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Report to the Health Scrutiny Overview and Scrutiny Committee

20th November 2013

Feedback from the Staffordshire and Stoke on Trent Responsible Bodies Group



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Introduction

The Health Scrutiny Committee have requested that an update be provided regarding the group set up by the Alcohol and Drug Executive Board which is known as the Staffordshire and Stoke on Trent Responsible Bodies Group. The Democratic Services Manager and Head of Environmental Health attended the last meeting of the Board which was held on 8th November 2013. A summary of the discussions which took place are included in this report.

Appendix A to the report provides a brief overview of the Licensing Act 2003 and the powers that this Act gives to the Local Authority regarding the control and sale of alcohol.

Background

Meeting of the Staffordshire and Stoke on Trent Responsible Bodies Group on Friday 8th November 2013.

Feedback was provided from the Chief Constable's Industry Conference and it was confirmed that an action plan would be circulated to all parties in due course. The following areas were discussed:

Training

Members discussed the need to ensure that all staff selling alcohol had been properly trained. It was thought that should training be provided the number of underage sales would be significantly reduced. The group discussed the best way of providing such training and it was agreed that Brandon Cook from Trading Standards bring a training package that had been rolled out previously to the next meeting of

the Group. Investigations would also be carried out as to whether there was any funding available for this training from public health or the parent board.

Remit of the Group

It was agreed that members from the trade should be invited to join the group. Approaches to potential board members would be made through local pub watch meetings and it was agreed that there should be one member from the north of the County, one from the south and one representing off licences.

Pre loading and off licence sales of high strength alcohol.

There had been an initiative in Ipswich in which off licences had been approached and asked if they would voluntarily stop selling beers and ciders over a certain percentage (6.5%). Approximately 70% of off licences had joined in with the project and had submitted minor variations (free of charge) to add the condition to their licence that they would not sell the alcohol. Attached to this report at **Appendix B** is the 'Reducing the Strength' document that has been issued by Ipswich.

A scheme similar to that piloted by Ipswich is now due to be considered in Newcastle under Lyme. An initial meeting is due to be held on Tuesday 19th November. The scheme will be led by Staffordshire Police.

Questions to be Addressed.

What steps can be taken by the Local Authority to promote public health through licensing.

Outcomes

Decrease in alcohol harm

Less crime and disorder

Increased public safety

Protection of children from harm

Supporting Information

Brief Overview of the Licensing Act 2003

Reducing the Strength – Ipswich example

Potential Invited Partners/Stakeholders/Residents

Staffordshire Police

Newcastle under Lyme Alcohol harm Reduction Officer

Constraints

Licensing Objectives – limited scope to object to premise licence applications and premise licence variations

Licensing Act 2003

Relevant Portfolio Holder(s)

Cllr John Williams - Stronger and Healthier Neighbourhoods

Local Ward Member (if applicable)

All Wards

Background Materials

Licensing Policy 2011

Licensing Act 2003

Section 182 Guidance

Appendices

Licensing Act 2003

Reducing the Strength

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An Overview of the Licensing Act 2003

Licensable Activities:

For the purposes of the 2003 Act the following are licensable activities:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of regulated entertainment; and
- The provision of late night refreshment.

Licensing Objectives and Aims:

The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

The licensing objectives are:

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

THERE IS NO LICENSING OBJECTIVE RELATING TO PUBLIC HEALTH

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times. However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Responsible Authorities

- Staffordshire Police, Northern Licensing Unit;
- Staffordshire Fire & Rescue Service;
- Staffordshire County Council Trading Standards;
- Environmental Health Services;
- Regeneration and Development;
- District Public Health Lead (Newcastle)
Community Safety.

Authorisations or Permissions

The 2003 Act provides for four different types of authorisation or permission:

- Premise Licence – to use premises for licensable activities;
- Club Premise Certificate – to allow a qualifying club to engage in qualifying club activities;
- Temporary Event Notice – to carry out licensable activities at a temporary event;
- Personal Licence – to sell or authorise the sale of alcohol from premises in respect of which there is a premise licence.

