.7	14.5	39.8		6.3
2.01 - Alcohol-specific mortality (Female)	2015 - 17	—	9	*	4.3	7.0	20.7		3.3
3.01 - Mortality from chronic liver disease (Persons)	2015 - 17	—	53	5.5	9.5	12.2	33.9		5.5
3.01 - Mortality from chronic liver disease (Male)	2015 - 17	—	35	7.7	13.6	16.0	45.4		7.4
3.01 - Mortality from chronic liver disease (Female)	2015 - 17	—	18	3.4	5.8	8.6	22.6		3.4
4.01 - Alcohol-related mortality (Persons)	2017	—	93	29.3	38.5	46.2	84.6		28.8
4.01 - Alcohol-related mortality (Male)	2017	—	62	43.3	56.2	66.5	123.8		41.5
4.01 - Alcohol-related mortality (Female)	2017	—	31	17.6	23.6	28.8	48.6		17.6
10.01 - Admission episodes for alcohol-related conditions (Narrow) (Persons)	2017/18	—	1,576	466	533	632	1,097		394
10.01 - Admission episodes for alcohol-related conditions (Narrow) (Male)	2017/18	—	990	627	704	809	1,390		472
10.01 - Admission episodes for alcohol-related conditions (Narrow) (Female)	2017/18	—	586	327	381	473	824		256
9.01 - Admission episodes for alcohol-related conditions (Broad) (Persons)	2017/18	—	6,182	1,949	2324	2224	3,430		1,412
9.01 - Admission episodes for alcohol-related conditions (Broad) (Male)	2017/18	—	4,090	2,844	3288	3051	4,833		1,864
9.01 - Admission episodes for alcohol-related conditions (Broad) (Female)	2017/18	—	2,092	1,209	1517	1513	2,403		910
6.02 - Admission episodes for alcohol-specific conditions (Persons)	2017/18	—	1,348	403	544	570	1,486		311
6.02 - Admission episodes for alcohol-specific conditions (Male)	2017/18	—	999	635	828	791	2,143		287
6.02 - Admission episodes for alcohol-specific conditions (Female)	2017/18	—	349	191	283	361	892		131

Alcohol-related ambulance callout data

Ambulance service data can provide a sense of the scale of alcohol issues in a local area. The data below was obtained from the Safe Stats website and population data was gained from the Greater London Authority (GLA) and the Office of National Statistics (ONS). Figure 2 below provides information relating to alcohol related ambulance call outs for adults in Barnet between the years of 2013 to 2018. It shows that the rate per 100,000 in Barnet fluctuates but overall it has remained similar as the confidence intervals surrounding the actual figures overlap across all years.

Figure 2: Alcohol-related ambulance callouts for Barnet adults, 2013/14–2017/18²³

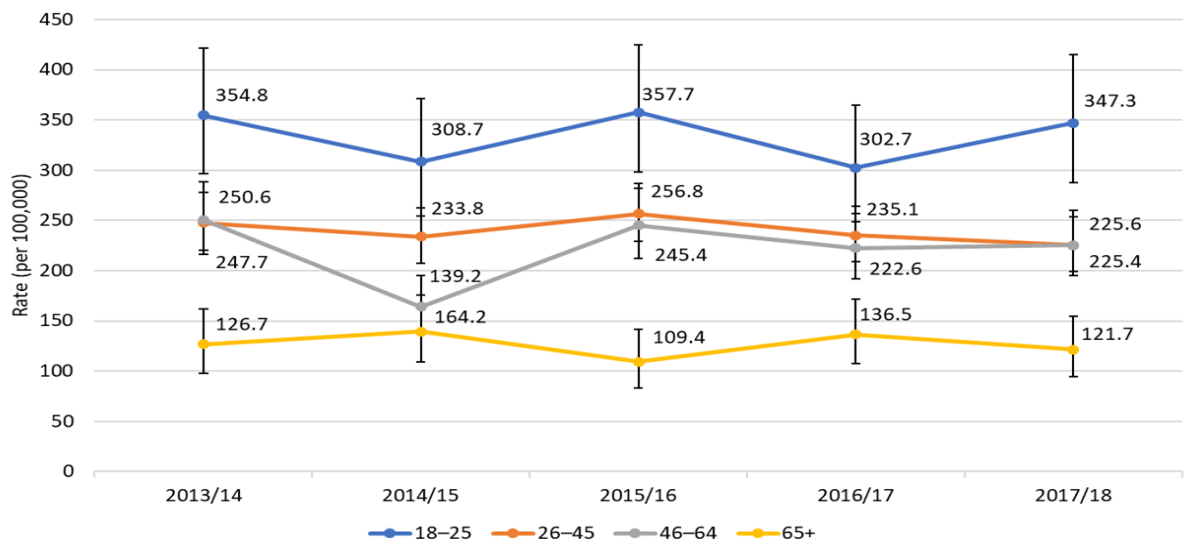


Looking at the rate per 100,000 of alcohol related ambulance call outs for Barnet residents by age ranges produced Figure 3 below. The Figure appears to show that the highest rate of ambulance call outs between 2013/14 and 2017/18 was in the 18-25-year-old groups, but during 2014/15 and 2016/17 this conclusion is questionable, due to the confidence intervals overlapping with the 26-45-year-old age group. In addition, the confidence intervals around the rate for 26-45-year olds between 2013/14 and 2017/18

²³ Greater London Authority (Safestats), Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables)

crosses the rate for 46-64-year olds across all years, apart from during the years of 2014/15. Due to the number of confidence intervals that overlap in Figure 3 below, it is difficult to draw any firm conclusions from this data.

Figure 3: Alcohol-related ambulance callouts for Barnet adults, by age, 2013/14–2017/18²⁴



In the final Figure in this section, the ward location of the Barnet call outs during the years of 2017/18 was plotted as a rate per 100,000. The highest rates of ambulance call outs appear to be in Burnt Oak ward, however, when consideration is given to the confidence interval surrounding this rate, this conclusion cannot be made due to overlaps with the confidence interval around the second highest ward of West Finchley. There is also overlap in the confidence intervals around the rates for Burnt Oak, West Finchley and the third highest ward rate for Colindale. The wards with the lowest rates are listed in this Figure as Totteridge, Mill Hill and Brunswick Park, again due to overlapping confidence intervals, this should be viewed with caution. Please note that data on ambulance call out rates, could be a reflection of a number of issues not related to alcohol consumption by residents

²⁴ Source: Greater London Authority (Safestats), Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables)

who live in these wards. For example, the location of on trade licensed premises could influence the data.

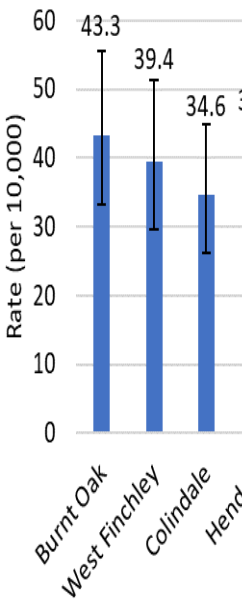
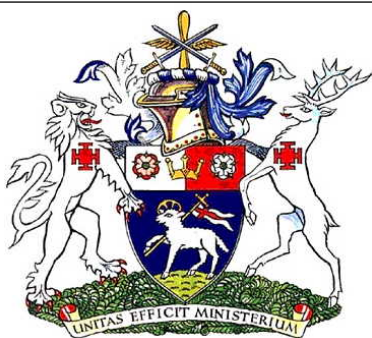


Figure 4: Alcohol-related ambulance call outs for Barnet adults, by ward, 2017/18²⁵

Although the figures relating to alcohol harm in Barnet appear to not be significantly increasing there is still evidence that alcohol related health harms are not reducing either. The area of Burnt Oak, where the CIZ is proposed appears to have the highest numbers of ambulance related call outs in Barnet (although not statistically significant) and Public Health are supportive of the introduction of a CIZ for this reason.

