

REPORT TITLE

Licensing Responsible Bodies Group & Alcohol Licensing and Enforcement Framework Agreement.

Submitted by:

Head of Environmental Health

Portfolio:

Safer and Stronger Communities

Ward(s) affected:

ALL

Purpose of the Report

To advise Committee of the establishment of a County based Responsible Bodies Group in respect of licensing and seek members opinion on the adoption of the Alcohol licensing and Enforcement Framework Agreement.

Recommendations

1. That the report be received.
2. That members decide whether to adopt the Alcohol Licensing and Enforcement Framework Agreement and if so, request authority for the Chair of Licensing to sign.

1. Background

A County wide Officer Licensing Enforcement Group has been set up, comprising of all the statutory bodies plus other relevant agencies, to share intelligence and co-ordinate action against non-compliant licensed premises.

A conference was organised on the 8th October 2012 by the Licensing Officer at Stafford BC which brought together all Staffordshire District and City Council Licensing Authorities together with Staffordshire Police, Staffordshire County Council and Staffordshire Fire and Rescue Service with the aim to develop a quality, consistent and robust approach to enforcement of the Licensing Act 2003.

Following this Conference a Staffordshire and Stoke-on-Trent Responsible Bodies Group (SSRBG) has been set up to ensure an ongoing programme of work around licensing administration and enforcement. A number of Task and Finish Groups have been formed in order to develop a Countywide Alcohol Licensing and Enforcement Framework Agreement and administrative procedures.

2. Issues

The SSRBG group has developed a 'Statement of Intent' for the group, this document is attached at appendix A.

Alcohol licensing is considered to be a focus area across the County for many regulatory services taking into account the four licensing objectives. The SSRBG proposes to consider matters of licensing administration and enforcement in order to achieve a consistent approach and process to the Licensing Act 2003 regime. This is aimed at creating a best practice and a consistent approach across Staffordshire for businesses.

Members are requested to review the Alcohol Licensing and Enforcement Framework Agreement, attached at appendix B and decide whether Newcastle-under-Lyme wishes to endorse this document.

3. **Options Considered**

Members can decide whether Officers should participate and implement the work of the SSRBG and whether they wish to sign up to the Alcohol Licensing and Enforcement Framework Agreement.

4. **Proposal**

That the report be received.

That members decide whether to participate and endorse the work of the group and adopt the work programme and procedures created by the group.

That members decide whether to adopt the Alcohol Licensing and Enforcement Framework Agreement and if so, request authority for the Chair of Licensing to sign.

5. **Reasons for Preferred Solution**

Through supporting the SSRBG there will be benefits through consistency of approach and best practice, this will therefore strengthen the policies and procedures and in turn will enable customers/business to have a consistent approach wherever in the County that they are undertaking licensing act business.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- Creating a cleaner, safer and sustainable Borough.
- Creating a borough of opportunity.
- Creating a healthy and active community.
- Being a co-operative Council, delivering high-value, community-driven services

7. **Legal and Statutory Implications**

This proposal will not alter the Councils responsibility to implement the requirements of the Licensing Act 2003.

8. **Equality Impact Assessment**

There will be no impacts.

9. **Financial and Resource Implications**

There will be no alterations to income relating to this report, however there will be Officer resource incurred in both the Licensing Administration and Enforcement team in participating and implementing the work of the SSRBG.

10. **Key Decision Information**

This is not a Key Decision.

11. **Earlier Committee Resolutions**

None

12. **Background Papers**

None.

DRAFT LICENSING STATEMENT OF INTENT

STAFFORDSHIRE AND STOKE-ON-TRENT RESPONSIBLE BODIES GROUP

This statement of intent signals a radical change in the approach and actions by partners and seeks to turn the tide against irresponsible drinking, and behaviour.

Our ambition is clear – we want to change the approach towards alcohol related violent crime, challenge unacceptable behaviour, and reduce the numbers of people who drink to excess.

