

Public Document Pack

Date of meeting Wednesday, 16th December, 2015
Time 10.00 am
Venue Council Chamber, Civic Offices, Merrial Street,
Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact Julia Cleary

Licensing Sub-Committee

Second Supplementary Agenda

PART 1 – OPEN AGENDA

6 Supplementary Information

(Pages 3 - 68)

Members: Councillors Eastwood, Hambleton and Welsh

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

FIELD_TITLE

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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Supplementary to representation on Pg 227
and Petition on Pg 319.

List of Documents Sent To Licensing Committee

- (1) Four Photographs showing Railway Line from proposed Festival Field.
- (2) Three Photographs of a tragic case shown on page 2 of railway incidents.
- (3) Teenagers dicing with death on railway lines.
- (4) Eccleshall Music Festival . Revoked by Stafford Borough Licensing Committee.
- (5) Barlaston Music Festival. Revoked by Stafford Borough Council Licensing Committee.
- (6) The Licensing Act 2003 Evidence & Inference.
- (7) Institute of Alcohol Studies (children & adolescents) ^{Howe} _{made ref} to
- (8) Cherwell District Council Yarnton Manor Decision
- (9) Settle Festival Decision
- (10) Fontwell Festival
- (11) The Guardian Article Rapes, Sexual Assaults, Murder, Attempted Murder, Vandalism & Assault all at Music Festivals.
- (12) Same Event Manager who was in charge of the first catastrophic year at Betley.
- (13) LICENSE REFLECTO GAZETTE
(These are backing up what our
Letters etc say.)
- (14) Letter from Environmental Health

PHOTOGRAPHS SHOWING
CLOSENESS OF RAILWAY LINES.

①

THESE ARE TAKEN
FROM THE FESTIVAL FIELD.



①

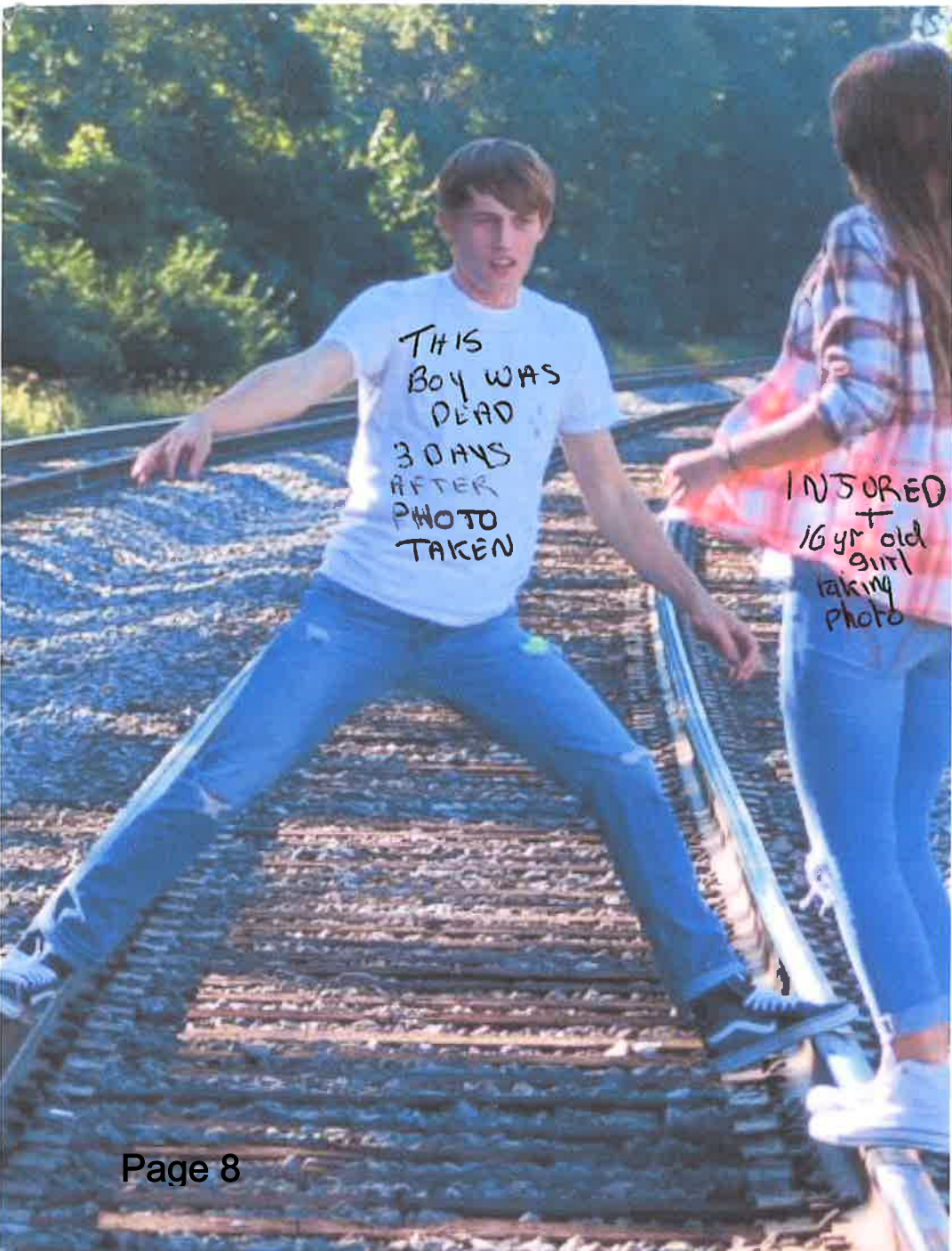


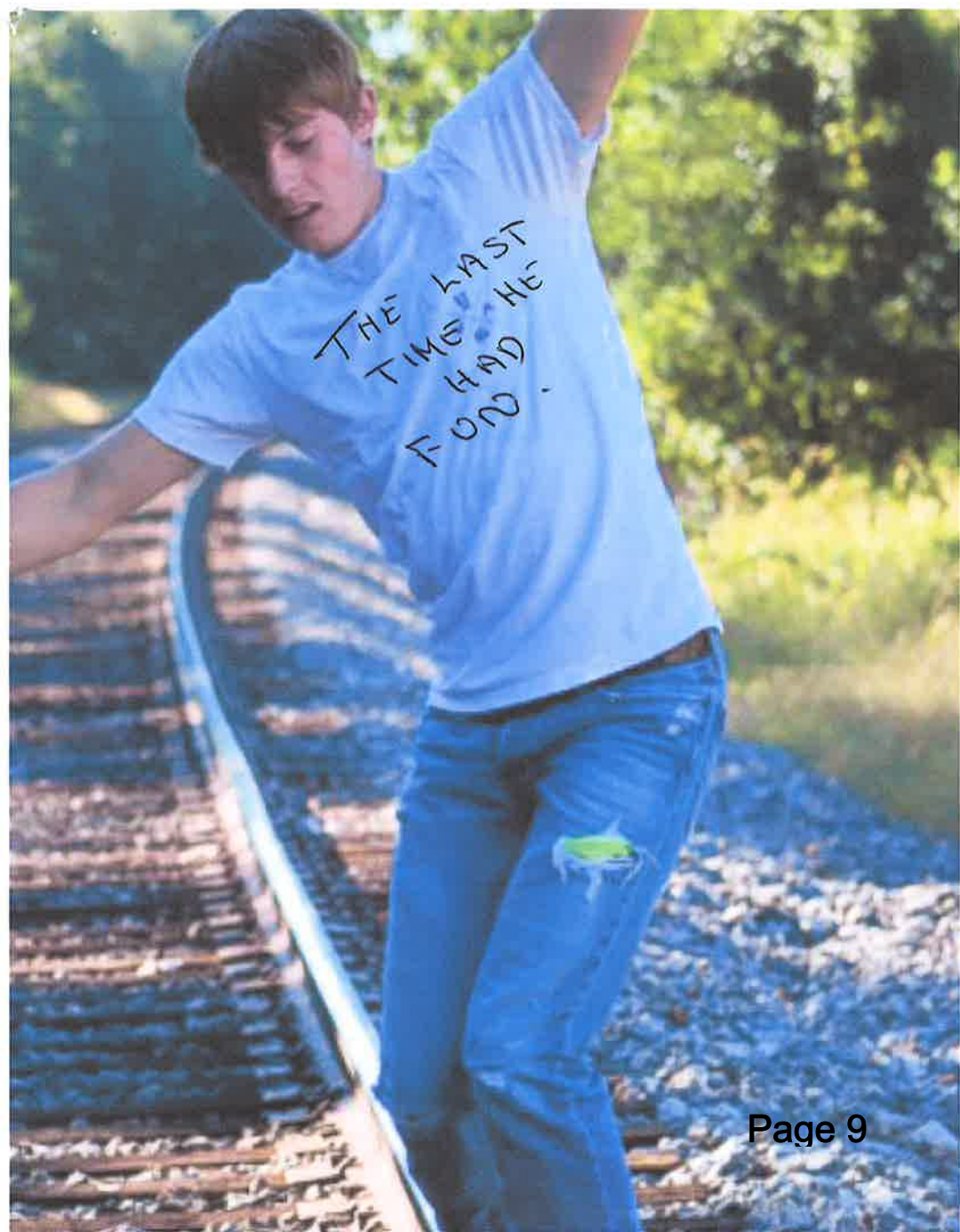


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PHOTO 1





Railway Incidents

Mail On Line Sep 13th 2015 Published by Sam Tonkin.

4 yr old boy escaped from after school club scaled a 5ft fence onto a railway line. Walked along onto a canal path and then a main road. Luckily he was found unharmed. Unfortunately this cannot be said for the following.

Mail On Line Feb 15 Published by Gemma Mullen

Two 16yr olds girls late at night sitting on railway track talking and laughing. They thought the last train had already gone except it hadn't. One girl managed to get out of the way the other girl did not. She was killed instantly. She was supposedly a bright girl tipped for Oxbridge. Accident happened in Halifax.

Mail On Line Published July 29th 2014.

Two girls 7&8yrs lying on a track in South Wales. They were on a picnic with some adults. They were killed when a train came along. The other 2 children who were with them playing on the track suffered severe shock so did the adults.

Halifax Courier 15th December 2014

16 yr old girl hit by train in Hipperholme.

Metro News July 11th Published by Art Nicole Morley

A 16 yr old boy died and two others were injured on a railway line when a high speed train came along.

ITV News 22nd Sept 2015 Gateshead

14 yr old killed by train. Playing on track.

Sky News 12th Sept 2015

In West Yorkshire 16yr old boy electrocuted after fooling about on the railway line with 2 others. The other 2 were injured but he died after trying to climb onto train going at 75mph.

ABC News October 17th 2015 Published by Jim Aula, Gitika Kaul & Serena Marshall

This was all part of a photograph class project. They decided to take there pictures on the railway line.

Three 16yr olds on a railway track. One boy and his girlfriend were walking and posing fo photographs whilst the other 16yr old and Twin sister to the girl took the shots. An Amtrak train travelling at 70MPH blew the 2 girls out of the way. They were badly injure but the boy John was not so lucky and was killed outright by the 200 ton train. (Photos taken showing these youngsters just 3 days before the tragedy happened).

PHOTO ① ② ③ .

483 deaths last year from walking on railway lines according to Federal Railroad Administration with many taking Selfies on railway tracks or posing for traditional camera shots.

This is the latest fad for teenagers.

PHOTOS INCLUDED TAKEN FROM FIELD WHERE FESTIVAL IS PROPOSED. SEE HOW CLOSE TO RAILWAY IT IS.
ONLY CHICKEN WIRE BETWEEN.

3

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Shocking moment teenagers dice with death as they play on a train line with one even lying down to place his HEAD on a rail

- The teenagers were caught on CCTV playing on a railway in Southampton
- One was even captured placing his head on the tracks in the station
- Luckily as it was early morning, the tracks weren't active and not electrified
- British Transport Police are now trying to track down the group of youths

By JENNIFER NEWTON FOR MAILONLINE

PUBLISHED: 00:17, 27 August 2015 | UPDATED: 07:40, 27 August 2015

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This is the moment a group of teenagers dice with death by playing on a railway line as one even places his head on the train tracks.

The youths were caught on CCTV cavorting on the electrical rail shortly after a train passed through Woolston station near Southampton.

Today, British Transport Police released the alarming footage in a bid to track down the group and to remind the public of the dangers of trespassing on the railway.



P-T-O

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DON'T MISS

- ▶ Kate hits the High Street for some last minute Christmas shopping: Duchess of Cambridge is seen at favourite department store Peter Jones
- ▶ Cheryl Fernandez-Versini makes a very grand entrance as she struts onto the X Factor stage in glittering red gown... amid mounting speculation over her marriage
- ▶ Strictly Come Dancing's Jay McGuinness wows the judges with energetic Charleston dressed as Doctor Who... but did he mean to DROP Aliona during the dance?
- ▶ Earth Angel! Candice Swanepoel dons cheeky off-the-shoulder pink bikini for St. Barts photo shoot Also showed off her hula-hooping skills
- ▶ 'That was heaven': Strictly Come Dancing's Kellie Bright tops the semi-final leaderboard with a classic American Smooth... as Katie Derham looks at risk of being sent home
- ▶ Sprouts shredded with Stilton, premixed cocktails, and ENORMOUS bottles of Prosecco: Christmas dinner with a twist
- ▶ 'It was exquisite': Emotional Georgia May Foote has judges gushing following her beautiful Viennese Waltz... after breaking down in rehearsals due to throat infection
- ▶ 'It has been an amazing journey': Che



THESE 2 were just lucky it was early morning, the tracks weren't active & not yet electrified.

2 Teenagers can be seen risking their lives on the railway tracks at Woolston station near Southampton. One youngster can be seen lying down on the train track with his head resting on the third rail.



**Minutes of the Licensing Sub Committee
held at the Civic Centre, Riverside, Stafford
on Monday 17 March 2014**

Chairman - Councillor A J Perkins

Present (for all or part of the meeting):-

Councillors:

A H Stafford Northcote M P Winkle

Officers in attendance:-

Mr S Turner - Solicitor
Mr A Potts - Licensing Officer
Mr A Bailey - Scrutiny Officer

Also present:-

Sergeant T Carsley - Staffordshire Police
Mr G Lote - Staffordshire Police

**LSC16 Barlaston Music Festival, Field Opposite Barlaston Golf Course,
ST15 8UX**

Considered the report of the Licensing Officer (V2 7/3/14) regarding a Temporary Event Notice for the Barlaston Music Festival, Field Opposite Barlaston Golf Course, ST15 8UX, made under section 100 of the Licensing Act 2003 by Mr Joseph Feibel, to which Staffordshire Police had served an objection notice to both the Licensing Authority and the Applicant.