²⁵ Source: Greater London Authority (Safestats), Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables)



Licensing Committee

11 November 2019

Title	Cumulative Impact Assessment and Adoption of Cumulative Impact Zone
Report of	Executive Director Environment
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1 – Cumulative Impact Assessment Appendix 2 – Consultation document Appendix 3 – Consultation responses Appendix 4 – Summary of responses to the Consultation
Officer Contact Details	Emma Phasey Group Manager, Commercial Premises Emma.phasey@barnet.gov.uk

Summary

This report sets out the cumulative impact assessment completed by officers in accordance with approval given by the Committee. A consultation has been carried out in accordance with statute and the outcome of that consultation is set out in this report. This report recommends that the Committee approves the adoption of a cumulative impact zone in Burnt Oak.

Officers Recommendations

1. That the Committee notes the Cumulative Impact Assessment.
2. For the proposed Cumulative Impact Zone to be approved by the Committee
3. That the Committee recommend that the Cumulative Impact Zone be adopted

at the next full meeting of the Council

1. WHY THIS REPORT IS NEEDED

- 1.1 At previous meetings the Licensing Committee approved the investigation of whether or not there was a case for a Cumulative Impact Zone (“CIZ”) within the borough. There was particular concern about the proliferation of licensed premises in Burnt Oak and the high levels of alcohol related nuisance being experienced in the area.
- 1.2 A Cumulative Impact Zone (“CIZ”) may help to limit the number or types of premises licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 1.3 CIZ’s relate to applications for new premises licences, club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area. Temporary event notices are not affected.
- 1.4 While the cumulative impact assessment (CIA) evidence underpinning the publication of a CIZ should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the Licensing Act 2003 (“the Act”). However, licensing applications within the CIZ still need to be determined on a case-by-case basis with a view to what is appropriate for the promotion of the licensing objectives.
- 1.5 There must be a good evidential basis for a decision to adopt a CIZ. Information which licensing authorities may be able to draw on includes:
 - local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
 - statistics on local anti-social behaviour offences;
 - health-related statistics such as alcohol-related emergency attendances and hospital admissions;
 - environmental health complaints, particularly in relation to litter and noise;
 - complaints recorded by the local authority, which may include complaints raised by local residents or residents’ associations;
 - residents’ questionnaires;
 - evidence from local and parish councillors; and
 - evidence obtained through local consultation
- 1.6 The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:
 - trends in licence applications, particularly trends in applications by types of premises and terminal hours;
 - changes in terminal hours of premises; and

- premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.
- 1.7 The draft licensing policy has been amended at Section 5.3 – 5.19 to detail how a CIZ would operate. This section identifies that any CIZ in operation in the Borough will be detailed in Appendix 4 of the licensing policy. If the Committee supports the adoption of the CIZ in the area detailed in this report the map in Appendix 1 would form Appendix 2 of the Licensing Policy.
- 1.8 S.5A(4) allows an assessment, and therefore a CIZ, to apply to all relevant authorisations or only relevant authorisations of a kind described in the assessment. This assessment recommends that the proposed CIZ only applies to the sale of alcohol off the premises.
- 1.9 A consultation was undertaken from 19th August 2019 until 11th October 2019. Information on this consultation can be found in 5.8. The responses received can be found in Appendix 2.
- 1.10 Following consideration of the Cumulative Impact Assessment and the responses to the consultation (see Appendix 2) it is recommended that the Licensing Committee adopt that proposed policy

2 REASONS FOR RECOMMENDATIONS

- 2.1 A full consultation has been taken in relation to this matter and the adoption of the proposed CIZ is supported by all consultee responses.
- 2.2 Evidence collected as part of the Cumulative Impact Assessment supports the adoption the proposed CIZ.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Committee could decide not to adopt a Cumulative Impact Zone. This would mean that further premises could apply for a premises licence to include off sales of alcohol and would be dealt with in the usual way and the general presumption would remain that the licence should be granted, subject to consideration of the licensing objectives.

4 POST DECISION IMPLEMENTATION

- 4.1 The Committee is being asked to recommend that the Cumulative Impact Zone be adopted at the next meeting of the full Council to come into effect immediately thereafter.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 This review of licensing issues within Burnt Oak, supports the corporate priority of “Tackling anti-social behaviour and environmental crime“

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Administration and enforcement is carried out by the Licensing team in Re, together with support from HB Public Law and from Governance Services, when arranging and co-ordinating arrangements for hearings.
- 5.2.2 The CIZ will have no further financial implications and will be delivered within existing resources.

5.3 Social Value

- The CIZ will positively impacts on the environment in Burnt Oak and contributes to a vibrant and healthy community by reducing anti-social behaviour within the area.

5.4 Legal and Constitutional References

- 5.4.1 Section 5A of the Licensing Act 2003 sets out what a licensing authority needs to do in order to consider adopting a CIZ. The licensing authority must publish an assessment document which states it considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts. This assessment should include the evidence for this review. The information can be found in Appendix 1 and if adopted will be added to Appendix 4 of the Licensing Policy.
- 5.4.2 Before adopting the CIZ the Authority should undertake a consultation with the following information—
- the reasons why it is considering publishing a cumulative impact assessment;
 - a general indication of the part or parts of its area which it is considering describing in the assessment;
 - whether it considers that the assessment will relate to all relevant authorisations or only to relevant authorisations of a particular kind.

The consultation document used can be found in Appendix 2.

- 5.4.3 The Authority has to consult with :

- The police
- The fire and rescue authority for that area,
- Public health
- Representatives of holders of premises licences issued by that

- authority,
- Representatives of holders of club premises certificates issued by that authority,
- Representatives of holders of personal licences issued by that authority,
- Businesses and residents in its area.

This consultation has been undertaken.

5.4.4 Article 7 – Committees, Forums, Working Groups and Partnerships, of the Council's Constitution states that the Licensing Committee is responsible for, "*all policy matters relating to licensing with licencing hearings concerning all licencing matters delegated to sub-committees.*"

5.5 Risk Management

5.5.1 It is important that the London Borough of Barnet adopts a robust and accountable regulatory regime in relation to all Licensing. It needs to ensure that the risk of non-compliance and the regulatory burden to both the Local authority and to the trade is minimised.

5.6 Equalities and Diversity

5.6.1 The Council has a legal obligation under section 149 of the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.

5.6.2 When considering applications, only issues provided for in the relevant legislation, in addition to the authority's policy will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits.

5.7 Corporate Parenting

5.7.1 Not relevant to this report.

5.8 Consultation and Engagement

5.8.1 The consultation document was sent to the all responsible authorities. It was also sent to councillors.

5.8.2 The consultation was also be published on London Borough of Barnet's online website and on the Engage Barnet portal.

5.8.3 Licensed businesses affected by this were written to and a selection were visited to discuss this in more detail.

5.8.2 All replies received have been taken into account.

5.9 Insight

5.9.1 Not relevant to this report.

6 BACKGROUND PAPERS

Statutory Guidance issued under section 182 Licensing Act 2003 (April 2018)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

London Borough of Barnet Licensing Policy, Section 6.