If an application for a premises licence or club premises certificate has been made lawfully and there have been **no representations** from responsible authorities or other persons, the licensing authority **must** grant the application, subject only to conditions that are consistent with the operating schedule and relevant mandatory conditions. It is recommended that licence applicants contact responsible authorities when preparing their operating schedules.

Licence conditions – general principles

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged.

Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities
- placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;

- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

Each Application on its Own Merits

Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

Sale of alcohol to a person who is drunk – Section 141 of the Licensing Act 2003

(1) A person to whom subsection (2) applies commits an offence if, on relevant premises, he knowingly—

- (a) sells or attempts to sell alcohol to a person who is drunk, or
- (b) allows alcohol to be sold to such a person.

(2) This subsection applies—

- (a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to sell the alcohol concerned,
- (b) in the case of licensed premises, to—
 - (i) the holder of a premises licence in respect of the premises, and
 - (ii) the designated premises supervisor (if any) under such a licence,

(c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who at the time the sale (or attempted sale) takes place is present on the premises in a capacity which enables him to prevent it, and

(d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(3) This section applies in relation to the supply of alcohol by or on behalf of a club to or to the order of a member of the club as it applies in relation to the sale of alcohol.

(4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.



Reducing the Strength





Reducing the Strength

In September 2012, Suffolk Police, Ipswich Borough Council, Suffolk County Council and NHS Suffolk launched the 'Reducing the Strength' Campaign - aimed at stopping the sale of super strength alcohol from off-licensed premises in Ipswich.

Since the launch of the campaign, we have been contacted by public sector agencies across the UK, asking us for information on how the campaign started, how we put it into place and what the results have been.

This document is designed to answer some of those questions and to tell you how we got to where we are today.

To date (January 2013), over half of all licensed premises in Ipswich are 'super strength free'. We are still in the very early stages of the campaign, so we are unable to say that it has been a complete success. We can however, say that we have received fantastic support so far and we are seeing significant results in relation to reported crime and incidents of anti-social street drinking in the area.

Our work on the campaign is far from complete, however, and we are continuing our efforts to achieve even greater sign up across the town.

I hope that the information here may give you a starting point for thinking about similar campaigns in your area. Although the specifics of our communities are different, the problems associated with this type of alcohol and the lifestyles of those who consume it are the same nationwide. Super strength alcohol causes problems for individuals, communities and organisations in every county, and initiatives such as this provide pro-active ways of us tackling the problem and improving the lives of those affected by this kind of substance misuse.



Tim Newcomb, Assistant Chief Constable, Suffolk Constabulary

Why was this initiative necessary?

In 2009, dedicated work to tackle problems surrounding street drinking in Ipswich began between police and partner agencies. In April 2009 a Street Drinking Liaison Officer was appointed in the town to work solely on issues connected to this area, working directly with affected individuals and licensed premises on a day-to-day basis.

In February 2011, Suffolk Constabulary identified a

critical issue for the force in relation to street drinking in Ipswich.

In the previous 18 months, four individuals linked to the street drinking community were murdered, and other issues affecting the local community were identified.

In June 2011 a working group was created, and 'Start Afresh' was launched. The operation was multi-agency, consisting of Suffolk Police, Ipswich Borough Council, Suffolk County Council and Suffolk

Drug and Alcohol Action Team. Other statutory partners involved in the operation included a Residents Representative Group, Community Resource Centre and members of the public affected by the problem.

It was identified that a long-term operational strategy was necessary, with the primary aim of significantly reducing the negative impact on communities of anti-social street drinking and rough sleeping in Ipswich.

An analysis of the street drinking community at the time revealed the following:

- 25 Core + 45 Peripheral = 70 individuals
- 80% male
- Predominant age range 31 – 44, average age 40
- 90% consider super strength (over 6.5% volume) beer and cider consumption their primary issue
- Daily consumption exceeds recommended weekly level
- This is not a lifestyle choice for the majority

As part of the overall operational strategy, an action was created to tackle the specific issue of super strength alcohol, which had been identified as a key damaging factor in the lifestyles of the street drinking community. The 'Reducing the Strength' Campaign was therefore created.