The Four licensing Objectives are focused on achieving the following key objectives:

- Prevention of crime and disorder
- Protection of children from harm
- Public safety
- Prevention of public nuisance

In addition to the legislative objectives, the partnership intends to support the achievement of measureable outcomes which recognise the over-arching priorities of the Staffordshire and Stoke-on-Trent Strategic Partnerships in that:-

‘Staffordshire will be a safe, healthy and aspirational place to live, work, visit and to do business’.

People of all generations within Staffordshire are drinking alcohol too heavily and too frequently in risky or harmful ways, affecting their own, their families and their communities’ well-being. Current estimates show that within the adult population in Staffordshire:-

- 18.4% are believed to be at increasing risk due to drinking alcohol;
- 5.8% at higher risk;
- 4.1% are assessed as dependent drinkers
- 30.9% engage in chronic binge drinking

Tackling alcohol misuse has been an identified priority for strategic partners for some time. This is not only because its effects are so damaging and far reaching, it is also because treating and reacting to them is hugely costly to the public purse.

The factors supporting the continued growth of this problem are multi-faceted and complex in nature and partners have recognised that to reverse this situation, their response must be equally comprehensive. The enforcement of licensing legislation has been identified as an area of significant importance within this broader partnership approach.

There is a lot of discussion at a national level as to how the law can be changed to tackle some of these problems. However changes to the law will take time, there is a lot we can do now.

The public bodies with responsibility for licensing and dealing with alcohol related issues have come together and formed a licensing partnership to take immediate steps to tackle the issues relating to misuse of alcohol across Staffordshire and Stoke on Trent.

The following authorities have formed a licensing partnership.

Newcastle Under Lyme Borough Council
Stafford Borough Council
South Staffordshire District Council
Lichfield District Council,
East Staffordshire Borough Council,
Tamworth Borough Council,
Cannock Chase District Council,
Staffordshire Moorlands District Council
Stoke-on-Trent City Council;
The Trading Standards Authority and Child Protection Authority Staffordshire County Council and Stoke-on-Trent City Council;
The Fire Authority (Staffordshire Fire and Rescue Service)
Staffordshire Police
Public Health teams at Staffordshire County Council and Stoke-on-Trent City Council.

The licensing partnership is committed to using its powers in the most appropriate way to tackle the problems caused by irresponsible use of alcohol.

The partnership recognizes that most businesses want to comply with the law and are committed to acting responsibly, however there are a small minority who do not. The partnership is clear that each of the authorities will use their powers to tackle these minority businesses as a priority.

Partnership Principles and Practice

- To encourage individual and collective responsibility amongst licensees, partners, and the public – recognise, support and actively promote the behaviour of compliant licence holders and responsible drinkers, while focusing enforcement to bring to account those who cause harm.
- To be focused on measurable outcomes – clear in what is to be achieved, targeted to specific individuals or businesses
- To be purposeful and action oriented – swift to identify emerging problems and quick to seek improvement, busy, watchful, engaged, clear about consequences and robust in the enforcement of law where improvement does not result;
- To apply fairness and proportionality – focus on tackling harm, evidence base, reasonable, working within the boundaries of the law at all times
- To be open and transparent – tell licensees, businesses, the public and each other what we are doing, seek cooperation, and publicise impact as a means to inform, educate and deter

In order to address these issues the partnership will focus its efforts on:

Co-operation within the partnership to share information, ways of working and to tackle issues at an early stage

Engaging with and educating businesses and the public
Enforcement

These will be developed as part of guidance which is being produced to support and inform the Local Responsible Bodies Groups, and by Task and Finish Groups.

The clear message the partnership wants to give is that the authorities will use their individual powers, cooperate and coordinate activities with each other in order to tackle breaches of licensing law.

Priorities for 2013

During the next 12 months the priorities for the partnership will be to focus on breaches of licensing legislation that result in alcohol related violence and the underage sale and consumption of alcohol.

In tackling such breaches partners will apply the full range of powers available to them dependent upon the circumstances of each case ensuring that irresponsible traders who do not comply with the law are called to account.

The partnership will also seek to work with the licensed trade to tackle the misuse of alcohol, and develop stronger relationships, to provide sustainable outcomes.