Evaluation of Islington Council CIZ

<https://sphr.nihr.ac.uk/research/cumulative-impact-zone-policy/>

PSPO details for Burnt Oak

<https://www.barnet.gov.uk/pspo>

Community Alcohol Partnership

<https://www.communityalcoholpartnerships.co.uk/about>

Appendix 1 – Cumulative Impact Assessment

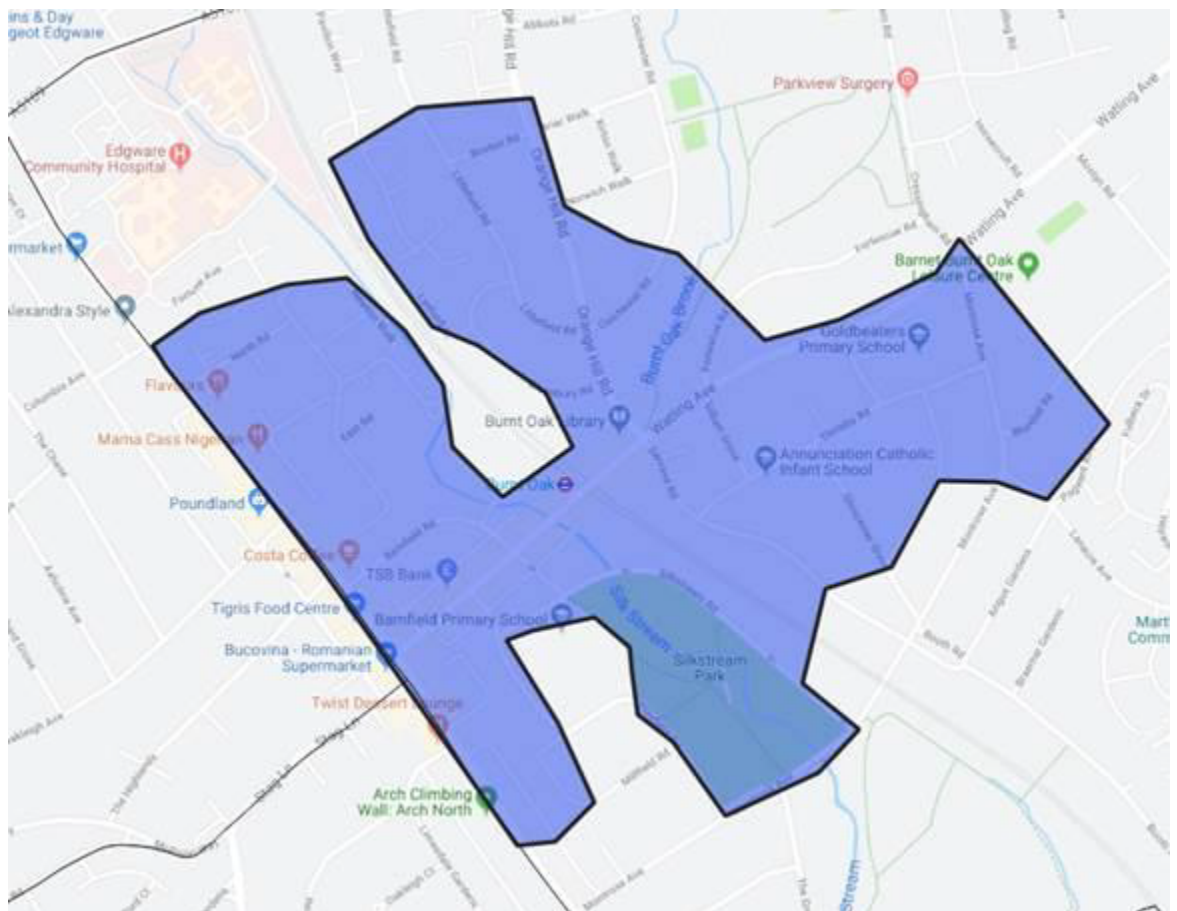
Note: if approved this appendix will form appendix 4 of the Licensing Policy

- A. Statement of Adoption
 - B. Area
 - C. Date of Adoption
 - D. Evidence for Assessment
- a. A Report for Safer Communities Partnership Board: Substance misuse prevalence, trends, preventative interventions and local opportunities
 - b. Alcohol misuse impact in Burnt Oak Report
 - c. Public Health Assessment October 2019

A: Statement of Adoption

The licensing authority considers that the number of relevant authorisations in respect of premises in the area outlined below are is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts.

B: Area – Burnt Oak



C. Date of adoption

Date of Adoption: TBC

Date of review by: TBC (Three years from adoption)

D: Evidence for assessment

1. A Report for Safer Communities Partnership Board: Substance misuse prevalence, trends, preventative interventions and local opportunities

**Louisa Songer - Public Health Strategist
October 2018
Executive Summary**

Local Prevalence Data

The rate of opiate users in Barnet is lower than London and England, but the age profile follows a similar pattern to elsewhere in the country. The prevalence of opiate use in Barnet is highest in people aged 35-64 which is reflective of an aging heroin using population and fewer younger people commencing heroin use. Younger substance users are showing a preference to other substances such as cocaine, ecstasy and cannabis. In London and England, the largest cohort of opiate users is those aged 25-35. As the Barnet opiate using cohort ages, we can expect the group to become more complex and develop a need for wider health and social care services.

Similarly, it is estimated that there are fewer opiate and crack users in Barnet than elsewhere in the country. However, Barnet follows a different age pattern. The most noticeable difference is in the younger age group 15-24 year olds. Barnet's prevalence of opiate and cocaine users in this group is higher than London and England, indicating there is possibly a group of young crack users not accessing services.

There is a large gap between the number of people accessing substance misuse treatment (for opiates, other drugs and alcohol) and prevalence estimates, indicating that there is substantial unmet need in the community. It is estimated that 61% of opiate users in Barnet are not accessing local treatment services and 88% of dependent drinkers are not accessing treatment services.

Substance Misuse Trends – Adults

A snapshot taken in the last quarter showed that of the 652 people in treatment, primary opiate users account for 58% of people in treatment. This is followed by alcohol users, forming 24% of the treatment population, crack and cocaine 13% and the remaining 5% other drugs. This is a similar picture nationally.

People accessing substance misuse treatment services in Barnet reported higher levels of mental health conditions than other areas, lower misuse of

“over the counter”/prescription medication, and are more likely to be economically inactive.

A greater focus is needed on older adults and other drug users to understand the needs of this group.

Understanding the relationship between substance misuse, mental health and domestic abuse is a corporate priority. A deep dive has been completed locally to explore the relationship between the areas. Recommendations have been made to a) Addressing ineffective referral pathways, learning lessons from audit and case review b) improving the identification and management of domestic abuse in Mental Health and Substance Misuse settings by embedding best practice through evidence based commissioning and c) improve holistic, multi-agency working in Family Services to ensure parents have access to the right support at the right time

Substance Misuse Trends – Young People

The picture is very different to that of the adults service. Primary cannabis users account for 78.5% of people in treatment. This is followed by alcohol users, forming 9.2% of the treatment population. This reflects a total 65 young people in treatment. Unlike the adult population, young people in treatment are more likely to report benzodiazepine, hallucinogen and ecstasy use. Whilst opiate and cocaine use is less common than in adults, there are some young people using these substances. This is a similar picture nationally.

Risk Groups

Recent evidence has been published demonstrating the effectiveness of interventions that aim to delay the onset of, and reduce the harms of drug and alcohol misuse. There are specific groups who are more at risk of developing substance misuse issues. These include people with a family history of substance misuse, people with lower socio-economic status, people with mental health conditions, people who have been sexually assaulted or exploited, people who are not in employment, education or training, people in contact with the criminal justice system and homeless people.

The costs of substance misuse

A Cabinet Office estimate placed the economic costs of alcohol in England at around

£21 billion in 2012, equivalent to 1.3% GDP. This estimate included costs relating to alcohol-related health disorders and disease, crime and anti-social behaviour, loss of productivity in the workplace and problems for those who misuse alcohol and their families, including domestic violence. Similarly, drug misuse also impacts all those around the user and the wider society. The Home Office estimated in 2010 to 2011 that the cost of illicit drug use in the UK was £10.7 billion per year.

28% of costs relate to deaths linked to illicit substances. Deaths involving opioids (such as heroin) account for the majority of drug poisoning deaths. Heroin related deaths in England and Wales have more than doubled since 2012 to the highest number since records began 20 years ago. In Barnet the rate of drug related deaths has remained steady.

Prevention Opportunities

Some of the key ways we can impact alcohol related harm (including crime and disorder) centre on affecting national policy and regulation, for example considering options around taxation and price regulation and regulating marketing. Having said that, there is much that can be done at a local level, particularly when considering options for regulating the availability of alcohol. There are also intervention that can be conducted in the immediate drinking environment that have a great impact.