The Committee were provided with copies of the Risk Assessment and Planning Documents for the event and heard detailed evidence and submissions from Staffordshire Police.

RESOLVED:- that the Licensable Activities as set out in the Temporary Event Notice are not to be permitted.

Reasons:-

- 1 The Licensing Authority considers that the Licensing Objectives relating to the Prevention of Crime and Disorder, Public Safety and Protection of Children from Harm would be undermined if the proposed

- The applicant was unsuitable due to the repeated trend of criminal behaviour.

CHAIRMAN

4



Minutes of the Licensing Sub Committee held at the Civic Centre, Riverside, Stafford on Thursday 20 August 2015

Chairman - Councillor A M Loughran

Present (for all or part of the meeting):-

Councillors:

R J Barron

G O Rowlands

Officers in attendance:-

- Mr S Turner - Solicitor
- Mr R Simpson - Regulatory Services Group Manager
- Mr A Bailey - Scrutiny Officer
- Mr S Roberts - Administrative Assistant
- Mr V Sharma - Trainee Solicitor

Also present:-

- Ms N Bills - Staffordshire Police
- Ms L Tonge - Staffordshire Police
- Mr A Price - Environmental Enforcement Officer
- Mr J Spode - Staffordshire Fire and Rescue Service
- Mr M Watts - First Applicant
- Mr J Hardy - First Applicant's Event Manager
- Mr J Simpson - Second Applicant's Representative

LSC5 Indi Bar Unit A, Riverside Mews, Espleys Yard, Stafford

Considered the report of the Licensing Officer (V1 12/8/15) regarding a Temporary Event Notice for Indi Bar Unit A, made under Section 100 of the Licensing Act 2003 by Mr Mandeep Watts, to which both Staffordshire Police and the Council's Environment and Health Service had made formal representation on 10 August 2015.

Mr R Simpson attended the meeting on behalf of the Head of Environment and outlined the case for Members.

Mr A Price, Environmental Enforcement Officer set out his objections to the Temporary Event Notice.

All parties were given the opportunity to question Mr Price.

Ms N Bills, Staffordshire Police set out the objections to the Temporary Event Notice.

All parties were given the opportunity to question Ms Bills.

Mr M Watts presented his case for the Temporary Event Notice.

All parties were offered the opportunity to question Mr Watts.

All parties were given the opportunity to sum up their case.

The Sub Committee then considered the matter in private.

Recording of the meeting was paused and then re-started when all parties were back in the room.

Having carefully considered the presentations made by all parties the Sub Committee reached their decision.

RESOLVED:- Having heard evidence and representations made by the Applicant and by Environmental Health Services and the Police representatives, and Mr Spode, Fire Service the Licensing Authority has decided that:-

- (1) The Licensable Activities as set out in the TEN are not to be permitted.

Reasons:-

- (i) The Licensing Authority accepts the evidence from the Police representatives regarding concerns that the Licensing Objectives relating to Public Safety would be undermined if the proposed Licensable Activities were to be permitted as set out in the TEN;
- (ii) In particular the Licensing Sub Committee notes that the Fire Officer who gave evidence stated that the premises has inadequate fire exit capacity;
- (iii) The Licensing Authority considers it appropriate and proportionate to not permit the proposed Licensable Activities as per the TEN in order to promote the licensing objectives relating to the Public Safety;
- (iv) The Licensing Authority has regard to the statutory guidance and the Council's Statement of Licensing Policy.

LSC6 **Farmer's Field/Agricultural Land**

Considered the report of the Licensing Officer (V1 12/8/15) regarding a Temporary Event Notice for a farmer's field/agricultural land, made under Section 100 of the Licensing Act 2003 by Mr James Davis, to which both Staffordshire Police and the Council's Environment and Health Service had made formal representation on 6 August 2015.

Mr R Simpson attended the meeting on behalf of the Head of Environment and outlined the case for Members.

Mr A Price, Environmental Enforcement Officer set out his objections to the Temporary Event Notice.

All parties were given the opportunity to question Mr Price.

Ms N Bills, Staffordshire Police set out the objections to the Temporary Event Notice.

All parties were given the opportunity to question Ms Bills.

Mr J Simpson presented his case for the Temporary Event Notice.

All parties were offered the opportunity to question Mr Simpson.

All parties were given the opportunity to sum up their case.

The Sub Committee then considered the matter in private.

Recording of the meeting was paused and then re-started when all parties were back in the room.

Having carefully considered the evidence and representations made by all parties the Sub Committee reached their decision.

RESOLVED:- Having heard evidence and representations made by the representative for the applicant, for Staffordshire Police and for Environmental Health Services the Licensing Authority has decided that:-

- (1) The Licensable Activities as set out in the TEN are not to be permitted.

Reasons:-

- (i) The Licensing Authority accepts the evidence from the Police representatives regarding concerns that all four of the Licensing Objectives would be undermined if the proposed Licensable Activities were to be permitted as set out in the TEN;

- (ii) The Licensing Committee is not satisfied that the licensing objectives will not be undermined. There is insufficient evidence put forward by the applicant to show how the licensing objectives are to be promoted;
- (iii) In particular the Committee are concerned that:-
- the event will cause public nuisance
 - there is a risk of alcohol being sold or consumed by under 18s
 - there are insufficient measures to promote public safety
- (iv) The Licensing Authority considers it appropriate and proportionate to not permit the proposed Licensable Activities as per the TEN in order to promote the licensing objectives;
- (v) The Licensing Authority has regard to the statutory guidance and the Council's Statement of Licensing Policy.

CHAIRMAN

The Licensing Act 2003: Evidence and Inference

Philip Kolvin QC

Summary

Since the decision of the High Court in *Daniel Thwaites plc v Wirral Borough Magistrates' Court*¹ it has become fashionable to seek to dissuade Licensing Sub-Committees from imposing restraints on licence applicants under the 2003 Act on the grounds that there is no "evidence" that a particular harm will occur. The purpose of this article is to demonstrate that *Thwaites* created no rule of law that evidence of prospective harm of the type which would be admissible in a court of law is necessary before conditions or other curtailments are imposed. Further, if *Thwaites* had purported to invent such a rule of law, it would have been contrary to binding Court of Appeal authority.

I shall start by describing the general rule in licensing. I shall then consider the position under the Licensing Act 2003 and demonstrate its consistency with the general rule. I shall then show that *Thwaites* leaves the general rule neither shaken nor stirred.

The general rule

Licensing is a species of administrative decision-making. Licensing decisions are on the whole taken by administrative bodies. Such bodies have no inherent jurisdiction – their powers are derived wholly from statute. They are charged with furthering the objectives of the legislation in the decisions that they make. They are able to formulate policies to guide them in their decision-making. They are not bound by the Civil or Criminal Procedure Rules. They work by considering the material which has been placed before them and making a decision which appears to them to be sensible and apt to advance the policy of the legislation in their local area. Their decision may involve some fact finding (Did the cabbie swear at the customer? Was the CCTV working?) but usually the outcome of the case turns on a value judgment. Parliament has not appointed professional judges to make such judgments, but has been content to leave them to experienced local individuals representative of their community.

Put that way, it would be illogical to suggest that only particular sorts of material – which in a different forum entirely would satisfy rules of evidence – can be taken into account by the decision-maker. And indeed, when one looks at the judgments of the higher courts on the issue, one finds no such rule. In fact, one finds the opposite approach entirely.

I start – for reasons which will shortly become obvious - with the dictum of Diplock LJ in an old case concerning adjudication on a claim for industrial injuries benefit: *R v Deputy Industrial Injuries Commissioner, ex p Moore*.² Dealing with hearsay evidence, His Lordship stated:

'These technical rules of evidence, however, form no part of the rules of natural justice. The requirement that a person exercising quasi-judicial functions must base his decision on evidence means no more than it must be based on material which tends logically to show the existence or non-existence of facts relevant to the issue to be determined, or to show the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. It means that he must not spin a coin or consult an astrologer, but he may

¹ [2008] EWHC 838 (Admin).

² [1965] 1 QB 456, 488.

take into account any material which, as a matter of reason, has some probative value in the sense mentioned above. If it is capable of having any probative value, the weight to be attached to it is a matter for the person to whom Parliament has entrusted the responsibility of deciding the issue.'

That decision – now nearly half a century old, has repeatedly informed decisions of the higher courts in the field of licensing.

In *Kavanagh v Chief Constable of Devon and Cornwall*³ the Court of Appeal were dealing with a submission that on an appeal from a refusal of a shotgun licence, Quarter Sessions (the then equivalent of the Crown Court) should not receive hearsay evidence. They dismissed with a judicial exocet the appellant's observations that there was no authority on evidential requirements under firearms legislation by observing that no-one had been brave enough previously to advance the submissions being made before them! The Court upheld the judgment of the Divisional Court which, in applying the dictum of Diplock LJ cited above, held that hearsay evidence was indeed admissible. Lord Denning made it clear that neither the decision-maker nor the magistrates or crown court on appeal are bound by the strict rules of evidence. They were all entitled to act, he said, on any material that appears to be useful in coming to a decision, including their own knowledge. They may receive any material which is logically probative even though it is not evidence in a court of law. Agreeing with him, Lord Roskill added that the decision-maker "is entitled and indeed obliged to take into account all relevant matters, whether or not any reports and information given to him would be strictly admissible in a court of law."

Perhaps the only surprising matter is the frequency with which that clear statement of the law has had to be reiterated over the succeeding decades.

It got an outing in the 1980's, when Pill J delivered judgment in *Westminster City Council v Zestfair*⁴ which concerned night cafes, holding hearsay evidence to be admissible. It enjoyed a reprise in the 1990s when the Court of Appeal in the taxi licensing case of *McCool v Rushcliffe*⁵ in which Lord Chief Justice Bingham said:

I conclude that, in reaching their respective decisions, the Borough Council and the justices were entitled to rely on any evidential material which might reasonably and properly influence the making of a responsible judgment in good faith on the question in issue. Some evidence such as gossip, speculation and unsubstantiated innuendo would be rightly disregarded. Other evidence, even if hearsay, might by its source, nature and inherent probability carry a greater degree of credibility. All would depend on the particular facts and circumstances.

There was a repeat performance at the turn of the millennium in *R v Licensing Justices for East Gwent ex parte Chief Constable of East Gwent*⁶ in which the Justices had refused to admit evidence from local residents of rowdy behaviour in a neighbouring public house and were held to have been wrong to do so. Shortly thereafter, the rule was adduced by *Davis J in R (Brogan) v Metropolitan Police*⁷, which concerned evidence given on applications for special orders of exemption under the Licensing Act 1964.

³ [1974] QB 624.

⁴ (1989) 88 LGR 288.

⁵ [1998] 3 AER 889.

⁶ 2001 LLR 693.

⁷ [2002] EWHC 2127 (Admin).

This amounts to a simply overwhelming cadre of authority that a licensing decision-maker is entitled to act on any material which appears to him to be logically probative, including his own local knowledge. The only boundaries are rationality – a decision to admit evidence must not be perverse – and fairness, in the sense that a party must have the opportunity to comment on that which is being relied upon by others. It is no exaggeration to say that the opposite case – that only evidence admissible in a court is admissible before a licensing authority – is completely unarguable.

Not only is the position plain, but there is a good reason for the position. Whether the decision-maker is making a judgment on whether a person should be allowed to wield a shotgun, drive a member of the public in his car, run a late night burger joint, or operate a nightclub, the judgment fundamentally involves an evaluation of risk. If there is no risk, there is no need for interference. If there is a significant risk – whether of physical harm or nuisance to the neighbours – then some form of interference, be it by the imposition of conditions or outright refusal, may be merited. The evaluation of risk can never be weighed as a matter of fact, as though one is weighing sugar for a recipe. It is a value judgment.

Every human activity involves risk, whether it is crossing the road or changing a light bulb. Some risks we are not prepared to take. Others we take only with precautions. Others we deem acceptable even without precautions. Licensing is the process of making such judgments in the public interest, for the protection of others. There is rarely a right answer. It is an exercise of local discretion, applying common sense and judgment to the material as it has been presented. To dismiss material from consideration because it would not pass muster in a court of law is to abandon common sense, wisdom and judgment, and to place the public at risk by ignoring material which may well be probative.

In many instances, there will be very little primary material – the case will turn on a value judgment. Imagine a large capacity nightclub wanted to open in a quiet residential street. What evidence would an experienced local councillor need before reaching a judgment that those departing the club in the middle of the night would be liable to awaken the neighbours? The answer may well be none, other than the primary facts just described. Certainly, it would not be necessary to await the opening of the club in order to test the proposition empirically, any more than a person carrying out a fire risk assessment needs to await an inferno before advising on the installation of sprinklers.

Therefore, once it is understood that the job of licensing is not to respond to harm once it has occurred, but to make rational judgments to avert risk, it becomes still clearer that to require evidence, in the sense understood by courts, is to encrust the system with rules which are liable to expose the public to unnecessary risk and work contrary to the pursuit of the objectives of the legislation conferring the discretion.

So far, we have reached a very clear position based on a consistent line of authority over the last half century. Has anything in the Licensing Act 2003 altered that?

The Licensing Act 2003

Decisions under the Licensing Act are driven by a common engine – that no action is warranted unless it is “necessary to promote the licensing objectives.” So, when making applications for new licences or club premises certificates where representations have been received, sub-committees may only act – whether to impose conditions or refuse outright – where such action is considered necessary to promote the licensing objectives.⁸ Again, when considering an application for review of licences and certificates, the authority is obliged to take such action, whether altering conditions,

⁸ Sections 18, 72.

curtailing the permitted activities, suspending or revoking, as it considers necessary for the promotion of those objectives.⁹ In none of these cases is the authority punishing for past behaviour. It is not a retrospective sentencing exercise, but a prospective exercise as to what the promotion of the licensing objectives requires. Furthermore, no facts adverse to the licensee or prospective licensee need necessarily be established. It is simply a question for the authority to ask itself whether, on the basis of what is placed before it, some interference is necessary in order to promote the licensing objectives in the future.