Key parts of the strategy were:

- Identifying the issues and objectives.
- Developing routes out.
- Improving community intelligence.
- The prevention of crime, anti-social behaviour and community issues.
- Community education.
- Maintaining a reduction in anti-social drinking, rough sleeping and community issues.



Reducing the
Strength





Ipswich is the county town of Suffolk, located on the River Orwell. It has a busy town centre with a vibrant shopping area and popular nightlife. The town is policed by the county's response officers and five Safer Neighbourhood Teams, which cover separate districts.

The main commercial and shopping area is covered by Ipswich Central Safer Neighbourhood Team.

The town has seen a decrease in crime over the past year, which is in line with the trend for the whole county. Immediately prior to the launch of the campaign, to the end of August 2012, overall crime and anti-social behaviour in Ipswich was down compared to the previous year, but alcohol-related crimes and public disorder offences were up by 5.1%

Incidents specifically relating to street drinking had seen a slight monthly increase, with an average of 12 incidents recorded per month, compared with 7 per month in the previous year.

The Reducing the Strength Campaign was multi-agency from the outset, with representatives from Suffolk Police, Ipswich Borough Council, Suffolk County Council, NHS Suffolk, Suffolk Drug and Alcohol Action Team and the East of England Co-operative Society involved.

The East of England Co-Operative Society came on board as corporate partners, having agreed to remove super strength items from their Ipswich stores, and later from their stores across Suffolk.

The aims of the campaign were:

“The campaign was multi-agency from the start, which was crucial for us in achieving long-lasting results that would be positive for both agencies and communities”

Mike Grimwood - Ipswich Borough Council

1. To encourage licensees of premises with an off-licence to voluntarily remove all super strength lager, beer and cider from their premises on a borough wide basis. Following this, to persuade licensees to voluntarily change the terms of their licence to include a licensing condition not to sell such items.

2. To use the campaign to highlight the dangers of alcohol in general and in particular super strength alcohol, to the communities of Ipswich, and the wider Suffolk community.

The definition of super strength alcohol was agreed as any beer, lager or cider with an alcohol volume of 6.5% or more that is sold very cheaply.

Representatives from the working group met on regular occasions to formulate a strategy for implementing the campaign. Actions were as follows:

- Create a comprehensive media strategy, containing agreed messages.
- Create branding and a campaign logo.
- Write to every off-licensed premises in the town to introduce the campaign and invite them to a launch event.

- Plan and facilitate a launch of the campaign, at a town centre location.
- Encourage licensees to sign up on the day.
- Visit premises that have signed up to discuss the removal of products from their store and explain the process of applying for a permanent minor variation.
- Carry out further communications with licensed premises to encourage sign up.
- Present premises that have signed up with a campaign plaque, advertising the fact that they are 'super strength free'.



The campaign would be measured via the following methods:

- The number of premises that sell super strength alcohol (both before and after the campaign).
- The number of incidents of anti-social behaviour at or near off-licensed premises (both before and after campaign.)
- The amount of recorded crime at or near off-licensed premises, with particular reference to alcohol related crime/disorder and thefts from shop.
- The amount of media coverage achieved, thereby the level of public awareness raised.

Communications Strategy

Communications representatives from Suffolk Constabulary, NHS Suffolk, Ipswich Borough Council and Suffolk County Council created a comprehensive communications strategy for the campaign.

Media partners were secured at the outset, with the 'Ipswich Star' newspaper and BBC Radio Suffolk pledging their support. It was agreed that the campaign would tie in with the Ipswich Star's 'I Love Ipswich' initiative.

A 'superhero' angle was created, encouraging licensees to become 'superheroes' of Ipswich by signing up, and creating a unique angle to interest the public.

Key messages:

GENERAL:

- Super strength alcohol is all lagers, beers and ciders with an alcohol volume of 6.5% or over, that is sold very cheaply. This does not include premium products.
- The negative impacts associated with super strength alcohol are significant for the consumer and the wider community, but also for the public services who deal with the consequences. This campaign aims to take the problem away at the source.
- Super strength alcohol is often favoured by those most vulnerable in our community. Providing these people with these products increases their vulnerability to becoming victims of crime, increases the likelihood of them becoming involved in criminal activity and the potential for them to suffer significant health problems.