It is also essential, particularly when looking at preventing substance misuse more widely, to consider specific interventions that should be delivered with those particular risk groups and in particular settings. For example, offering information, advice and awareness raising in settings such as primary care, mental health services, sexual health services, health visiting, midwifery, criminal justice services, A&E, hostels, nightclubs, festivals and gyms (to target people using image and performance enhancing drugs) .

Screening, identification and brief advice should be delivered at opportunistic and routine appointments with statutory and other services such as those listed above, and skills training for vulnerable children and young people should be upscaled to help vulnerable young people develop appropriate skills such as conflict resolution and managing stress

Key recommendations for the board to consider – Putting the evidence into practice

Partners must work collaboratively on local opportunities for improving outcomes. There are local structures and processes currently in place support a reduction in drug and alcohol-related harm however there is much work to be done to ensure these structures and processes are effective.

1. **Leadership, vision & governance:** The Health and Wellbeing Board and Community Safety Partnership Board should articulate a clear and shared ambition for reducing alcohol harm, demonstrated by strong oversight of the local substance misuse strategy and implementation plan. They should also ensure strategic join up, and ensure common purpose reflected in strategy and commissioning.
2. **Planning and commissioning services:** The partnership must be up to date with the needs of the local substance misusing population and in a position to address the needs of all at risk groups, including offenders, homeless people and those with complex needs. More must be understood about the new and

emerging groups such as club-drug users and older adults. There must also be an updated plan for preventing and reducing alcohol related harm.

3. **Data and Intelligence:** Routine, co-ordinated data sharing across local alcohol partners should be used to inform strategic planning and operational service delivery and relevant indicators of alcohol related harm should also be reflected in KPI dashboards across partnership boards.
4. **Alcohol Licensing:** Influencing local licencing policy is one of the most effective ways to prevent alcohol related harm. It is recommended that there should be improved recognition of alcohol-related harm in the local licensing policy with a commitment to use local crime, health and social care data to inform policy and planning.

The full report can be found here:

http://barnet.moderngov.co.uk/documents/s49121/e_item8_Barnet%20Public%20Health%20Update.pdf

B. Alcohol misuse impact in Burnt Oak Report

In the last 12 months Burnt Oak has the second highest rate of alcohol related ASB related calls to the police and the highest alcohol related violent crimes in Barnet borough. In both cases rates are significantly higher in Burnt Oak than the Barnet borough average. Alcohol related ambulance callouts and violence against person crime peak from around 2200 hours to after midnight. A correlation to Burnt Oak night time economy.

Alcohol related anti-social behaviour peak days are Friday, Saturday and Sunday

Underage drinking cases have reduced across the borough by 50% in Qtr 4 compared to the previous 3 months. No report of underage drinking reported from Burnt Oak in a space of 6-month to date.

Alcohol related ambulance callouts, alcohol related crimes and alcohol related anti-social behaviour hotspots are in close proximity to licensed premises.

The London Ambulance Service attendances to alcohol related illness, alcohol related violent crime and alcohol related ASB hotspot is Watling Avenue and its surrounding streets.

Impact of Burnt Oak crime and disorder on emergency services

For the purpose of this topic, Crime and ASB related incidents in Burnt Oak have been grouped into quarters (Dec 2017-Feb 2018 = Q1, Mar – May = Q2, Jun – Aug = Q3 and Sep -Nov = Q4).

Metropolitan Police

- Anti-social behaviour in Burnt Oak has reduced by 4% in Qtr4 compared to the previous 3 months.
- However, crimes in general in Burnt Oak have increased by 8% compared to the previous 3 months.
- Burnt Oak is in the worst 10 of crime rate per 1000 population in the borough.
- Violence Against the Person is the top for alcohol related crimes in the last 12 months in Burnt Oak.
- During the last 12 months, Burnt Oak accounted for 6% of the total number of ASB related calls to the police
- The total number of ASB related calls where alcohol is one of the contributing factors is higher by 3 incidents in Q4 compared to the previous 3 months – Q3. This translates as 33% increase.
- During Q4 of 2018, 5% of the total number of crimes in Barnet borough and 5% of the total number of emergency calls to police were accounted in Burnt Oak.

London Ambulance Service (LAS)

- Burnt Oak is the second highest ward for calls to the London Ambulance Service (2,354 calls between Jan and Oct 2018), but the fifth largest in the number of alcohol related calls.

London Borough of Barnet Noise Team

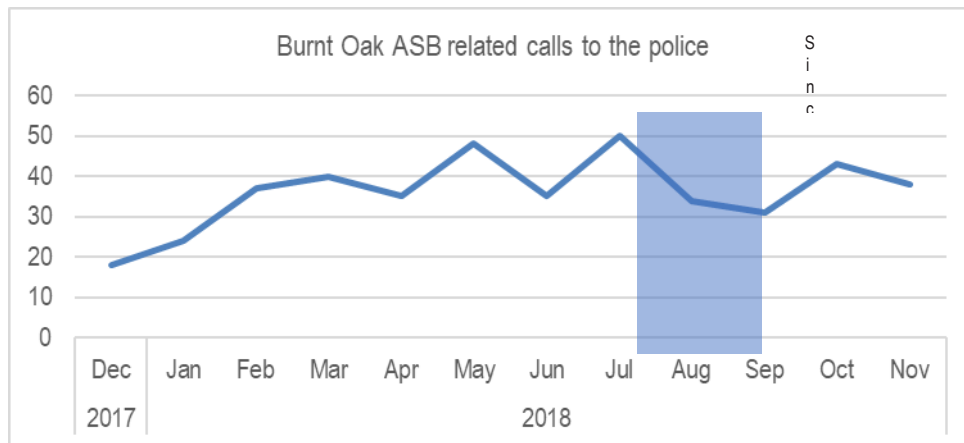
- During the last 12 months, Burnt Oak Commercial noise related nuisance cases (Commercial Alarm, Construction, Deliveries or Collections, Loud Music Commercial) are the lowest compared to the rest of the borough.

- Commercial noise related nuisance cases have significantly reduced in Burnt Oak due to none being reported in Q4, compared to 2 cases reported in Q3

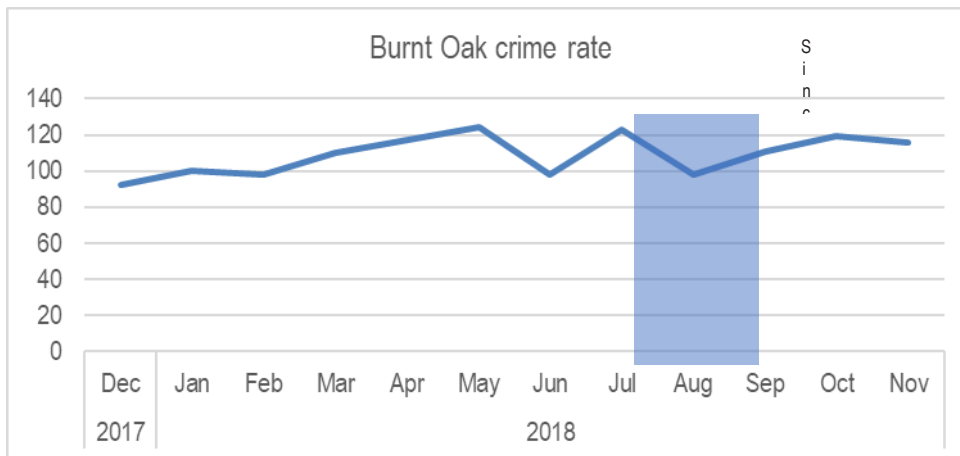
Street drinking

- Street drinking activities have significantly reduced in Burnt Oak, due to no report of street drinking in Q4 compared to 5 incidents reported in Q3.