In this regard, the language of the legislation is particularly instructive. The job of the decision-maker is to promote the objective – be it crime or nuisance prevention, or the protection of children or the pursuit of public safety. It is not to act only when harm has occurred to one of those objectives – in the case of a new application that could not be done. It is not even to act only when harm will demonstrably occur, even on balance of probabilities. Imagine objection were to be taken to a large temporary structure at a concert. It could not seriously be suggested that the authority could only impose a condition requiring the safety of the structure to be certified when satisfied on the balance of probabilities that it will collapse. No, the ability to take preventive measures arises when the authority is satisfied that this is necessary in the interests of public safety.

On what material may an authority make a judgment that there is a risk which requires to be averted? Why, on any material which appears to it to be rational. Nothing in the Act, or indeed the Regulations made under the Act, alters the position which has been applied by administrative bodies since time immemorial.

The position may be tested thus. Authorities are charged with the duty of publishing licensing policies.¹⁰ It is well-established in law¹¹ that such policies may contain presumptions against grant in particular circumstances. The effect of a presumption is that, absent evidence justifying a departure from the policy, the licence is to be refused. But on what basis is it justifiable to refuse a licence based on policy, without actual evidence that the grant of the licence will cause harm? The answer must be that the policy itself leads to the inference of harm, unless such an inference can be rebutted in an individual case. If that analysis is correct, it means that the statutory test is satisfied, and an inference that harm to the licensing objectives will result is justified, not by evidence, and certainly not by live evidence, particular to the individual case, but by a piece of paper drawn up months or perhaps even years before the application is made. This serves to emphasise that the inference of prospective harm can come from any source and can be adduced in any way. It does not draw sustenance only from evidence sufficient to satisfy a court. It can even arise as a result of the general policy of the administrative body charged with making such judgments.

In short, therefore, the requirement that the licensing authority act so as to do what is necessary to promote the licensing objectives does not lead to a departure from the general rule. It is wholly consonant with the rule. The authority should act on any material which it considers plausible and apt to influence its judgment.

The remaining question is whether anything in *Thwaites* disturbs that general rule.

Daniel Thwaites v Wirral Borough Magistrates Court

⁹ Sections 52, 88.

¹⁰ Section 5.

¹¹ *R (Westminster City Council) v Middlesex Crown Court* [2002] LLR 538.

In this case, the Claimant had sought to vary a premises licence to obtain longer hours. A police objection was resolved through negotiation, so that the police were able to withdraw their objection. No representations had been made by the environmental health authority, leaving only local residents as objectors. The licensing sub-committee granted the licence as asked and the residents appealed. However, by the time the appeal came to be heard, the premises had been operating to the hours sought, with no evidence that harm to the licensing objectives had arisen, but the appellants spoke of their fears of future harm. Nevertheless, the Justices allowed the appeal and removed the extended hours granted to the premises by the authority.

The licensee successfully judicially reviewed that decision. Mrs. Justice Black criticised the Justices for disregarding what had happened in the past as an aid to predicting what would happen in the future. She was also critical of the way the Justices used their local knowledge, saying "There can be little doubt that local magistrates are also entitled to take into account their own knowledge, but ... they must measure their own views against the evidence presented to them." She particularly made that point because the evidence was that the responsible authorities were untroubled and that the history of the premises when operating to the longer hours did not substantiate the Justices' fears.

In her conclusions, Black J stated that the Justices should have looked for "real evidence" that greater regulation was required in the circumstances of the case. Their conclusion that it was required was, in her judgment, not a conclusion to which a properly directed bench could have come. Here, it was said, they proceeded without proper evidence, gave their own views excessive weight and the police views none at all.

These dicta are the high water mark of arguments regularly addressed to licensing sub-committees that they cannot act to impose restraint. But the arguments are quite wrong.

It is plain from Black J's judgment that she was saying that the conclusions of the Justices were irrational. In other words it was not rational of the Justices to say there would be future harm when a) there had not been any harm in the past and b) the responsible authorities were not suggesting that there would be such harm. This was plainly a decision on the facts. She was not saying that restraint may never be imposed at the instance of local residents, or that authorities might never act on their own knowledge, or that hearsay evidence was inadmissible, or that only evidence admissible in a court is admissible before the authority. She was just saying that, on the facts, it was a stretch too far for the Justices to find harm when there was empirical evidence – over a period of months - showing that there had been none. The licensee might have considered itself fortunate to find a judge prepared to delve so far into the facts on a judicial review. Be that as it may, the case did not concern what amounts to evidence, but what findings were open to the Justices in the individual case.

Still more resonant is that Black J was not referred, and did not refer, to any of the Court of Appeal cases set out above, dealing with what kind of evidence may be admitted before administrative bodies. In truth, there was no need for such reference, for nobody was contending that there are particular types of evidence which are and are not probative. The case did not concern that matter at all, but whether the finding made was justifiable on the evidence given. Black J would, no doubt, have been horrified by any suggestion that her judgment amounted to a tacit departure from the consistent utterances of the Court of Appeal over a period of decades. But the fact is that nothing in the judgment amounts to a departure, and if it did it would have been without reference to such authorities and therefore *per incuriam* and of no binding effect.

Conclusion

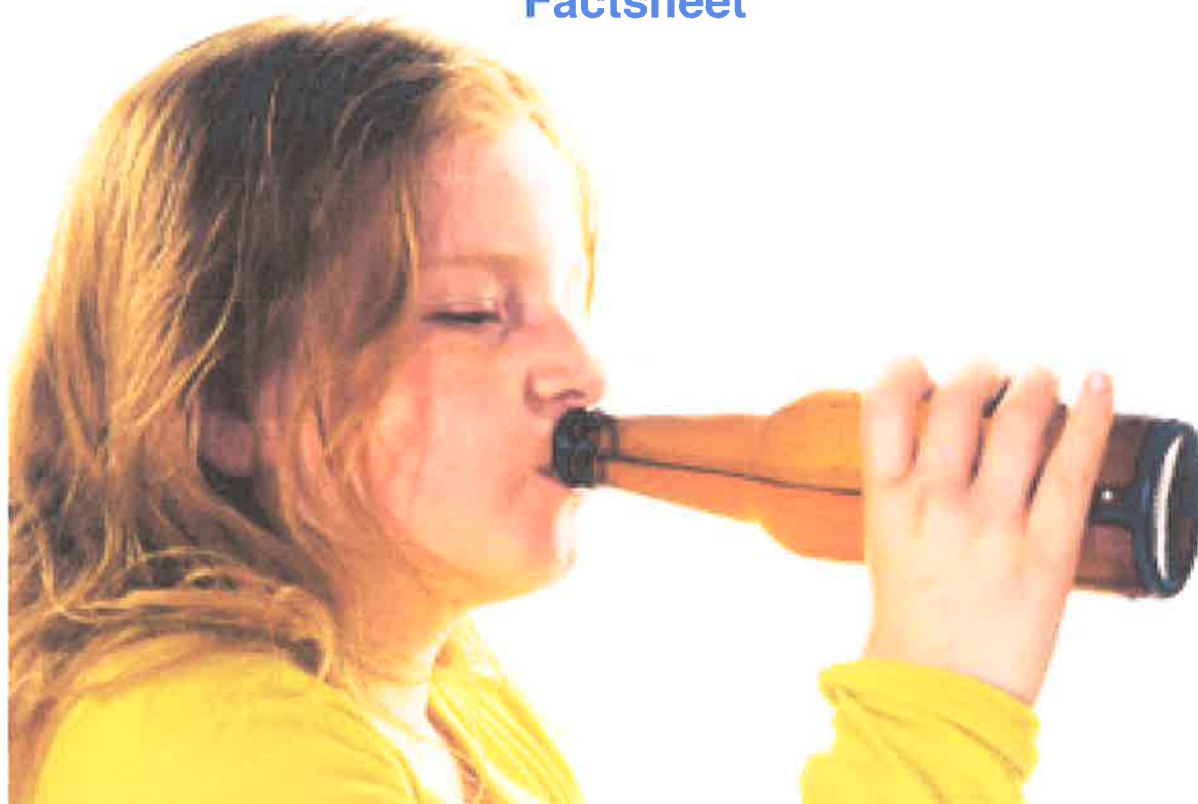


The general position in licensing is that authorities may act on any material appearing to them to be relevant, whether or not the material would be admitted evidentially in a court. Nothing in the Licensing Act 2003 alters that position. The judgment of Black J in *Thwaites* is often submitted to create an evidential threshold for regulatory intervention, but in fact it was no more than a decision on the individual facts. The Learned Judge certainly did not intend to depart from several decades of binding Court of Appeal authority, and of course could not have done so.

While the result in *Thwaites* was arguably correct on the facts, if it has had the effect of weakening the resolve of licensing decision-makers to act with common sense on the material placed before them, that would be most unfortunate. For the system to function as intended, it is imperative that licensing decision-makers grasp that they are not judges but democratically elected individuals charged with making sensible decisions in the public interest. Technical rules of evidence simply stand in the way of that process.



Children, adolescents and underage drinking Factsheet



Institute of Alcohol Studies
Alliance House
12 Caxton Street
London
SW1H 0QS

Tel: 020 7222 4001
Email: info@ias.org.uk

Institute of Alcohol Studies
Elmgren House
1 The Quay
St Ives
Cambridgeshire
PE27 5AR

Tel: 01480 466766
Email: info@ias.org.uk

Website: www.ias.org.uk

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Children, adolescents and underage drinking: Introduction

In the UK, a significant proportion of children have not only experienced drinking alcohol by the time they are allowed to purchase an alcoholic beverage (i.e. before 18 years of age), but are likely to have been drunk at least once in the last 4 weeks. Many have also admitted to having consumed alcohol to harmful levels by adult standards by the age of 15.

Although trend data suggest consumption levels had peaked in recent years, the UK still ranks highly among the worst offenders in Europe for underage drinking activity, and this has a negative impact on the wider society. Drinking attitudes among adolescents appear relaxed toward the idea of getting drunk, as long as they didn't drink too much.

Evidence also indicates that alcohol plays a significant role in the amount of crime committed by people under the age of 18. Recent studies also suggest that alcohol can cause negative neurological effects into adulthood.

This series of factsheets presents information about the impact alcohol has on people aged up to 18 years, the minimum legal age for purchasing alcohol unsupervised in the UK. The main ONS statistical publications focus solely on legal adult consumption, because children are prohibited from purchasing alcohol in social settings (i.e. on-licensed premises) until 18 years of age.* However, surveys focused exclusively on underage drinking provide the most reliable trend data on the alcohol consumption habits of children over the last decade.

* N.B. People aged 16 or 17 may consume wine, beer or cider on licensed premises when ordered with a meal. In England and Wales, it must be an adult who orders; however, an adult doesn't have to be present to order alcohol with a meal in Scotland.

Prevalence of underage drinking

A 2011 survey carried out for the NHS Information Centre by the National Centre for Social Research and the National Foundation for Educational Research reveals the extent to which underage drinking occurs in England.

The prevalence of underage drinking among children in England is widespread; 43% of all 11 to 15 year-olds surveyed said that they had drunk alcohol at least once in 2012 (see Figure 1). The number and proportion of those who had drunk alcohol at least once increases with age, rising from 12% of 11 year-old schoolchildren to almost 4 in every 5 (74%) by the age of 15 in 2012.

Figure 1: Proportion of pupils (England) who had ever had an alcoholic drink, by sex, 2003–2012

<i>All pupils</i>		<i>2003-2012</i>										
Ever had an alcoholic drink	Year											
	2003	2004	2005	2006	2007	2008	2009	2010 ^b	2011 ^b	2012 ^b		
	%	%	%	%	%	%	%	%	%	%	%	%
Boys	62	59	57	56	54	53	53	46	46	44		
Girls	61	59	60	55	54	52	50	45	44	42		
Total	61	59	58	55	54	52	51	45	45	43		
<i>Unweighted bases^b</i>												
<i>Boys</i>	5221	4981	4629	3976	4032	3924	3828	3628	3166	3735		
<i>Girls</i>	5098	4635	4478	4128	3730	3795	3790	3576	3295	3743		
<i>Total</i>	10319	9616	9107	8104	7762	7719	7618	7204	6461	7478		

Data from 2001 to 2003 re-used with permission of the Department of Health

^a Table 3.1a shows trends in drinking prevalence from 1988 to 2002.

^b Estimates since 2010 are based on weighted data (see Section 1.2.4). 2012 weighted bases are shown in Table 3.2.

Source: Office for National Statistics (ONS) and NHS Health & Social Care Information Centre (HSCIC) (July 2013), Drinking Alcohol, in '[Smoking, drinking and drug use among young people in England in 2012](#)', Table 3.1b, p. 99

The most recent figures for Scotland state that the percentage of 15 year-olds who had ever had an alcoholic beverage was slightly higher, at 77%.¹ According to Public Health Wales, over half of girls and almost 60% of boys aged 15 years of age reported drinking on a weekly basis.²

How much do underage drinkers consume?

Of the pupils in England aged 11 to 15 years who had drunk alcohol in the last week during 2012 (10%), those who did so drank a mean amount of 12.5 units (see Figure 2), an increase of more than 2 units on the previous year (10.4).³ Revisions to methodology of calculating units were made in 2007.**

** In 2006/07, improvements were made to the method used for converting the information provided by survey respondents into standard alcohol units, updating estimates of average alcoholic strength for different types of drink. This resulted in a higher, more accurate estimate of alcohol consumption among pupils. Please read [paper no. 37](#) in the ONS Government Statistical Service Methodology for a full explanation of changes made to the methodology of calculating units.

Figure 2: Number of units of alcohol consumed by 11 to 15 year-olds in the last week, by sex, 2007–2012, England

		2007	2008	2009	2010	2011	2012
Units of alcohol consumed on average	Boys	13.1	16	11.9	12.6	11.3	13.3
	Girls	12.4	13.1	11.3	13.2	9.4	11.7
	Total	12.7	14.6	11.6	12.9	10.4	12.5

Source: Adapted from ONS, NHS HSCIC, 'Smoking, drinking and drug use among young people in England', 2008 to 2013 reports

These revisions also affected the Scottish figures, meaning that units consumed by 13 year-olds remained stable between 2008 and 2010, rising slightly for 15 year-olds (see Figure 3).

Figure 3: Long term trends in mean weekly alcohol unit intake among pupils who reported drinking alcohol in the last week (units), Scotland, 2010

	New conversion factors		Old conversion factors				
	2010	2008	2008	2006	2004	2002	2000
13 year old boys	15	15	12	13	10	11	11
13 year old girls	15	16	12	13	8	9	8
13 year olds all	15	16	12	13	9	10	9
15 year old boys	22	21	17	18	13	14	15
15 year old girls	18	15	12	13	11	12	10
15 year olds all	20	18	14	16	12	13	13

Source: Information Services Division (ISD) Scotland (December 2011), '[Scottish Schools Adolescent Lifestyle and Substance Use Survey \(SALSUS\) – National Report 2010](#)', Table 3b

In Wales, the amount of alcohol consumed by 11 to 15 year-olds has doubled since 1990.