Agency-specific messages were also created, such as:

POLICE:

- 14.4% of crimes and 60% of violent crimes reported in Ipswich in 2011 were alcohol-related
- Alcohol-related crime and disorder has a major impact on the quality of life of many people.
- Drinking excessive amounts of alcohol, and particularly drinks with a high alcohol volume can make individuals more vulnerable to becoming victims of crime.
- In one area of Ipswich anti-social behaviour fell by 64% after super-strength alcohol was removed from the local off-licence.

HEALTH:

- A single 500ml can of 9% super strength lager contains four and a half units of alcohol, which exceeds the Government's daily recommended safe alcohol limit of between two to three units for women and three to four units for men.
- In Suffolk in 2011, there were more than 13,000 admissions to hospital with an alcohol-related condition, and every other day, one person in Suffolk will die from an alcohol-related condition.
- Excessive consumption of alcohol, particularly super strength, can lead to health problems such as liver disease, cancer and strokes. Other consequences include depression, impotence and excessive weight gain.

Key audiences:

- Licensees
- Street drinking community
- General public and wider community
- The licensed trade and drinks industry
- Partner agencies

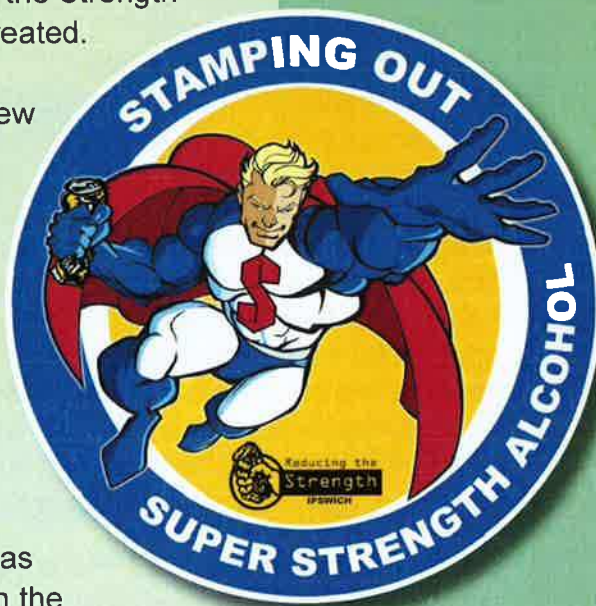
Strategy:

- Create campaign title / logo and branding, including superhero branding
- Arrange opportunities for interviews with key individuals for media partners.
- Issue press release to local and national media, inviting them to launch event
- Facilitate media at launch event
- Launch web pages dedicated to campaign on partner websites
- Utilise social media to publicise launch
- Continue to release timely updates on the campaign as it progresses

The campaign title 'Reducing the Strength' was agreed and a logo was created.

Reporters were able to interview a recovering alcoholic who used to drink super strength alcohol and who now supports the campaign.

They also interviewed the owners of a business in Ipswich who saw a huge reduction in anti-social behaviour around their store after super strength alcohol was removed from an off-licence in the same street.



Prior to the launch, interviews were set up for media partners, to allow them enhanced access to features and stories. This enabled them to increase their coverage of the campaign on the day of the launch.

Superhero branding and logo were created. Image of a window sticker above.



Representatives from partner agencies

The Launch

The manager of every off-licensed premises in Ipswich was invited to the launch event, which was held in a function room of Ipswich Town Football Club.

Health, NHS Suffolk, Mike Grimwood, Operations Manager, Ipswich Borough Council Licensing Team and Roger Grosvernor, Retail Executive, East of England Co-operative Society.

The event was opened by ACC Tim Newcomb, who highlighted the issues surrounding super strength alcohol and the aims of the campaign.

Two short sketches were performed by a professional theatre company, Menagerie, and licensees were invited to speak with campaign representatives at the end of the event.

A short film was shown, containing images of the effects of street drinking in Ipswich and various interviews. These were with a recovering alcoholic who had been a user of super strength, the manager of a local off-licence that is super strength free, a local business owner affected by the sale of super strength in their area, a local MP and representatives from the town and county councils.