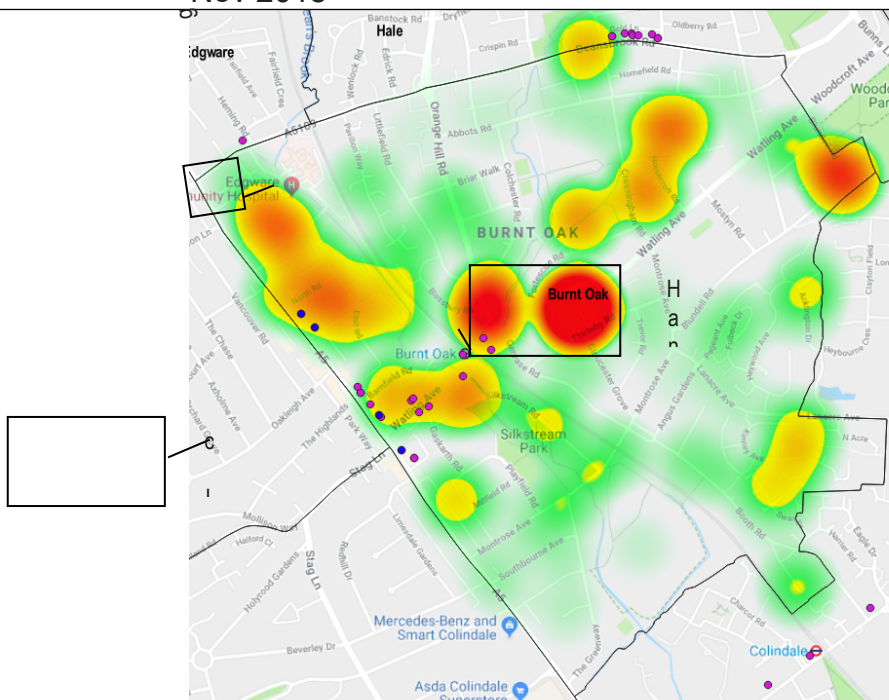
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Burnt Oak ASB hotspots between Dec 2017 and Nov 2018



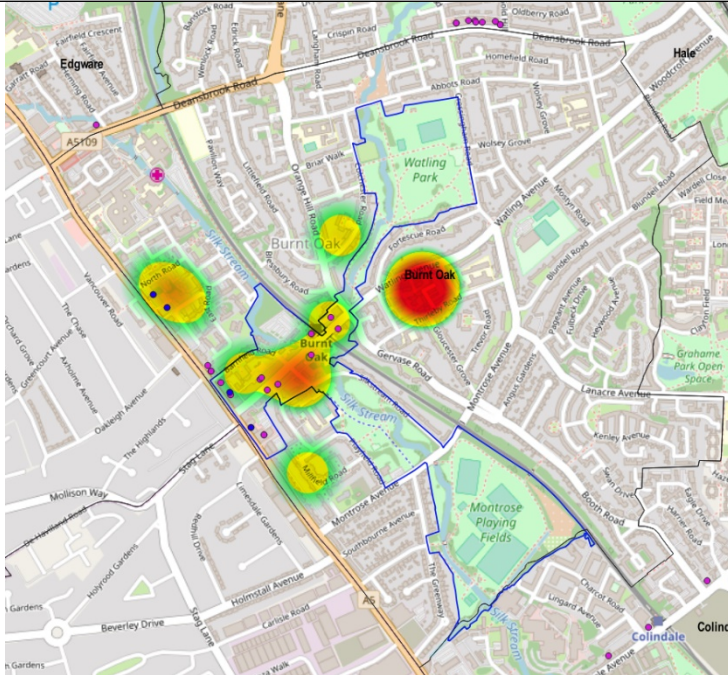
ASB hotspot in Burnt Oak ward is Watling Avenue and its surrounding streets (e.g. Orange Hill Road, Hanshaw Drive, North/South/East Road, Market Lane/ Barnfield Road, Silkstream, Back Lane)

12-month alcohol related violent crimes in Burnt Oak



The violent crimes hotspot where victim and/or suspect had been drinking prior to the offence are in close proximity to licensed premises, especially off licence premises.

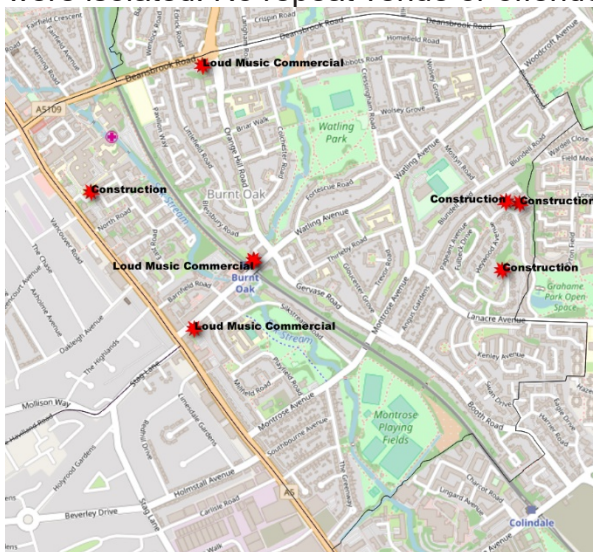
Q4 Alcohol related ASB overlaid on Burnt Oak PSPO



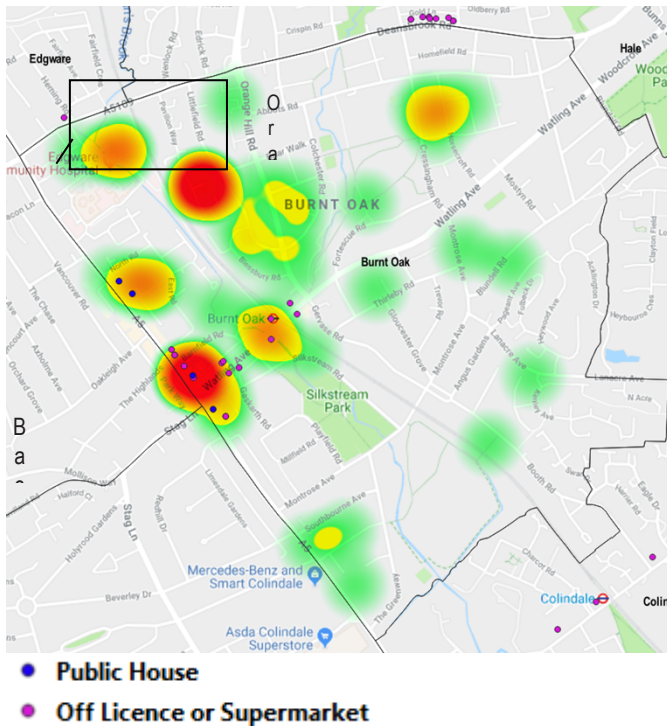
Alcohol related calls to the police are still noticeable within the perimeters of Burnt Oak PSPO boundary, however these incidents have significantly reduced compared to the previous 3 months.

12 months Commercial noise nuisance (Dec 2017 and Nov 2018)

Commercial noise nuisance is not a major concern in Burnt Oak. 8 incidents in the last 12 months and were isolated. No repeat venue or offender found.



12 months Alcohol related incident attendances by London Ambulance Service (Jan-Oct 2018)



Watling Avenue and its surrounding streets (e.g. Market Lane/ Barnfield Road, Silkstream, Back Lane) and in and around Orange Hill Road are the hotspots. Licensed establishments are common in Watling Avenue.

Exploring ways to improve the services we provide

Current action

The council and Burnt Oak SNT have worked together in obtaining evidence of ASB in order to obtain the legal requirement and funding for a gating order to be put into place so the two public stairwells in Watling Avenue which were the location for the highest amount of ASB could be closed off.