Harmful drinking and drunkenness

In England, the majority of pupils who consumed alcohol in the last week drank above recommended guidelines for adults for each drinking day on average in 2011 (see Figure 4). A significantly higher proportion of girls drank to harmful levels in the last week, than did boys (76% and 59% respectively). This has been the case since 2008.

Figure 4: Those who drank 4/3 units or more per day on average in the last week (%), by sex, 2008–2011

<i>Persons aged 11 to 15</i>		<i>England</i>			
Year	2008 ⁴	2009	2010	2011	
Percentages					
Boys: Drank an average of 4 units or more					
%	62	56	58	59	
Girls: Drank an average of 3 units or more					
%	76	75	79	76	

⁴ Figures produced using the updated methodology including data on wine glass size

Source: Adapted from ONS, HSCIC, 'Smoking, drinking and drug use among young people in England', 2008 to 2011 reports

In the previous year's survey (2010), children were asked directly whether they had experienced drunkenness in the last 4 weeks. Those who had drunk alcohol in the last 4

weeks were more likely to say that they had been drunk than not (54%). Girls were more likely than boys to have been drunk (59% and 49% respectively) on at least 1 occasion during that period.⁴

More than 250,000 young people aged 11 to 16 in Wales reported being drunk at least twice in 2010, representing more than a quarter of that age group.⁵ In Scotland, 56% of 15 year-old pupils were drunk at least once in the last 7 days. This continues a trend which stretches back to 2004 (see Figure 5), where at least half of all 15 year-olds who had consumed alcohol in the week before the survey had been drunk at least once. Girls are consistently more likely than boys to report having been drunk.

Figure 5: 15 year-old pupils who were drunk at least once in the last 7 days (%), Scotland 2002–2010 (biennially)

	2004	2006	2008	2010
Boys	51	60	61	54
Girls	53	66	67	58
All	52	63	64	56

Source: Adapted from Information Services Division (ISD) Scotland, 'Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS)', 2004 to 2010 reports

- 1 Information Services Division (ISD) Scotland (December 2011), '[Scottish Schools Adolescent Lifestyle and Substance Use Survey \(SALSUS\) – National Report 2010](#)', p. 3
- 2 Public Health Wales, '[Alcohol Misuse](#)'
- 3 Payne, Colin, and Phelps, Andrew (July 2013), Drinking alcohol, in '[Smoking, Drinking and Drug Use Among Young People in England – 2012](#)', ed. by Fuller, Elizabeth, Office for National Statistics (ONS), NHS Health and Social Care Information Centre (HSCIC), pp. 75–144
- 4 Bridges, Sally, Gill, Valdeep, Omole, Tosin, Sutton, Rosie, Wright, Victoria (July 2011), '[Smoking, drinking and drug use among young people in England in 2010](#)', ed. by Fuller, Elizabeth, ONS, NHS HSCIC, pp. 83–4
- 5 Alcohol Concern (February 2011), '[An unhealthy mix? Alcohol industry sponsorship of sport and cultural events](#)', p. 14

What do underage drinkers drink?

In both England and Scotland the drinks most commonly consumed by underage drinkers are beers/lagers/ciders, spirits/liqueurs and alcopops. This is part of a long-term trend, where beers/lagers/ciders have been most popular with boys aged 11 to 15 years for the last decade. Alcopops were the most popular alcoholic drink with girls aged 11 to 15, until spirits took over in 2008.

Figure 6: Pupils who drank alcohol in the last week in England, by drink type, and by sex, 2004–2012

<i>Pupils who drank alcohol in the last week</i>		<i>2004-2012</i>								
Types of alcohol drunk	Year									
	2004 %	2005 %	2006 %	2007 %	2008 %	2009 %	2010 ^b %	2011 ^b %	2012 ^b %	
Boys										
Beer, lager, cider	86	89	87	86	88	91	88	91	91	
Shandy	24	23	22	22	23	25	22	21	21	
Wine	33	33	30	30	32	25	25	23	24	
Martini, sherry	14	9	12	9	15	12	9	9	11	
Spirits	60	59	59	54	60	56	60	58	57	
Alcopops	57	52	50	49	53	48	46	34	38	
Girls										
Beer, lager, cider	56	56	59	60	55	59	58	61	59	
Shandy	15	15	13	19	16	16	14	12	13	
Wine	49	54	47	50	49	46	48	47	46	
Martini, sherry	12	13	12	11	13	10	12	10	13	
Spirits	67	71	67	69	73	67	74	73	76	
Alcopops	73	73	69	70	69	66	63	63	61	
Total										
Beer, lager, cider	71	73	72	74	72	76	73	77	75	
Shandy	20	19	17	21	19	20	18	17	18	
Wine	41	43	39	40	40	35	37	34	35	
Martini, sherry	13	11	12	10	14	11	11	10	12	
Spirits	63	65	63	61	66	61	67	65	66	
Alcopops	65	63	60	59	61	56	54	48	49	

Source: ONS, NHS HSCIC (July 2013), 'Smoking, drinking and drug use among young people in England in 2012', Table 3.16

Beers/lagers/ciders became the most commonly consumed alcoholic beverage of choice among 15 year-olds in Scotland in 2010, overtaking spirits/liqueurs and alcopops in popularity (see Figure 7 below).

Beer/lager/cider has seen the biggest increase in proportion consumed since 2002; back then, two-thirds of alcohol consumed by 15 year-old boys was reported to be beer, lager, or cider. In 2010, that figure was 89%. Spirits and liqueurs have been the most popular

drinks for 15 year-old girls over the same period, representing 77% of all alcoholic drinks consumed by girls of that age in Scotland at its peak in 2008.

Figure 7: Type of alcohol drunk in the last week before the survey (%), 15 years, by gender in Scotland, 2002–2010

	2002	2004	2006	2008	2010
Boys					
Beer, lager, cider	66	70	75	82	89
Shandy	7	7	12	15	18
Wine	28	22	31	33	26
Fortified wine	N/A	N/A	39	41	30
Martini, sherry	5	4	6	10	10
Spirits, liqueurs	51	56	54	66	56
Alcopops	51	46	40	43	40
Girls					
Beer, lager, cider	32	28	44	54	66
Shandy	4	5	5	10	11
Wine	37	32	40	40	40
Fortified wine	N/A	N/A	36	32	25
Martini, sherry	7	6	6	8	10
Spirits, liqueurs	69	73	70	77	73
Alcopops	67	65	60	70	64
All					
Beer, lager, cider	49	47	59	68	78
Shandy	5	6	8	12	15
Wine	32	28	35	37	32
Fortified wine	N/A	N/A	37	36	28
Martini, sherry	6	5	6	9	10
Spirits, liqueurs	60	65	62	71	64
Alcopops	59	56	50	57	51

Source: Adapted from Information Services Division (ISD) Scotland, 'Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS)', 2002 to 2010 reports

Where do underage drinkers drink?

In England in 2012, the most common location for consuming alcohol for children is at their own or someone else's home (78%), with parties being the second most popular setting (47%). This holds true for both sexes and according to the survey records, has been the case for some time (see Figure 8a). The percentage of underage drinkers consuming alcohol in the off-trade has usually been significantly higher than in the on-trade; since 2006, no more than 10% of underage drinkers have reported consuming alcohol in either pubs and bars or clubs and discos. In fact, children were more likely to choose to drink outdoors (i.e. on the street, in the park, etc). A similar set of results occurred in Scotland over the same period (see Figure 8b).

Figure 8a: Where pupils usually drink, by sex, England, 1996–2012

<i>Current drinkers</i>		<i>1996-2012</i>						
Where usually drinks^a	Year							
	1996	1998	1999	2004	2006	2008	2010 ^b	2012 ^b
	%	%	%	%	%	%	%	%
Boys								
At home or someone else's home	53	60	61	59	60	62	72	75
Parties with friends	23	23	20	30	26	29	40	44
On the street, in a park, or somewhere else outside ^c	c	c	22	26	30	26	25	19
Pub or bar	11	12	11	10	9	7	9	8
Club or disco	9	10	8	5	5	4	4	5
Somewhere else	28	22	5	6	7	6	9	8
Girls								
At home or someone else's home	52	56	61	61	62	66	76	80
Parties with friends	24	24	24	33	31	37	48	51
On the street, in a park, or somewhere else outside ^c	c	c	21	25	31	29	26	18
Pub or bar	15	12	12	11	9	7	8	8
Club or disco	16	11	12	10	6	7	7	4
Somewhere else	24	21	4	6	6	5	7	7
Total								
At home or someone else's home	52	58	61	60	61	64	74	78
Parties with friends	23	23	22	31	29	33	44	47
On the street, in a park, or somewhere else outside ^c	c	c	21	25	31	27	25	18
Pub or bar	13	12	11	10	9	7	8	8
Club or disco	13	10	10	7	6	5	6	5
Somewhere else	26	21	5	6	6	6	8	7

Figure 8b: Where pupils usually drink, by sex, Scotland, 2006–2010

Scotland 2006-2010 USUAL LOCATION	2006 (%)			2008 (%)			2010 (%)		
	Boys	Girls	All	Boys	Girls	All	Boys	Girls	All
13 year olds									
Pub or bar	3	3	3	4	2	3	4	3	3
Club or disco	4	7	6	4	6	6	4	5	4
At a party with friends	20	24	22	23	28	25	22	27	25
At my home	47	46	47	52	52	52	53	51	52
At someone else's home	23	35	29	25	38	32	26	37	31
Outdoors (street, park etc.)	30	34	32	31	36	33	24	30	27
Somewhere else	13	12	12	16	16	16	15	14	14
<i>Bases</i>	3147	3279	6482	1255	1301	2563	3875	3801	7692
15 year olds									
Pub or bar	10	9	10	9	5	7	6	5	5
Club or disco	7	13	10	8	10	9	4	6	5
At a party with friends	36	46	42	44	54	49	46	58	52
At my home	38	38	38	41	42	41	41	43	42
At someone else's home	39	51	45	44	59	51	45	58	52
Outdoors (street, park etc.)	44	46	45	43	43	43	37	35	36
Somewhere else	10	10	10	12	10	11	10	9	10
<i>Bases</i>	4563	4689	9306	1780	1897	3689	6647	6751	13449

Base: all pupils who had ever drunk alcohol

Source: SALSUS 2006, 2008, 2010

Note: Pupils could choose more than one answer.

Sources: a) ONS, NHS HSCIC (July 2013), 'Smoking, drinking and drug use among young people in England in 2012', Table 3.28b; b) ISD Scotland (December 2011), '[Scottish Schools Adolescent Lifestyle and Substance Use Survey \(SALSUS\) – National Report 2010](#)', Table 3.25

Children and alcohol-related crime

Statistics on alcohol-related youth crime are not regularly collected in the UK. In England, the number of people aged 10 to 17 years who had been cautioned, prosecuted, and in receipt of a penalty notice for disorder for purchasing alcohol under age between 2004 and 2006 was published as answer to a parliamentary request from the then Conservative MP for Uxbridge John Randall.¹

Figure 9: Number of defendants aged 10 to 17 proceeded against at magistrates courts, offenders cautioned and the number of penalty notices for disorder (PNDs) issued for purchasing alcohol illegally by age group, England 2004 to 2006

	Defendants proceeded against at magistrates courts			Offenders cautioned			PNDs issued (4)
	10-13	14-15	16-17	10-13	14-15	16-17	16-17
2004	—	1	9	—	7	20	(5) —
2005	—	—	12	—	7	15	16
2006	—	2	7	1	3	9	58

(1) From 1 June 2000 the Crime and Disorder Act removed the use of cautions for persons under 18 and replaced them with reprimands and final warnings.

(2) These data are on the principal offence basis.

(3) Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

(4) The offence of illegal purchasing of alcohol by an underage person was added to the penalty notice for disorder scheme on the 4 April 2005.

(5) Not applicable.

Source: HANSARD (December 2007), 'Penalty Notices: Alcoholic Drinks'

A fuller picture of the number of penalty notices for disorder (PND) in England and Wales comes from the Youth Justice Board Survey.^{***} Figures for 2011/12 show that there were 5,571 PNDs given to young people aged 16 and 17 years, of which 1,175 of notices were for drunk and disorderly behaviour.

The number of drunk and disorderly PNDs has halved since 2005/06 (see Figure 10). But as a proportion of the total number of PNDs, drunk and disorderly offences were higher in 2011/12 (21%) than in 2005/06 (18%), forming an upward trend over the last 6 years.

Figure 10: Drunk and disorderly offences as a proportion of total PNDs, England & Wales, 2005/06 to 2011/12

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
Drunk and disorderly	2,463	3,080	2,898	2,428	2,164	1,600	1,175
Total all offences	13,977	20,609	18,093	13,803	10,705	7,507	5,571
As a share of all PNDs given in 2011/12 (%)	18	15	16	18	20	21	21

Source: Ministry of Justice (February 2013), Youth Justice Board/Ministry of Justice Statistics bulletin 2011/12, England & Wales, Table 1.9

^{***} Please note PNDs can only be given to young people aged 16 and 17 years old.

There is a significant body of evidence which shows that frequent underage drinkers commit a disproportionate amount of crime. A Home Office report in 2004 found that of 10 to 17 year-olds, those who drank alcohol once a week or more committed 37% of all offences reported by that age group, despite comprising only 14% of the respondents. In contrast, those who had never drunk alcohol or had not drunk in the last year, committed 16% of the offences but comprised 45% of respondents (see Figure 11).

Figure 11: Proportion of offences, offenders and sample aged 10 to 17 accounted for by drinking patterns, 2004, England and Wales

	All offences			Violent offences		
	% of offences	% of offenders	% of sample	% of offences	% of offenders	% of sample
Once a week or more	37	28	14	34	29	15
1 to 3 times a month	34	27	18	32	24	18
Less often	13	20	22	13	20	22
Not drunk in the past 12 months/never drunk alcohol	16	25	45	20	26	45
Total %	100	100	100	100	100	100

Notes: 1. Source: 2004 Offending, Crime and Justice Survey, weighted data. 2. The sample percentage of those who drink at least once a week differ for all offences and violent offences, due to Base N being different for these two offence categories.