Leaflets were produced for attendees, (copies are included), giving an overview of the campaign and what the benefits are for those who sign up. Window stickers, stating 'We are super strength free', and including the superhero image, were produced to give to those licensees who signed up on the day.

Short inputs were given by: Pc John Alcock, Street Drinking Liaison Officer, Suffolk Constabulary, Sally Hogg, Assistant Director of Public

Journalists were invited to film during the event and to listen in. Interviews were facilitated with key representatives.



Granite plaques were made to be displayed outside those premises that had signed up to the campaign. The plaques were engraved with the campaign logo and stated that the premises do not sell super strength alcohol.



Media coverage

Extensive local and national media coverage was achieved.

On the day, representatives from the East Anglian Daily Times / Ipswich Star, BBC Look East, ITV Anglia and Radio Suffolk were in attendance.

Chief Inspector Andrew Mason was interviewed on Radio 5 live, Radio 2 covered the item and enquiries were received from the Daily Telegraph and Financial Times.

Following the launch, the campaign received coverage in the majority of national newspapers, either online or in print. Interviews were carried out with Sky News, various BBC radio stations, national and regional newspapers and industry publications such as 'Retail Express'.

Following the launch

The launch event was the public start of the campaign, but work had already been underway with licensing teams from the council and from police, by engaging with licensed premises over the issue of super strength, and in some cases, enforcing licence amendments where the sale of super strength alcohol was already an issue of concern.

Anyone who expressed an interest in the campaign at the launch was visited by a member of the Constabulary licensing team, to discuss the removal of super strength products and to explain the process of applying for a minor variation to their premises licence.

To encourage further sign up, Ipswich Borough Council agreed to cover the fee, on behalf of the applicant, involved in a minor licence variation for any businesses that signed up before April 2013. This charge is usually £89.

Further premises were visited to discuss the initiative and support was gained from national stores in the town who agreed to sign up, with some also agreeing to a minor licence variation.

Any business that has signed up has been presented with a plaque to be displayed outside the premises.

Following the campaign, media interest has been maintained through the publication of further media updates in November and December, highlighting the number of stores 'super strength free' and announcing further significant national support.

Crime and anti-social behaviour statistics for the town will be analysed 6 months on from the launch date, with further media updates released.



Pc John Alcock, Mrs Patel of Ulster News and C/Insp Andrew Mason



Reducing the Strength

The results

It is not yet possible to gauge the success of the campaign, but it is clear that support is growing.

Immediately following the launch event, 53 of the town's 122 off-licensed stores were super strength free. As of Jan 2013, 70 are signed up, meaning over half of Ipswich's off-licensed premises do not sell super strength alcohol.

National support has been pledged by the East of England Co-operative Society, Tesco, Martin McColl, Debenhams, Waitrose, BHS and Marks and Spencer.

The campaign is just a small part of the raft of measures being undertaken by partner agencies under Start Afresh to reduce the issues surrounding street drinking, crime and anti-social behaviour in Ipswich. Analysis so far reveals that efforts are succeeding, with evidence to suggest a reduction in street drinkers

meeting the agreed definition at the start of the operation and a reduction in reported street drinker-related events to police.

Reports of anti social street drinking are down, whilst the number of 'Section 27' notices issued to known street drinkers has increased. These direct an individual to leave an area if they present a risk of crime and disorder. The number of seizures of alcohol from known street drinkers has also increased, reflecting the increase in pro-activity surrounding this area and the positive effect it is having on local communities.

Formal statistical analysis will be commissioned to help determine the effectiveness of the campaign. These results will be publicised, along with feedback from local communities when the campaign has reached the 6-month point in March 2013.

For further information in relation to the Reducing the Strength Campaign, contact Chief Inspector Andrew Mason: Andrew.mason@suffolk.pnn.police.uk or The Licensing Team: PoliceAlcoholLicensing@suffolk.pnn.police.uk Alternatively, call Suffolk Police on 101.

"We are extremely pleased that we are continuing to gain support for the Reducing the Strength Campaign, which will have such a positive effect on community life in Ipswich."

"This is just one of the initiatives we are undertaking in Ipswich and we are seeing some fantastic results for the town."

David Ellesmere - Leader,
Ipswich Borough Council