Operational Partnership

This is already an ongoing partnership operation by Barnet Council (Community Safety, Regulatory Service) working with Burnt Oak SNT, NSL (enforcement agency) Westminster Drugs.

d. Public Health Assessment October 2019

Public Health have reviewed the evidence supplied as part of the consultation and the map of the proposed CIZ. Public Health would like to suggest that in addition to the introduction of a CIZ, consideration is given to other interventions, such as a forum for Responsible Authorities to meet and discuss licensing issues, increased provision of outreach work from substance misuse services across Barnet and work with retailers within the proposed CIZ area. This should assist in ensuring that residents in Barnet see a reduction in alcohol related issues.

Public Health would also like to add to the evidence base in relation to the need for a CIZ in Burnt Oak. The information below on alcohol in Barnet and especially ambulance call outs data, could add weight to the arguments in favour of a CIZ in Burnt Oak.

For additional background data relating to alcohol use in Barnet overall, please see <https://www.barnet.gov.uk/health-and-wellbeing/health-and-wellbeing-key-documents/barnet-substance-misuse-needs-assessments>

Figure 1 below is taken from Public Health England's (PHEs), Local Alcohol Profile for England. This provides information on a range of indicators relating to alcohol and there is a comparison between Barnet and the England average. Figure 1 shows that Barnet is significantly better across all indicators than the average for England but this does not mean that Barnet has no issues with alcohol. For example, 1,068 years of life were lost due to alcohol in 2017 in Barnet and there were 1,576 admissions for alcohol related conditions (narrow measure see below) and 6,182 admission episodes for alcohol related conditions (broad measure see below).

Figure 1: Barnet local alcohol profile indicators

* a note is attached to the value, hover over to see more details

Compared with benchmark: ● Better ● Similar ● Worse ○ Not compared

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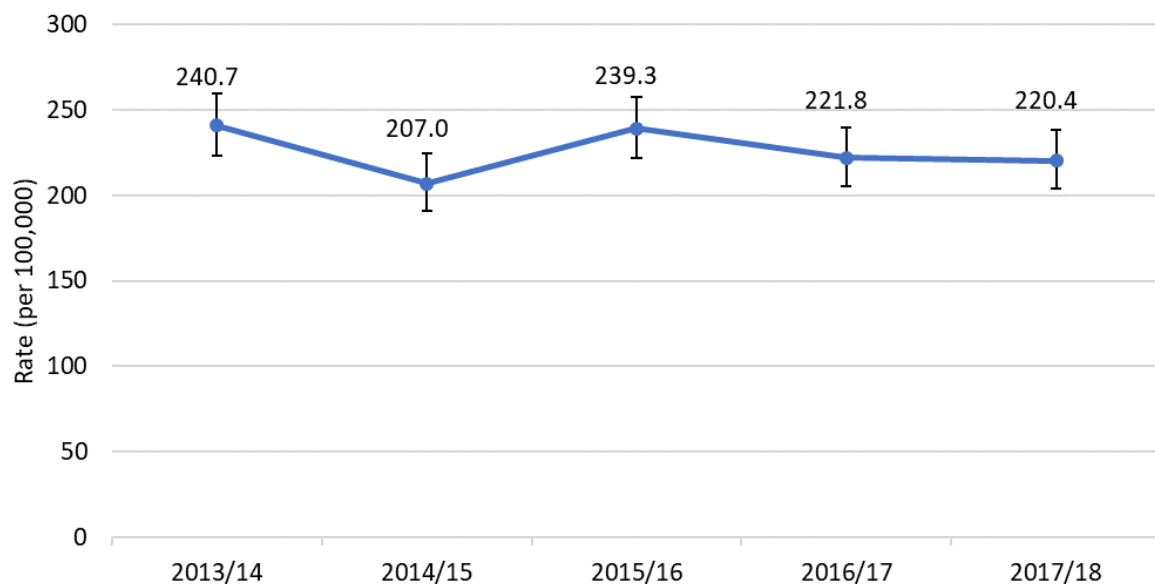
[Export table as CSV file](#)

Indicator	Period	Barnet			Region England		England			
		Recent Trend	Count	Value	Value	Value	Worst	Range	Best	
1.02 - Years of life lost due to alcohol-related conditions (Persons)	2017	—	1,068	317	455	626	1,495	<div><div></div><div></div><div></div><div></div></div>	317	
1.02 - Years of life lost due to alcohol-related conditions (Male)	2017	—	829	496	655	898	2,249	<div><div></div><div></div><div></div><div></div></div>	459	
1.02 - Years of life lost due to alcohol-related conditions (Female)	2017	—	238	142	259	358	765	<div><div></div><div></div><div></div><div></div></div>	142	
2.01 - Alcohol-specific mortality (Persons)	2015 - 17	—	40	4.0	7.9	10.6	30.1	<div><div></div><div></div><div></div><div></div></div>	4.0	
2.01 - Alcohol-specific mortality (Male)	2015 - 17	—	31	6.5	11.7	14.5	39.8	<div><div></div><div></div><div></div><div></div></div>	6.3	
2.01 - Alcohol-specific mortality (Female)	2015 - 17	—	9	*	4.3	7.0	20.7	<div><div></div><div></div><div></div><div></div></div>	3.3	
3.01 - Mortality from chronic liver disease (Persons)	2015 - 17	—	53	5.5	9.5	12.2	33.9	<div><div></div><div></div><div></div><div></div></div>	5.5	
3.01 - Mortality from chronic liver disease (Male)	2015 - 17	—	35	7.7	13.6	16.0	45.4	<div><div></div><div></div><div></div><div></div></div>	7.4	
3.01 - Mortality from chronic liver disease (Female)	2015 - 17	—	18	3.4	5.8	8.6	22.6	<div><div></div><div></div><div></div><div></div></div>	3.4	
4.01 - Alcohol-related mortality (Persons)	2017	—	93	29.3	38.5	46.2	84.6	<div><div></div><div></div><div></div><div></div></div>	28.8	
4.01 - Alcohol-related mortality (Male)	2017	—	62	43.3	56.2	66.5	123.8	<div><div></div><div></div><div></div><div></div></div>	41.5	
4.01 - Alcohol-related mortality (Female)	2017	—	31	17.6	23.6	28.8	48.6	<div><div></div><div></div><div></div><div></div></div>	17.6	
10.01 - Admission episodes for alcohol-related conditions (Narrow) (Persons)	2017/18	—	1,576	466	533	632	1,097	<div><div></div><div></div><div></div><div></div></div>	394	
10.01 - Admission episodes for alcohol-related conditions (Narrow) (Male)	2017/18	—	990	627	704	809	1,390	<div><div></div><div></div><div></div><div></div></div>	472	
10.01 - Admission episodes for alcohol-related conditions (Narrow) (Female)	2017/18	—	586	327	381	473	824	<div><div></div><div></div><div></div><div></div></div>	256	
9.01 - Admission episodes for alcohol-related conditions (Broad) (Persons)	2017/18	—	6,182	1,949	2324	2224	3,430	<div><div></div><div></div><div></div><div></div></div>	1,412	
9.01 - Admission episodes for alcohol-related conditions (Broad) (Male)	2017/18	—	4,090	2,844	3288	3051	4,833	<div><div></div><div></div><div></div><div></div></div>	1,864	
9.01 - Admission episodes for alcohol-related conditions (Broad) (Female)	2017/18	—	2,092	1,209	1517	1513	2,403	<div><div></div><div></div><div></div><div></div></div>	910	
6.02 - Admission episodes for alcohol-specific conditions (Persons)	2017/18	—	1,348	403	544	570	1,486	<div><div></div><div></div><div></div><div></div></div>	311	
6.02 - Admission episodes for alcohol-specific conditions (Male)	2017/18	—	999	635	828	791	2,143	<div><div></div><div></div><div></div><div></div></div>	287	
6.02 - Admission episodes for alcohol-specific conditions (Female)	2017/18	—	349	191	283	361	892	<div><div></div><div></div><div></div><div></div></div>	131	

Alcohol-related ambulance callout data

Ambulance service data can provide a sense of the scale of alcohol issues in a local area. The data below was obtained from the Safe Stats website and population data was gained from the Greater London Authority (GLA) and the Office of National Statistics (ONS). Figure 2 below provides information relating to alcohol related ambulance call outs for adults in Barnet between the years of 2013 to 2018. It shows that the rate per 100,000 in Barnet fluctuates but overall it has remained similar as the confidence intervals surrounding the actual figures overlap across all years.