Source: Matthews, Sian, Brasnett, Laura, Smith, Jonathan (June 2006), '[Underage drinking: findings from the 2004 Offending, Crime and Justice Survey](#)', in Home Office Findings 277, Home Office

No corresponding data on crime levels among adolescents from Scotland, Wales and Ireland is publicly available.

1 HANSARD (December 2007), '[Penalty Notices: Alcoholic Drinks](#)'

Why do children and adolescents drink?

Qualitative research suggests that underage drinking occurs for a range of reasons and that alcohol can perform several roles in social settings, from the symbolic to the practical; it is not simply a question of identifying with or copying 'adult' behaviour.¹

A Joseph Rowntree Foundation (JRF) study on teenage drinking cultures described underage drinking as 'a social activity usually undertaken by small groups of close friends, well away from the oversight of parents or other significant adults', and that 'over time, these groups of teenage drinkers develop a range of social habits, rules and rituals that facilitate their shared alcohol consumption' and defines the group's "alcohol idioculture".²

These tacit rules may encompass many aspects of drinking, including:³

- the types of beverages consumed
- the purpose of drinking
- the social setting, and;
- the group actions (if any) employed to regulate or control consumption behaviour

All these factors inform and affect the "drinking etiquette" of the group at any given moment during a drinking session.⁴ But survey evidence indicates that adolescents' primary motivation for drinking alcohol is to get drunk. This is because they seek the positive effects of intoxication as a means to encourage social interactions (e.g. increased confidence, relaxation, reduced inhibitions, etc).⁵

According to Health and Social Care Information Centre records, between 11 and 20% of pupils in England have believed it is 'OK to get drunk once a week' since 1999.⁶ More than half of pupils interviewed (54%) in 2010 did get drunk in the 4 weeks leading up to the survey;⁷ of those, almost two-thirds (64%) deliberately tried to get drunk.⁸

The most popular reasons for drinking among schoolchildren who drank in the last week were:

- to be more sociable with friends (84%)
- it gives them a rush or a buzz (78%)
- it makes them feel more confident (71%)

However, researchers have warned against simplistic portrayals of adolescents' consumption as out-of-control binge drinking, which 'fail to capture the complexity of the decision-making undertaken by young people regarding the type, amount and pace of consumption'.⁹

When questioned, the picture that emerges from adolescents' attitudes to drinking is less about copying their elders and more about the concept of handling one's drink. This mirrors a wider acceptance of heavy drinking across all cross-sections of UK society in recent decades.

Measham and Brain (2005) have argued that broad social changes (i.e. increases in youth drug use, the development of new alcohol products, economic deregulation and the transition to a consumerist society) have led to the emergence of a new culture of intoxication in which extreme drunkenness is tolerated and opportunities for hedonistic consumerism are increased. Consequently, today's teenagers have access to a greater range of lifestyle alcohol products sold in licensed premises. Young people are now much more able to participate in the expanding consumerist alcohol culture.¹⁰

Other factors associated with having drunk alcohol in the last week include: age; ethnicity; risk-taking behaviours (smoking, drug taking, truancy); the number of drinkers at home;

parental attitudes and the pupils own beliefs about why their age group drinks.¹¹

Influences: Advertising

Alcohol is the most prominent substance and beverage portrayed in media consumed by young people.¹² It is widely acknowledged that there is a positive correlation between adolescents' exposure to alcohol advertising and an increased propensity for them to drink.

Reflecting the Government's concerns on the matter, as expressed in its Alcohol Harm Reduction Strategy, the Office of Communications (OFCOM) and the Advertising Standards Authority (ASA) established a revised Advertising Code for the broadcasting industry on 1 January 2005. It was strengthened in 4 main ways, so the restrictions were stricter on:¹³

- the general appeal of alcohol ads to young persons, especially under-age drinkers, and references to "youth culture";
- linking alcohol with sex, sexual activity or sexual success;
- linking alcohol with aggressive, anti-social or irresponsible behaviour, and;
- the depiction of irresponsible handling or serving of alcohol

But survey evidence has revealed the limits to which current regulations can prevent underage people from being exposed to alcohol advertising.¹⁴ Despite being exposed to fewer alcohol advertisements on television shortly after the introduction of the Advertising Code (a decline of 39% in 10 to 15 year-olds between 2002 and 2006), today there are many more ways by which adolescents are exposed to alcohol brands. They are able to view advertisements for alcoholic beverages both pre and post the TV watershed of 9pm – sometimes during both a programme and the commercial break – in magazines, the promotion of non-alcoholic consumer items, and the sponsorship of leisure activities such as sports and music festivals.

Alcohol industry sponsorship (excluding TV programme sponsorship) is self-regulated through the Portman Group's Code. Sponsorship can only be undertaken if at least 75% of the audience or participants are aged over 18.¹⁵ This leaves grey areas such as sports competitions and music festivals events, which are popular with kids and young people under 18. Notable examples include the Budweiser sponsored *FA Cup*, English football's most prestigious domestic tournament competition and Tennent's sponsored *T in the Park*, Scotland's biggest music festival.

Furthermore, due to the rise in internet accessibility, alcohol brands are now both officially and unofficially represented on the types of websites that adolescents visit most often, especially social networking sites.¹⁶

In alcohol advertisements, drinking alcohol is predominantly presented as a normal social activity, and the reasons for alcohol use are mostly pro-social.¹⁷ This leads young people to believe that adverts make alcohol look appealing and that they *will* encourage young people to drink.¹⁸

An Alcohol Concern survey found that heavily advertised brands of cheap and strong alcohol were prominent among the most popular drinks consumed by the most vulnerable young people involved with drug and alcohol services.

14 services from across England and Wales surveyed 381 children and young people between the ages of 11 and 17 years who use their services to find out their alcohol brand consumption choices. The top 5 most commonly consumed brands in 2013 were:¹⁹

1. Fosters beer
2. Generic or own brand vodka (typically retails around 30p per unit)
3. Smirnoff vodka

4. Frosty Jack's cider (cheapest alcohol in the survey, commonly retails at 22p per unit)
5. Glen's vodka (typically retails around 38p per unit)

Influences: Family

Research suggests family is among the most important influences on young children's attitudes towards alcohol. Survey data estimate that, since 2004, between 19% and 27% of all pupils who consumed alcohol in the last 4 weeks had received it from their parents. This is in addition to 8% of pupils being given alcohol by their relatives and 6% obtaining it from siblings.²⁰

The influence of the family on underage drinking habits is also reflected in the perceived attitudes of parents towards the notion of their offspring consuming alcohol. Most pupils who had drunk in the last week or had drunk alcohol but not in the last week said their parents did not mind them drinking as long as they didn't drink too much (82% and 81% respectively). Pupils who had drunk in the last week were most likely to say that their parents let them drink as much as they liked.²¹

Findings from a recent JRF survey suggest that although the dominant parental attitude (i.e. their perception of what ought to be the extra-familial social norm) is that children in general should not be introduced to alcohol at home until their mid-teens and ought not to be allowed to drink in public spaces until they reach adulthood, parents are actually introducing their own children to alcohol at home at an earlier age than this. This is because they draw on experiences from their own childhoods, either repeating what they perceive as positive parenting strategies, or intentionally parenting in a different way.²²

But parental behaviour can also play a major factor in the drinking habits of many teenagers. Some studies have concluded that deviant or excessive alcohol consumption among adolescents may be related to low levels of parental support and control. Inadequate support and lax parental control, it is suggested, can result not only in deviant drinking behaviour in adolescents but also in lower levels of self-confidence and personal autonomy and poorer social skills.²³

A recent DEMOS report goes further, suggesting that the very worst damage done by hazardous drinking in the UK is in the home, and that this can have a negative impact on a parent's approach towards his or her child. According to the latest figures, more than 2.5 million children in the UK – including 90,000 babies – live with a parent who drinks alcohol to hazardous levels.²⁴ The study's findings suggest that parents who drink hazarously are less likely to adopt what is suggested to be the most effective style of parenting – 'tough love' – towards their children, and that it has a significant impact on children's drinking behaviour as teenagers and later in life as adults.²⁵

Alcohol misuse can become a significant factor in the lives of older children without family. 1,240 children aged 16 to 17 years living in care homes throughout England have been identified as having a substance misuse problem, representing 11.3% of all children of that age group looked after continuously for the 12 months leading up to 31st March 2012.²⁶

Influences: Peers

According to the DEMOS report, parents who are more likely to adopt the 'tough love' method attempt to restrict their children's contact with alcohol by laying down rules about drinking and monitoring illicit alcohol consumption. However, many teenagers successfully circumvent these limitations. Young drinkers are constantly engaged in a careful balancing act between their desire to get sufficiently drunk to have a good time with their friends and their ability to sober up before going home to their parents.²⁷

This is because in the UK, just as alcohol plays an important role in the social life of adults, it also plays a similar role in the social development of adolescents. Although the proportion of pupils in this age group who had never drunk alcohol has risen in recent

years, from 39% in 2003 to 55% in 2011, abstaining is still considered among young people to be abnormal, marking groups of teenagers to be excluded from the mainstream youth culture.²⁸

For those who do drink, their habits are largely influenced by the behaviours, attitudes and beliefs of their friends. Respondents to a JRF study claimed to feel social pressure to consume alcohol in a particular way, for example to increase the pace of consumption to keep up with the group or to slow down if getting too drunk too quickly.²⁹

- 1 Honess, J., et al (2000)., 'The Social Contexts of Underage Drinking', Home Office. Research, Development and Statistics Directorate, London
- 2 Percy, Andrew, et al (February 2011)., '[Teenage drinking cultures](#)', Joseph Rowntree Foundation, p. 4
- 3 Percy, Andrew, et al., 'Teenage drinking cultures', p. 10
- 4 Percy, Andrew, et al., p. 26
- 5 Percy, Andrew, et al., p. 69
- 6 Bridges, Sally, et al (July 2011)., 'Smoking, drinking and drug use among young people in England in 2010', ONS, NHS HSCIC, p. 131, Table 3.49
- 7 Bridges, Sally, et al., 'Smoking, drinking and drug use among young people in England in 2010', p. 126, Table 3.40
- 8 Bridges, Sally, et al., p. 127, Table 3.41
- 9 Percy, Andrew, et al., p. 69
- 10 Percy, Andrew, et al., p. 9
- 11 Health and Social Care Information Centre (May 2012), '[Statistics on Alcohol: England, 2012](#)', p. 25
- 12 Secretary of State for Children, Schools and Families, the Secretary of State for The Home Office, and Secretary of State for Department of Health (June 2008), '[Youth Alcohol Action Plan](#)', pp. 6–7, and OFCOM/ASA (December 2005), '[Young People And Alcohol Advertising: A Study To Assess The Impact Of Regulatory Change](#)', p. 8
- 13 OFCOM/ASA (December 2005), 'Young People And Alcohol Advertising', p. 5
- 14 Sumnall, Harry, et al (September 2011)., '[Young people, alcohol and the media](#)' Joseph Rowntree Foundation, p. 10
- 15 Portman Group, '[Alcohol marketing, its impact and its regulation in the UK: A briefing note](#)'
- 16 Sumnall, Harry, et al., 'Young people, alcohol and the media', pp. 6–7
- 17 Sumnall, Harry, et al., p. 6
- 18 OFCOM/ASA, 'Young People And Alcohol Advertising', p. 60
- 19 Alcohol Concern (April 2013), '[Well known brands and cheap strong booze consumed most by vulnerable young people](#)'
- 20 Payne, Colin, and Phelps, Andrew (July 2013), Drinking alcohol, in '[Smoking, Drinking and Drug Use Among Young People in England – 2012](#)', ed. by Fuller, Elizabeth, Office for National Statistics (ONS), NHS Health and Social Care Information Centre (HSCIC), p. 119, Table 3.21
- 21 Payne, Colin, and Phelps, Andrew (July 2013), 'Smoking, Drinking and Drug Use Among Young People in England – 2012', ONS, NHS HSCIC, p. 91
- 22 Valentine, Gill et al (November 2010)., '[Alcohol consumption and family life](#)', p. 6
- 23 Foxcroft, D. R., Lowe, G (September 1991)., '[Adolescent drinking behaviour and family socialization factors: a meta-analysis](#)', Journal of Adolescence, 14: 3, pp. 255–273
- 24 Manning, V., et al (October 2009)., '[New estimates of the number of children living with substance misusing parents: results from UK national household surveys](#)', BMC Public Health, 9: 377
- 25 Birdwell, Jonathan, Vandore, Emma, Hahn, Bryanna (December 2012), '[Feeling the Effects](#)', DEMOS, p. 12
- 26 Department for Education (December 2012), '[Outcomes for Children Looked After by Local Authorities in England, as at 31 March 2012](#)', p. 9
- 27 Percy, Andrew, et al., p. 72
- 28 Percy, Andrew, et al., p. 72, and Gill, Valdeep, Hawkins, Victoria, Mandalia, Dhriti, Whalley, Rachel, 'Smoking, drinking and drug use among young people in England in 2011', p. 10
- 29 Percy, Andrew, et al., p. 72

Health and social impacts of underage drinking

Children and young people who misuse alcohol are at greater risk of suffering negative health and social outcomes compared to adults, because they have not yet fully developed their mental and physical faculties. A 2009 report by the Chief Medical Officers of England, Wales and Northern Ireland listed some of these potentially adverse consequences (see Figure 12).

Figure 12: Adverse consequences of drinking alcohol for children and young people

- Adolescents who misuse alcohol are more likely to suffer from side effects including appetite changes, weight loss, eczema, headaches and sleep disturbance.
- The most common impacts of alcohol intoxication are vomiting and coma.
- Young people are not immune to the chronic diseases and conditions associated with excess alcohol consumption in adults, and deaths from liver disease are now occurring at younger ages.
- Adolescents and young people who drink and drive, or allow themselves to be carried by a drink driver, are more likely to be involved in a car accident.
- Adolescents and young people who drink alcohol are more likely to sustain an injury, often as a result of an assault.
- Alcohol abuse in adolescence, during a developmentally sensitive period, poses a particular danger to the emerging brain faculties of executive functioning and long-term memory.
- Adolescents are likely to be more vulnerable than adults to both subtle brain damage and long-lasting cognitive deficits following alcohol exposure.
- Alcohol may increase feelings of depression.
- Stress/anxiety-based drinking is associated with long-term and more severe negative outcomes.
- There is a relationship between adolescent alcohol use and mental health problems.
- Alcohol consumption during an evening may affect a child's performance at school on the following day, since it takes time to metabolise alcohol and this process varies depending on the dose of alcohol that was consumed and differing metabolic capacity.
- There are associations between alcohol consumption and subsequent behaviour with peers and friends. Excessive alcohol use can be detrimental to a young person being able to maintain friendships, particularly if the consumption levels are higher than among the peer group generally.
- Alcohol consumption can have a detrimental effect on young people's short-term educational performance.
- Alcohol consumption by young people, particularly students, is more likely to make them vulnerable to being the victims of crime.
- Alcohol may make some young people more likely to display aggressive behaviour, although it is likely that other factors such as their personality and family life will play a role.
- Alcohol consumption is associated with: not using a condom during a young person's first sexual encounter; an increased likelihood of having sex and at a younger age; unprotected sex; teenage pregnancy; and the likelihood of contracting sexually transmitted diseases.