Figure 2: Alcohol-related ambulance callouts for Barnet adults, 2013/14–2017/18¹

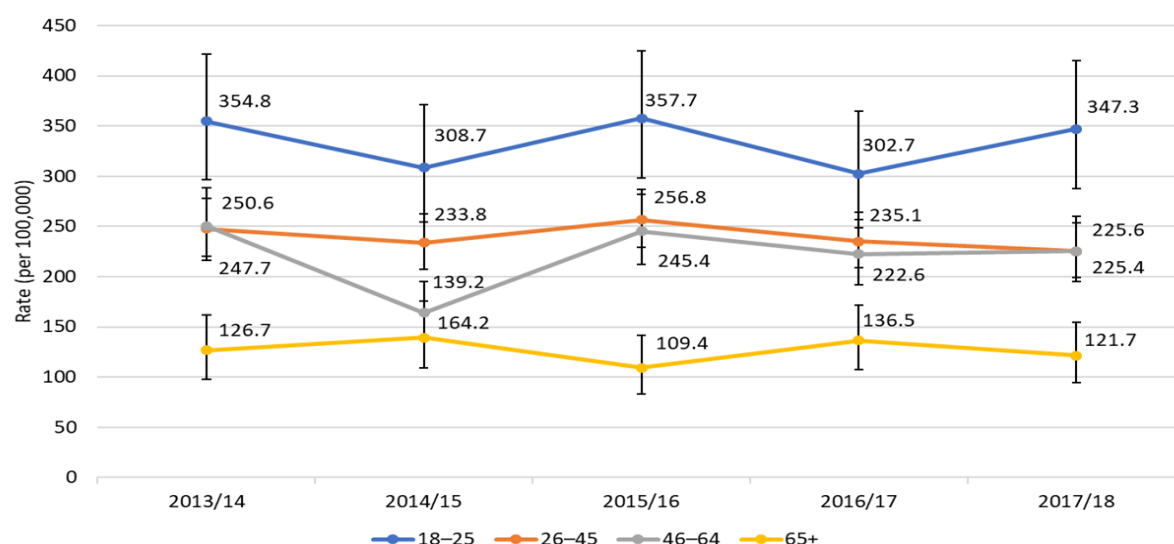


Looking at the rate per 100,000 of alcohol related ambulance call outs for Barnet residents by age ranges produced Figure 3 below. The Figure appears to show that the highest rate of ambulance call outs between 2013/14 and 2017/18 was in the 18-25-year-old groups, but during 2014/15 and 2016/17 this conclusion is questionable, due to the confidence intervals overlapping with the 26-45-year-old age group. In addition, the confidence intervals around the rate for 26-45-year olds between 2013/14 and 2017/18 crosses the rate for 46-64-year olds across all

¹ Greater London Authority (Safestats), Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables)

years, apart from during the years of 2014/15. Due to the number of confidence intervals that overlap in Figure 3 below, it is difficult to draw any firm conclusions from this data.

Figure 3: Alcohol-related ambulance callouts for Barnet adults, by age, 2013/14–2017/18²



In the final Figure in this section, the ward location of the Barnet call outs during the years of 2017/18 was plotted as a rate per 100,000. The highest rates of ambulance call outs appear to be in Burnt Oak ward, however, when consideration is given to the confidence interval surrounding this rate, this conclusion cannot be made due to overlaps with the confidence interval around the second highest ward of West Finchley. There is also overlap in the confidence intervals around the rates for Burnt Oak, West Finchley and the third highest ward rate for Colindale. The wards with the lowest rates are listed in this Figure as Totteridge, Mill Hill and Brunswick Park, again due to overlapping confidence intervals, this should be viewed with caution. Please note that data on ambulance call out rates, could be a reflection of a number of issues not related to alcohol consumption by residents

² Source: Greater London Authority (Safestats), Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables)

who live in these wards. For example, the location of on trade licensed premises could influence the data.



Figure 4: Alcohol-related ambulance call outs for Barnet adults, by ward, 2017/18³

Although the figures relating to alcohol harm in Barnet appear to not be significantly increasing there is still evidence that alcohol related health harms are not reducing either. The area of Burnt Oak, where the CIZ is proposed appears to have the highest numbers of ambulance related call outs in Barnet (although not statistically significant) and Public Health are supportive of the introduction of a CIZ for this reason.

³ Source: Greater London Authority (Safestats), Greater London Authority (ONS Mid-Year Population Estimates - Custom Age Tables)

Appendix 2 Consultation Document

CIZ Consultation document – Burnt Oak

In early 2019 a comprehensive review of the London Borough of Barnet's policies was undertaken on initiatives related to Licensing Act 2003 ("the Act") that could positively impact on alcohol-related harm and anti-social behaviour. Burnt Oak Ward was identified as an alcohol related violence/crime hotspot. Following the review, the Licensing Committee determined there was evidence to support the consideration of a Cumulative Impact Zone.(CIZ)

A CIZ is used where the Licensing Authority recognises that there is such a cumulative effect from the number of licensed premises in an area which is contributing to alcohol related harm. In these circumstances, the Licensing Authority considers that the imposition of conditions alone is unlikely to address the apparent problems and therefore designates an area or zone whereby there will be a presumption that new premises licence or club premises certificate applications, or applications to materially vary a premises licence, will be refused.

CIZs can help to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.

CIZs affect applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in the specified area. Temporary event notices are not affected.

While the evidence underpinning the publication of a cumulative impact assessment (CIA) should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the Act. Each decision in an area still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives.

There must be a good evidential basis for a decision to publish a CIA. Information which licensing authorities may be able to draw on includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires;

- evidence from local and parish councillors; and
- evidence obtained through local consultation

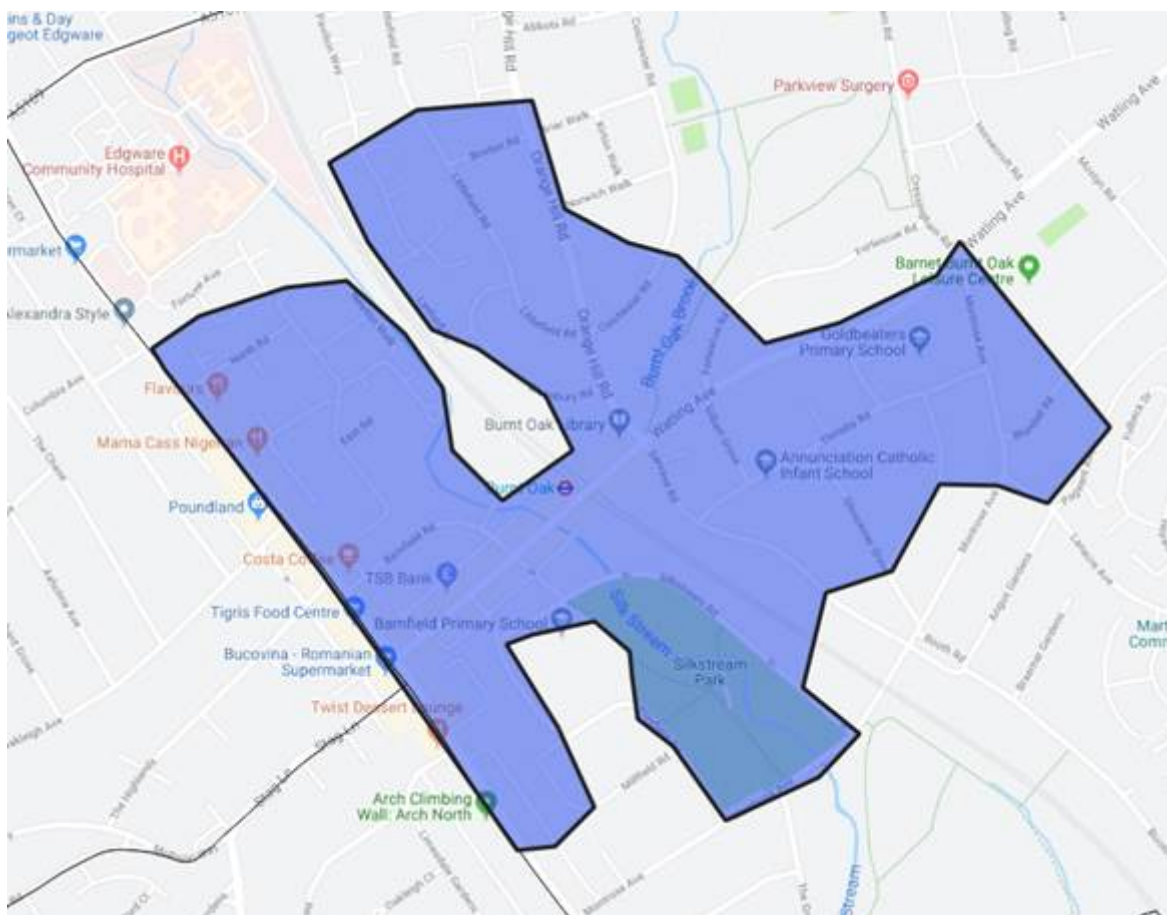
The evidence to support this consultation can be found below. This evidence must justify that it is likely that granting further premises licences and/or club premises certificates in that area, would be inconsistent with the authority's duty to promote the licensing objectives.