Source: Donaldson, Sir Liam (December 2009), '[Guidance on the Consumption of Alcohol by Children and Young People](#)', Department of Health, based on Newbury-Birch et al (2008)., 'The Impact of Alcohol Consumption On Young People: A Review of Reviews', University of Newcastle

Alcohol-related hospital admissions

A parliamentary written answer on the underage drinkers admitted to hospital with suspected alcohol-induced conditions in recent years shows that in 2012, 11,306 admissions occurred amongst those aged under 17 years of age in English hospitals, of which 55% were female and 45% were male.

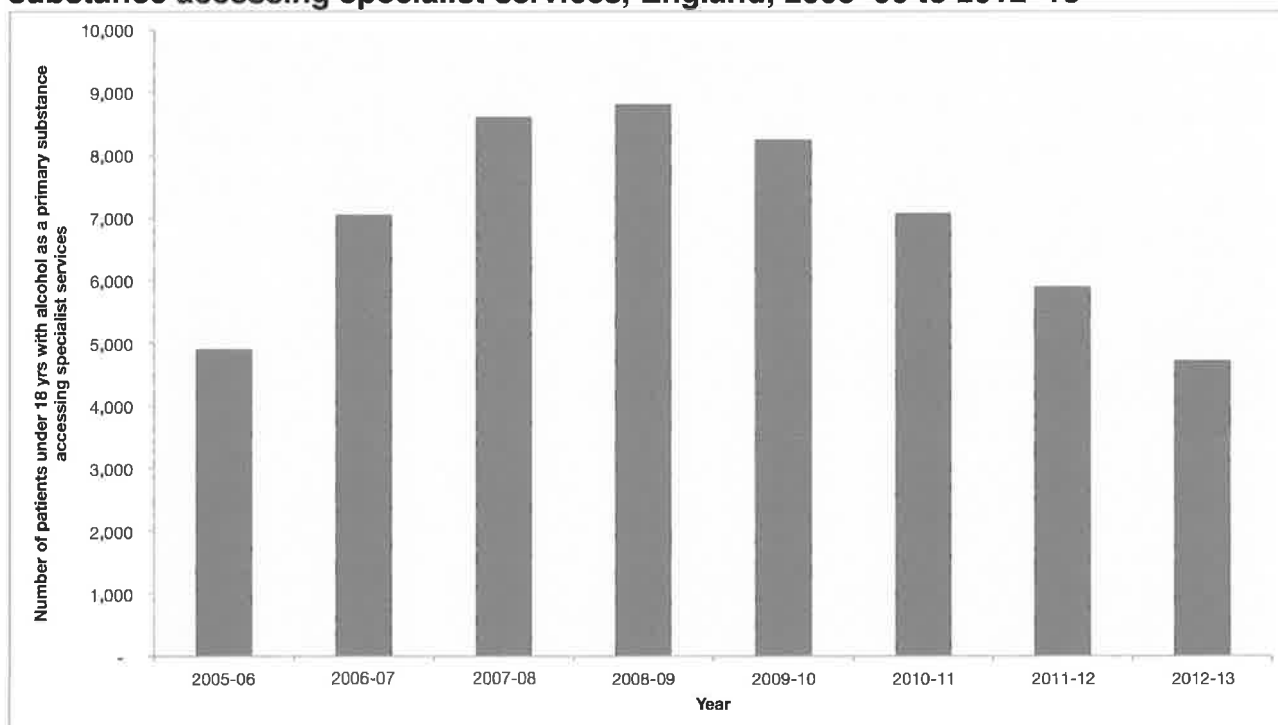
Figure 13: Sum of alcohol attributable fractions⁽¹⁾ for hospital admissions for people aged 17 and under by (a) socio-economic group⁽²⁾ and (b) by gender for the years 2009–10 to 2011–12

Gender	2009-10	2010-11	2011-12
Male	5,838	5,563	5,089
Female	6,993	6,769	6,217
Total	12,831	12,332	11,306

Source: House of Commons Debates (June 2013), 'Alcoholic Drinks: Young People' c726W, data from Hospital Episode Statistics (HES), Health and Social Care Information Centre

The gradual declining trend in the admissions figures is mirrored in Public Health England trend data on substance misuse (Figure 14), which show that the number of people under 18 years of age receiving help primarily for alcohol fell for the fifth consecutive year, from 8,799 in 2008-09 to 4,704 in 2012-13.

Figure 14: Number of patients under 18 years old with alcohol as a primary substance accessing specialist services, England, 2005–06 to 2012–13



Source: Public Health England (December 2013), 'Substance misuse among young people in England 2012-13', Table 7.2.1

Scotland statistics illustrate a similar downward trend in recent years; the number of alcohol-related discharges of children under the age of 15 fell from 415 in 2006/07 to 205 in 2009/10.¹ In Wales, the number of alcohol-specific admissions for males aged 0 to 14 years fell by 41% between 2007 and 2011 (from 213 to 125 admissions) (see Figure 15). The number of male admissions dropped sharply in the most recent 12-month period (from 67 in 2010 to 35 in 2011), a fall of 47.8%, whereas the number of admissions for females aged up to 14 years of age has remained relatively stable in the last 2 years (a fall of 5 admissions between 2009 and 2011).

Figure 15: Hospital admissions with an alcohol specific primary diagnosis in males and females aged under 15 years in Wales, 2007 to 2011

	2007	2008	2009	2010	2011
Males	83	58	68	67	35
Females	130	110	95	91	90
Total	213	168	153	158	125

Source: PEDW – Patient Episode Database for Wales 2007 to 2011

In Wales, referrals for treatment of alcohol misuse among adolescents are more common. In 2009/10 there were around 1,249 referrals for treatment of alcohol misuse amongst patients aged 19 and younger.²

Adolescents, alcohol and sexual health

In the 2007 evaluation of the teenage pregnancy strategy for England, 29% of girls and 27% of boys reported having sex before they were 16.³ A 2006 survey also found that girls who have sex before 16 are 3 times more likely to experience a teenage pregnancy.⁴

Data on underage sexual activity is important for alcohol policymakers because evidence indicates a positive correlation between early regular alcohol consumption and the early onset of risky sexual activity. Examples of this include the following statistics from surveys on teenage sexual behaviour:

- Of those 15 to 19 year-olds who had had sex with someone they had known for less than one day, 61% of females and 48% of males gave alcohol or drugs as a reason⁵
- 1 in 4 (25%) 16 and 17 year-olds had been drinking alcohol the first time they had sex without a condom⁶

Early alcohol use has also been proposed as a marker of later sexual risk, including higher rates of unplanned sex, low condom use, multiple sexual partners, sexually transmitted infections and early pregnancy.⁷

Impact on the brain

The brain is a crucial area of a child's physiological development. Alcohol is capable of affecting the entire organ, but particularly the frontal lobes, which are responsible for 'higher level' thinking such as planning, decision making and judging the likely consequences of actions. This part of the brain continues to develop throughout adolescence, which has led some to suggest that adolescent brains are more sensitive to alcohol than adult brains.⁸

Another area of the brain affected by alcohol is the hippocampus. This area is crucial for learning; people with severe damage to the hippocampus are unable to retain any information (such as remembering what they said) for more than a few minutes, though they can still retrieve old memories. Animal research, mostly with rats, suggests that adolescents may be more vulnerable to memory impairments caused by alcohol.⁹ Studies of human adolescents with alcohol-use disorders (either dependence or alcohol abuse) have found that even after several weeks of abstinence, these youths did worse on a memory task than other youths, who were selected to be similar in other respects. The effects can be long-lasting; when followed up 4 and 8 years later, those with alcohol-use disorders still performed worse on tasks involving memory and attention.¹⁰

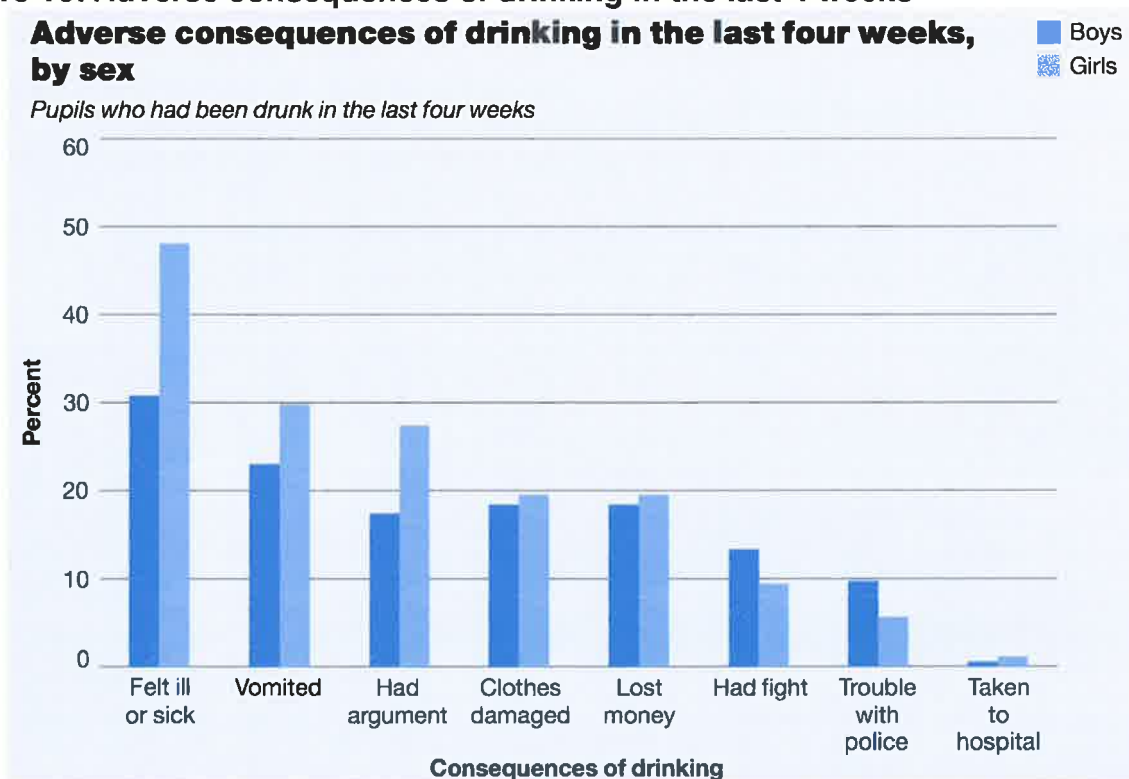
Recent neurological research has discovered the risk gene for alcohol misuse, "RASGRF-2", and attributed genetic variations of the gene to teenagers' drinking habits. Those participants to the study who possessed a variation of the RASGRF-2 gene drank more frequently at the age of 16 than those with no variation on the gene. This is because the

RASGRF-2 gene plays a crucial role in controlling how alcohol stimulates the brain to release dopamine, and hence trigger the feeling of reward.¹¹

Research into the physiological effects of alcohol on adolescents is in its infancy. Ultimately, while more is being found out about the health effects of underage drinking, many medical experts urge caution over the consumption of alcohol, believing it best if the age of alcohol consumption is delayed well into adulthood.¹² In 2009, the then Chief Medical Officer Sir Liam Donaldson advised that no children under the age of 15 years should consume alcohol, after evidence indicated that drinking before this age increased the risk of alcohol dependency in later life and also affected cognitive development.¹³

Surveys can also highlight the negative social impacts of alcohol misuse. In England in 2012, pupils who had been drunk in the last 4 weeks were most likely to report feeling ill or sick (40%), followed by vomiting (27%), getting into an argument (23%), damage to clothes (19%) and losing money (18%). Girls who had been drunk were much more likely than boys to have felt ill or sick (48% and 31% respectively), or to have had an argument (27% and 17%). Boys were more likely than girls to report being in a fight (13% and 9% respectively), or having trouble with the police (10% and 6%).

Figure 16: Adverse consequences of drinking in the last 4 weeks



Source: ONS, NHS HSCIC (July 2013), '[Smoking, drinking and drug use among young people in England in 2012](#)', p. 89

Social impacts

Misbehaviour caused by alcohol can also have disastrous effects on a pupil's educational attainment, as well on performance in tests of intellect in later life.¹⁴ Compared with those pupils who have never truanted, pupils who had ever truanted from school had increased odds of having drunk alcohol in the last week (odds ratios of 2.24 for those who had truanted in the last year, 1.69 who had truanted previously).¹⁵ 6.5% of permanent exclusions of children from English state-funded secondary schools in 2010/11 were due to alcohol.¹⁶

In some cases, there can also be an adverse social outcome on others who illegally

purchase alcohol for underage drinkers; Ministry of Justice data shows that 142 penalty notices for disorder were given for supplying alcohol to underage drinkers in 2012, a quarter of the level they were in 2008.¹⁷ DEMOS report 'Sobering Up' suggested that the problem of proxy purchasing would be best solved by subjecting offenders to 'an alcohol-related community sentence'.¹⁸

But it has been argued that to focus energies on naming and shaming people would detract from alcohol issues affecting a greater proportion of people in society. The Institute of Alcohol Studies believes that tackling irresponsible shop promotions and minimum pricing would better tackle the UK's drinking problem.¹⁹

In the long run, the age of onset plays a vital part in determining the chances of developing alcohol-related problem in adult life. One American report found that young people who began drinking before the age of 15 were 4 times more likely to develop alcohol dependence than those who began drinking at the age of 21.

A subsequent United States study identified the pre-adolescent years from age 10 to 12 as a particularly vulnerable period for the development of alcohol problems, including alcohol-related violence, injuries, driving under the influence of alcohol and other drugs, and alcohol and drug-related absenteeism from school or work. It could be that early alcohol consumption is merely a marker for later alcohol problems but it is also possible that the relationship between early onset and later problems is causal.