Evidence to support consideration on the Cumulative Impact Zone

(The consultation document contained the evidence in Appendix 1 Section D related to the Alcohol misuse impact in Burnt Oak Report)

Area proposed for CIZ

The area that the CIZ is proposed can be found here:



Appendix 3 – Consultation responses

Consultee	Support/Does not support	Further Comments
Responsible Authority - Police	Support	N/A
Licensed premises in Burnt Oak	Support	Feels that LBB and the police have made a positive impact on Burnt oak
Licensed premises in Burnt Oak	Support	Feels they are a responsible retailer and this will protect the area from irresponsible retailers.
Licensed premises in Burnt Oak	Support	N/A
Licensed premises in Burnt Oak	Support	N/A
Responsible Authority - Licensing	Support	N/A
Responsible Authority – Public Health	Support	See below. This has been incorporated into the assessment document that will be published as part of the licensing Policy

Consultation response from Public Health to the proposed Cumulative Impact Zone in Burnt Oak by Linda Somerville

October 2019

The Public Health team welcome the proposed Cumulative Impact Zone in Burnt Oak. Any intervention to reduce anti-social behaviour and improve the area for local residents should be supported. Although the Cumulative Impact Zone (CIZ) may not initially impact on the number of licensed premises in the area (due to the CIZ only applying to new licensing applications), Public Health feel that in the medium to longer term the CIZ will be beneficial to the Burnt Oak area.

Public Health have reviewed the evidence supplied as part of the consultation and the map of the proposed CIZ. Public Health would like to suggest that in addition to the introduction of a CIZ, consideration is given to other interventions, such as a forum for Responsible Authorities to meet and discuss licensing issues, increased provision of outreach work from substance misuse services across Barnet and work with retailers within the proposed CIZ area. This should assist in ensuring that residents in Barnet see a reduction in alcohol related issues.

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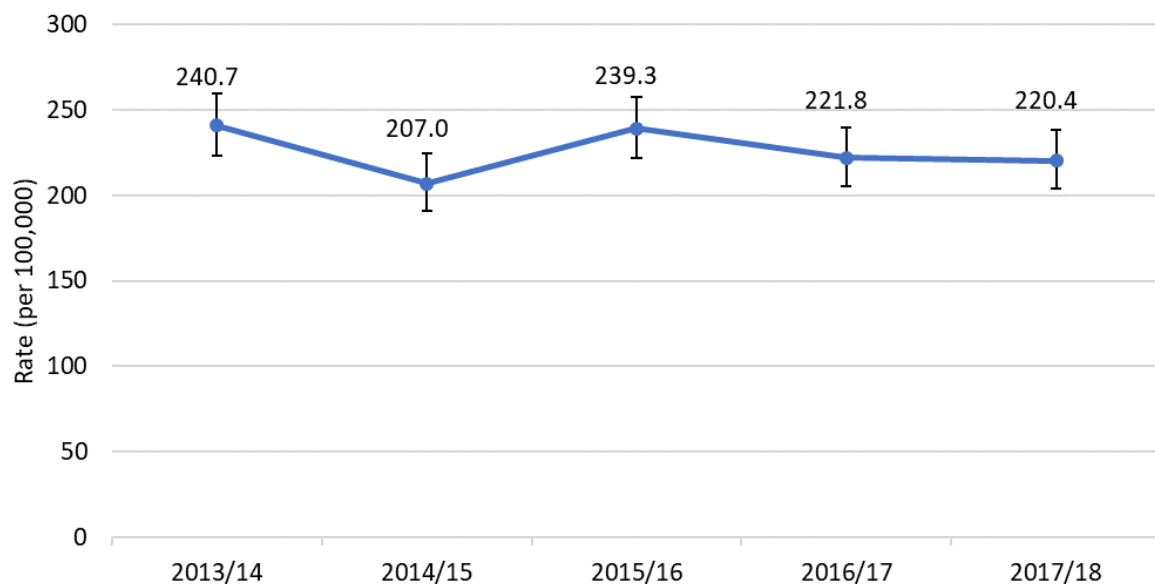
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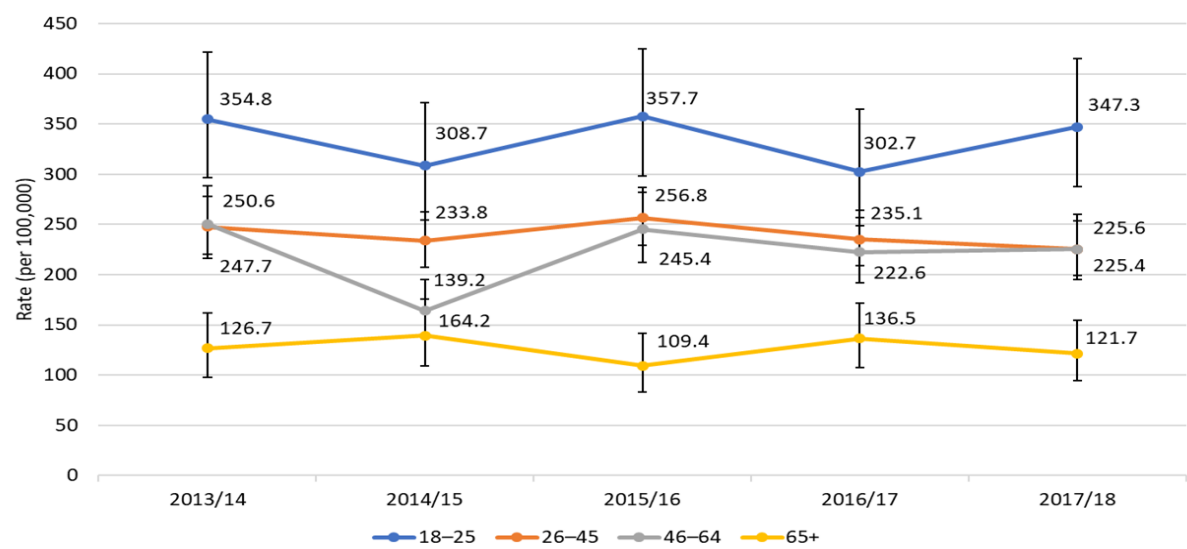


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