A 2005 Finnish study supports the possibility of the latter. Its long-term follow-up of children until middle age found that for both males and females, early onset of drinking (i.e. at or before the age of 14) was a significant risk factor for heavier drinking, for binge drinking and for experiencing symptoms of alcohol dependence in adulthood. The authors concluded that delaying the initiation of drinking from early to late adolescence is therefore an important goal for prevention efforts.

- 1 ISD, NHS National Services Scotland (May 2012), 'Alcohol-related Hospital Statistics Scotland 2012', Table 1
- 2 Alcohol Concern, 'An unhealthy mix?', p. 14
- 3 French R. S., Mercer, C. H., Kane, R. et al (December 2007)., 'What impact has England's Teenage Pregnancy Strategy had on young people's knowledge of and access to contraceptive services?' *Journal of Adolescent Health*; Volume 41: 6, pp. 594–601
- 4 Coleman, Lester, Testa, Adrienne (March 2007), 'Sexual health knowledge, attitudes and behaviours among an ethnically diverse sample of young people in the UK', *Health Education Journal*, 66: 1, pp. 68–81
- 5 Alcohol Concern (2002), 'Alcohol and Teenage Pregnancy', London: Alcohol Concern
- 6 YouthNet (2009), 'Sex Factor: Young people and sexual health'
- 7 Windle, M., Windle, R. C (2005)., 'Alcohol Consumption and Its Consequences among Adolescents and Young Adults', *Recent Developments in Alcoholism*, Volume 17, pp. 67–83.
- 8 Chambers, R. A., Taylor, J. R., Potenza, M. N (June 2003)., '[Developmental Neurocircuitry of Motivation in Adolescence: A Critical Period of Addiction Vulnerability](#)', *American Journal of Psychiatry*, 160: 6, pp. 1041–1052
- 9 White, A. M., Swartzwelder, H. S (2005)., 'Age-related effects of alcohol on memory and memory-related brain function in adolescents and adults', *Recent Developments in Alcoholism*, Volume 17, pp. 161–176
- 10 Brown, S., Tapert, S. F (June 2004)., 'Adolescence and the trajectory of alcohol use: basic to clinical studies', *Annals of the New York Academy of Sciences*, Volume 1021, pp. 234–244
- 11 Stacey, D., et al (December 2012)., '[RASGRF2 regulates alcohol-induced reinforcement by influencing mesolimbic dopamine neuron activity and dopamine release](#)', *Proceedings of the National Academy of Sciences of the United States of America*
- 12 Paton, Graeme (June 2011), '[Young people "should avoid alcohol until 24"](#)', *The Telegraph*
- 13 BBC News: Health, '[No alcohol' urged for under-15s](#)'
- 14 Paton, Graeme, 'Young people "should avoid alcohol until 24"'
- 15 Gill, Valdeep, Hawkins, Victoria, Mandalia, Dhriti, Whalley, Rachel, 'Smoking, drinking and drug use among young people in England in 2011', p. 129–30
- 16 Department for Education (July 2012), National Tables: SFR17/2012, in '[Permanent and fixed-period exclusions from schools in England: academic year 2010 to 2011](#)', Table 11
- 17 Figures from the Ministry of Justice. Magistrate's FOI request: 747-13 FOI 85726, 23 October 2013, 'PND: number of penalty notices for disorder issued to offenders aged 16 and over by offence, 12 months ending March 2005 to 12 months ending March 2013'; Dugan, Emily (November 2013), '[Prosecutions for under-age alcohol sales fall to quarter of 2008 level](#)', *The Independent*
- 18 Birdwell, Jonathan, Wybron, Ian, Vandore, Emma (November 2013), '[Sobering Up](#)', DEMOS – Under the Influence, p. 15

UK underage drinkers: Comparison with the EU

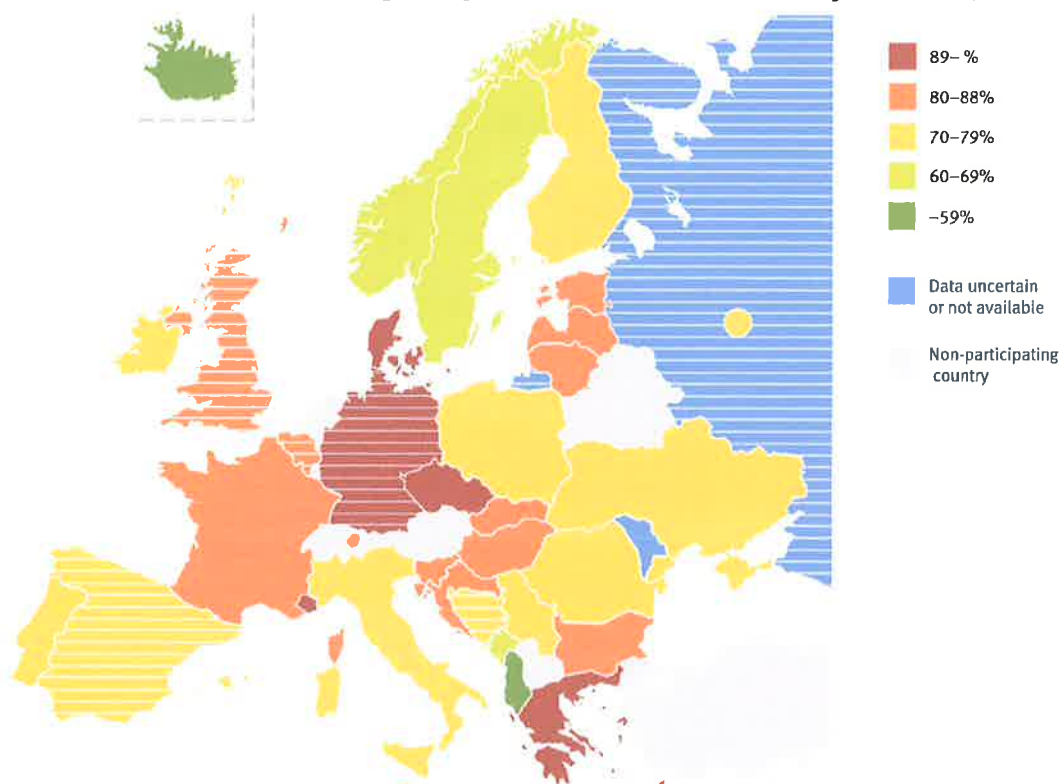
The 1995 WHO European Charter on Alcohol states that:

All children and adolescents have the right to grow up in an environment protected from the negative consequences of alcohol consumption and, to the extent possible, from the promotion of alcohol.¹

Yet international health surveys show UK adolescents as having relatively high levels of alcohol consumption compared to their European counterparts. The most reliable comparison data on the consumption levels of 15 to 16 year-olds in Europe is produced every 4 years by the European School Survey Project on Alcohol & Other Drugs (ESPAD). The most recent survey (2011) illustrates the UK's position relative to other participating ESPAD countries.

Levels of underage drinking within the EU are high by international standards; in all participating European School Survey Project on Alcohol and Other Drugs (ESPAD) countries but one, 70% or more of the students have drunk alcohol at least once during their lifetime, and 79% in the last 12 months.² But in the UK, the figure is higher than the average, at 85%.

Figure 17a: Alcohol use during the past 12 months, 15 – 16 year-olds, 2011



Source: ESPAD (2011), adapted from Figure 2a

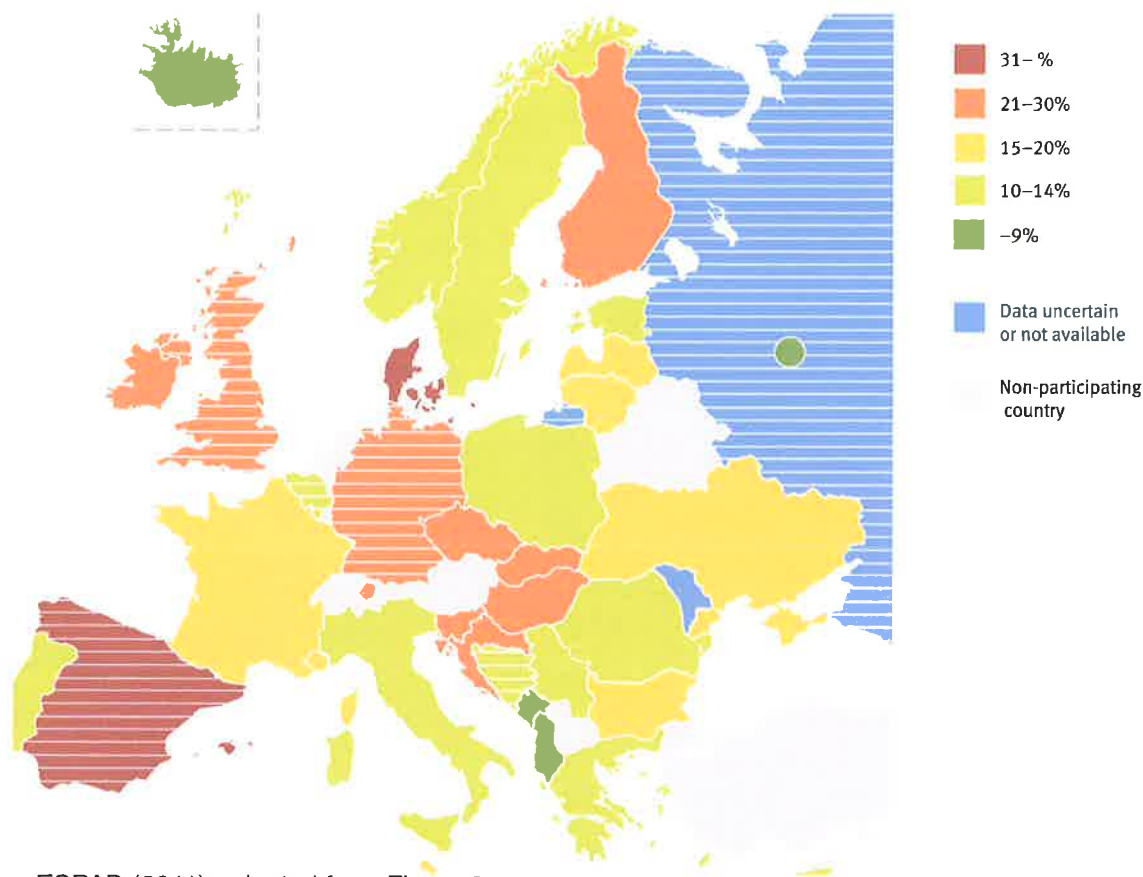
Figure 17b: Alcohol use during the past 12 months, 15 – 16 year-olds, 2011

COUNTRY	Number of occasions						Once or more	No response
	0	1-2	3-5	6-9	10-19	20+		
AVERAGE	21	19	15	13	14	18	79	2
United Kingdom	15	14	15	14	18	24	85	2

Source: ESPAD (2011), adapted from Table 9

On average, a total of 17% reported intoxication**** on at least 1 occasion in the last 30 days. But the UK was above average (26%), coming second only to Denmark (37%) in the ESPAD rankings (see Figure 18).

Figure 18a: Graphic: Frequency of being drunk during the last 30 days (%), 15 – 16 year-olds, 2011



Source: ESPAD (2011), adapted from Figure 6a

Figure 18b: Frequency of being drunk during the last 30 days (%), 15 – 16 year-olds, 2011

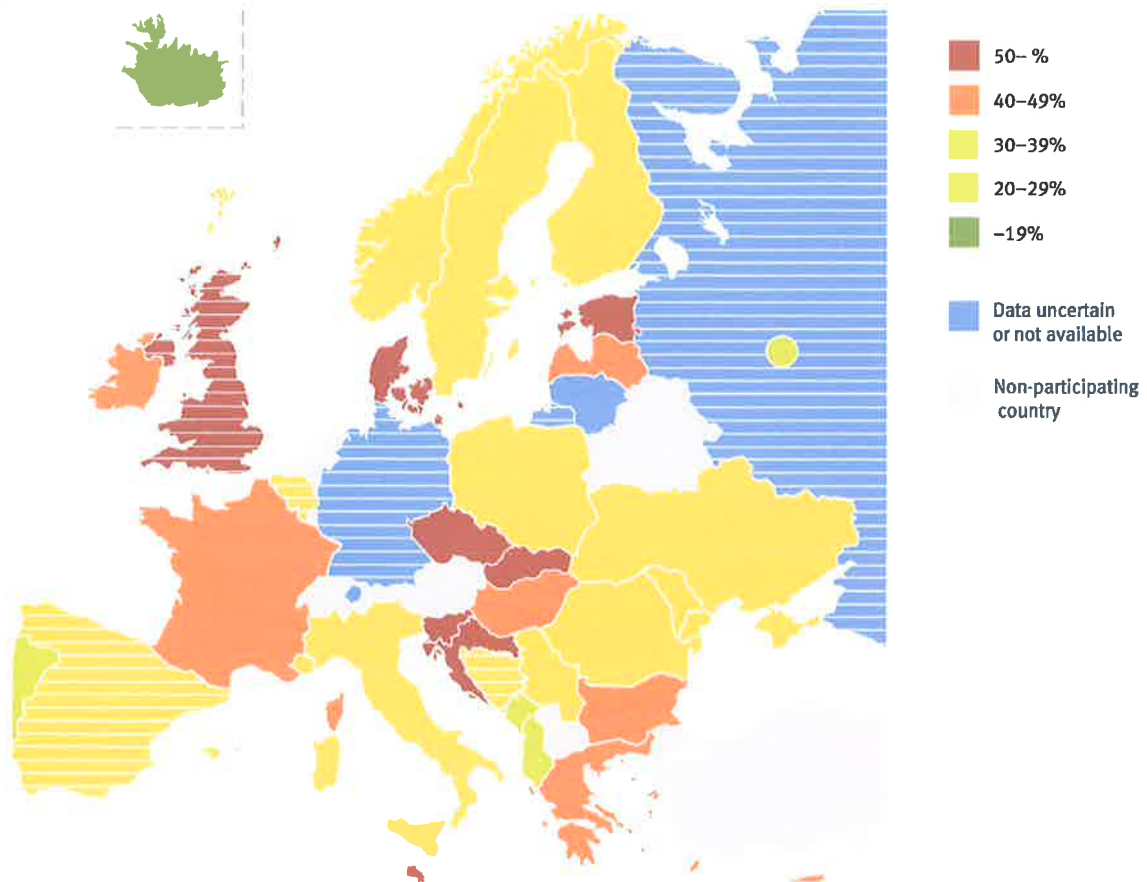
COUNTRY	Number of occasions						Once or more	No response
	0	1-2	3-5	6-9	10-19	20+		
AVERAGE	84	12	2	1	0	0	17	2
United Kingdom	74	18	5	1	1	1	26	2

Source: ESPAD (2011), adapted from Table 22

The UK also ranks high among those nations whose students consumed 5 or more drinks on 1 occasion in the past 30 days, aka “heavy episodic drinking” (see Figure 19). Heavy episodic drinking is the most prevalent in Denmark and Malta, where 56% of the students reported such behaviour during the past 30 days. But the UK, along with Croatia, the Czech Republic, Estonia, Slovenia, and Slovakia follow close behind at 50 – 54%.³

**** Drunkenness is referred to in the ESPAD survey in several ways. One of them relates to experienced intoxication, which is a subjective measure. This has been used for the time periods of lifetime, past 12 months and past 30 days. The other measure is heavy episodic drinking, which is more objective since it relates to a specified quantity of 5 drinks or more consumed on one occasion. (ESPAD 2011, p. 75)

Figure 19: 5 or more drinks on 1 occasion in the last 30 days (%), 15 – 16 year-olds, 2011



Source: ESPAD (2011), adapted from Figure 7a

- 1 World Health Organisation (WHO) (December 1995), '[European Charter on Alcohol, 1995](#)'
- 2 European School Survey Project on Alcohol and Other Drugs (ESPAD) (May 2012), '[The 2011 ESPAD Report](#)', pp. 11, 68
- 3 ESPAD, 'The 2011 ESPAD Report', pp. 77–80

Institute of Alcohol Studies

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Community & Environment

Ian Davies – Director of Community & Environment

8
Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

*Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA*

www.cherwell.gov.uk

Please ask for: Chris Pegler

Direct Dial: 01295 753759

Email: Chris.pegler@cherwell-dc.gov.uk

Our Ref: Yarnton Manor

29 July 2015

Dear Mr Humphreys

Yarnton Manor Premises Licence Application Hearing - 28 July 2015

I write to confirm the outcome of the above hearing.

Decision

The licensing sub-committee has carefully considered the evidence submitted by the applicant and all the other parties and what has been said by all those who spoke at the hearing. It has taken all the documentation submitted right up until last night into account.

The sub-committee found, based on the extensive evidence before it, that the grant of the application would be likely to undermine both the public nuisance and public safety licensing objectives. Public nuisance included noise and disturbance to local residents from licensable activity and also from people and vehicles coming and going. The sub-committee did not consider that the conditions proposed by the applicant in relation to noise were adequate. The public safety concerns included the serious risk posed by traffic coming to and going from the premises down Church Lane which was for the most part a single track lane and well used by adults and children on foot. The applicant's expert traffic evidence was not persuasive. The sub-committee recognised from the evidence that there were already problems of this nature on Church Lane.

To a lesser extent, but still relevant, the sub-committee were concerned about the manner in which the application had been prepared and submitted. It had required quite significant clarification/confirmation and the applicant had addressed the key issues apparently only in response to points raised by the responsible authorities and local residents. The sub-committee considered an application of this nature and extent required rather more careful attention than the applicant had given it at first instance. This, combined with evidence of previous breakdown in communication between the applicant and local residents concerning licensing issues (especially

those closest to the premises), called the applicant's management of, and ability to, promote the licensing objectives into question.

On the basis of all the evidence heard, the sub-committee did not consider attaching conditions to the licence would promote the prevention of public nuisance and public safety.

Taking everything into account, the Panel considered it was appropriate for the promotion of the licensing objectives to refuse the application.

The Panel noted that the applicant could still seek to utilise Temporary Event Notices, the number of which available would increase next year.

Parties can appeal to the Magistrates' Court within 21 days of notification of this decision. Any appeal should be made to Banbury Magistrates Court, The Court House, Warwick Road, Banbury, Oxfordshire, OX16 2AW.

Yours sincerely,

pp. Ian Davies
Director of Community and Environment

cc. Robert Humphreys - Solicitor for applicant

Jeremy Phillips Barrister for applicant

DECISION NOTIFICATION

BACKGROUND

1. On 7 February 2008 and 13 February 2008 the Licensing and Appeals Sub-Committee ('the Committee') heard an application by Mark Dale for a premises licence to stage the 'Settle Festival' on land within the Craven district. A plan was submitted with the application outlining the site and the Committee attended at the proposed site for a visit on 16 February 2008.
2. The application sought authorisation from 14 August 2008 although the licensable activities applied for were from 28 August 2008 to 1 September 2008. The exception being late night refreshment, in which no specified dates were given. At the hearing, Mr Dale submitted that the application was for a premises licence, not just for 2008, but for following years so as to enable him to stage the festival on an annual basis. Following legal advice, the Committee considered that Mr Dale had applied for a premise licence to carry on the licensable activities for the specified dates in 2008 only. The exception to that was the provision of late night refreshment.
3. The application by Mr Dale received statutory representations from the North Yorkshire Police, the Council's Environmental Health Office and Interested Parties.
4. At the hearing, the Committee heard from the following people –
 - 1) The Applicant, Mr Dale who was accompanied by Simon Bell, Advisor; Stephen Bell, Showtec Security, Tom Algie and Chris Leach MBE, Northern Rail.
 - 2) The North Yorkshire Police, represented by Mrs Wintermyre together with Superintendent Payne and Sergeant Wilson. Area Commander Taylor was present on 13 February 2008 instead of Superintendent Payne
 - 3) The Council's Senior Environmental Health Officer, Mr Pickles

8. In reaching this decision the Committee had regard to the provisions of the Licensing Act 2003, guidance issued under the Act and the Council's licensing policy
9. In arriving at its decision, the Committee disregarded any information and/or submissions which were not relevant to the licensing objectives under the 2003 Act.
10. In reaching this decision and in considering the application, the statutory representations and the oral evidence presented, the Committee were mindful of the scope to address issues through conditions and that any condition had to be necessary.

REASONS

11. In terms of the licensing objectives, a large number of issues were raised in the relevant representations, and considered. The Committee considered that the following were the principal issues that had been raised by the representations -

- 1) Roads and the Suitability of the Site.

- 2) Congestion.

- 3) Issues of Flooding, the River Ribble, Watercourses and Culverts.

- 4) Sound levels and Nuisance.

- 5) Planning and Management of the Event.

- 6) Staffing, Security and Stewarding.

- 7) Criminal Activity (On and Off the Site).

- 8) Children and Vulnerable People.

12. In terms of those issues, the Committee determined the following –

1) **Roads and the Suitability of Site.** Although a traffic management plan had been submitted, the Committee considered this to be inadequate. The plan did not properly address the A65 and pedestrians. The Committee was of the opinion that although Mr Dale had stated his intention to provide crossing points, lighting, traffic lights and stewards, there was nothing in place before them which provided certainty regarding the content of any amended traffic plan and in so far as it could, intended to address the dangers posed to festival goers, pedestrians and other road users on the A65. The suitability of Rathmell Road was also a concern to the Committee bearing in mind the absence of pavements/pedestrians walk areas and associated dangers to pedestrians. In reaching this view, the Committee accepted the points raised in this regard by the North Yorkshire Police and interested parties.

2) **Congestion.** The A65 is the main spinal route within Craven and also links West Yorkshire to Kendal and the Lakes. The Committee was of the view that the Festival would lead to congestion on this route and measures such as the introduction of temporary traffic lights on the Settle Bypass would add to this congestion. The Committee was concerned and accepted points raised in the representations that the resulting congestion could impact on the ability of the emergency services to respond to a road traffic accident or other medical emergency in the area concerned to an unacceptable degree. Again, the Committee considered that a clear traffic management plan was not available to the Committee.

3) **Flood issues, River Ribble, Watercourses and Culverts.** The Committee accepted that the risks posed by the presence of culverts and water courses within the site could be addressed by conditions and the use of fencing and other measures. However, having received and heard submissions from those familiar with the site, they were of the view that in the absence of risk

assessments and site evacuation plans the risks and dangers posed to persons on the site, particularly the campsites, as a result of flooding and standing water were not adequately addressed within the plans and the documentation before the Committee.

4) **Sound Levels and Noise Nuisance.** Having considered representations and the evidence presented by Mr Pickles (the Senior Environmental Health Officer) and Mr Fairclough and whilst acknowledging Mr Dale's response to those representations and evidence, the Committee concluded that they did not consider that Mr Dale would be able to control noise from the event to the extent that it would not cause nuisance to residents. The Committee noted that Mr Dale said that he would engage the services of Capita Symonds to assist with sound levels but again the Committee had not seen any information and/or plans to allow this to be considered.

5) **Planning and Management of the Event.** Given the scale and extent of the event, the Committee concluded that the event safety management plan and operating schedule before them was too generic, was not sufficiently advanced and contained insufficient data in terms of policies, procedures and plans to enable them to be assured that Mr Dale was able to satisfy the four licensing objectives under the Act. Mrs Longfield on behalf of the Festival Action Group submitted that the policies were generic and not site specific. The Committee agreed with that. Examples of the policies/documents etc not available to the Committee, or incomplete are-

- a) Traffic management plan (including pedestrian plan).
- b) Risk assessments.
- c) Site evacuation plans.
- d) Health and safety plan.

substantial number of, concerns with conditions and therefore determined that it was necessary to reject the application. Furthermore, the Committee was of the view that it was not able to assess what would be workable conditions given the inadequacy of the documents produced by Mr Dale and the absence before them of important information. The Committee concluded that it was necessary to reject the application to promote the objectives.

14. The application by Mr Dale for a premises licence is therefore rejected.

10

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Angry residents of quiet English village in battle to get new music festival banned because gangster rapper Snoop Dogg is performing

- Snoop Dogg is headlining at the Mutiny festival at Fontwell Park Racecourse
- Residents are concerned about parking and 'expletives' into the early hours
- Complained organisers hadn't made them aware at a heated public meeting
- Organisers claim that they have complied with all of the legal requirements

By JAMES DUNN FOR MAILONLINE

PUBLISHED: 14:59, 15 July 2015 | UPDATED: 17:51, 15 July 2015



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Residents in a sleepy Sussex village have declared their own rap battle against the organisers of a festival with headliner Snoop Dogg at a nearby racecourse.

The famous rapper, well known for his love of 'weed', is performing at the sold out Mutiny Festival this weekend, which will see 15,000 people descend upon Fontwell Park Racecourse.

But residents are up in arms over the type of people that it might attract to their village, emphasising that 'this isn't Glastonbury'.

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The Doggfather: Rapper Snoop Dogg is well known for his 'love of weed', is performing at the sold out Mutiny Festival this weekend, which will see 15,000 people descend upon Fontwell Park Racecourse



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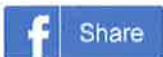
Rap battle: residents are up in arms over the type of people that it might attract to their village, emphasising that 'this isn't Glastonbury'

They're worried that the gangster rapper, who uses shocking and sometimes graphic language in his music, will 'send expletives' echoing around Fontwell into the early hours.

At a heated meeting, residents complained that, until recently, they didn't even know about the festival, which they claim has forced one business to close and could cause parking chaos.

Accountant Keith Hood, 57, is one of the local residents angry about the 'racket' the West Coast rapper will make.

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He said: 'Parents with young children don't want to hear expletives being belted around the village. Snoop Dogg is probably as violent as my cat - he's very vicious.

'There's only 2,500 people camping at the venue, so that means there's going to be 12,000 pouring out of the venue and onto our streets at 11.30 at night.

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'It's going to be chaos. Nobody wants a festival in their back garden and the rap racket will keep us up all night.'



With my mind on my money: Simon Williams, executive director of the racecourse said events like the festival are important to the racecourse and contribute to its long-term prosperity as a valued employer



Sleepy: Residents are worried at the impact the festival will have on the quiet village in West Sussex

Business owner Michael Neave says his nursery, Denmnans Garden, has been forced to close on the weekend.

The shop and restaurant owner could lose as much as £7,000 in business because of the event that is running directly opposite.

He said: 'I've had to tell staff I have to close and I can't pay their wages. I am angry. The people running the festival are full of arrogance.'

'I'm not sure about the types of people Snoop Dog attracts - this isn't Glastonbury.'

'Festivals need to be in a suitable place with the right scale and resources, which Fontwell is not.'

The event runs July 17-19 and also features other prominent dance acts such as Knife Party, Labrinth, Nero, and Gorgon City.

More than 80 people aired their concerns at a heated meeting about noise levels, parking and anti-social behaviour.

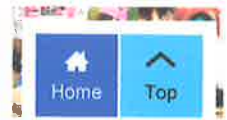
Residents are also concerned at the fact that there are three care homes close by - one for the elderly, one for people with dementia and another for adults with learning disabilities.

One woman said: 'Every single person here tonight has been sitting at home worrying about how this will affect them.'

“ Snoop Dogg is probably as violent as my cat - he's very vicious ”

Keith Hood, resident

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'You haven't done what you should have done, you didn't inform people what was happening and there's just a week to go before it starts.'

Residents are also concerned about revellers refusing to pay the £10 fee for parking and instead leaving their vehicles on neighbouring streets.



Chaos: There are concerns that festival goers won't pay the £10 parking fee for the weekend and will instead block up the neighbouring streets in the village



Drop it like it's hot: Residents are calling for organisers to cancel the concert which will see 15,000 people descend upon the village this weekend

Others questioned the level of security, with one asked: 'What are you going to do to protect our properties from drunk people pouring out and getting into our gardens at 2am?'

One of the organisers of the Mutiny Festival, Neil Robins, attempted to reassure neighbours, suggesting that there would be 150 stewards and security staff present, meaning there was 'a significant team behind this'.

Residents were annoyed that they have only recently heard of the festival, which they want stopped as it is now so close that there is not enough time to address their concerns.

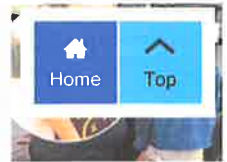
But Mr Robins insists organisers did everything legally required of them.

The team behind the festival claim that they started informing residents personally on March 3, leaving notes in neighbouring properties where residents were out.

They also had a meeting with the parish council, put notices in the local newspaper, displayed posters in the town and held a number of consultation events at the racecourse.

The team also revisited some homes and has a website and a Facebook page which now has more than 20,000 likes.

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Simon Williams, executive director of the racecourse said: 'Such events are important to the racecourse and contribute to its long-term prosperity as a valued employer and contributor to the local community.'

'We have worked closely with the organisers participating in several meetings with the local authority, environmental health, the local special area group and the police in order to ensure the event complies with all of the conditions required by those parties.'

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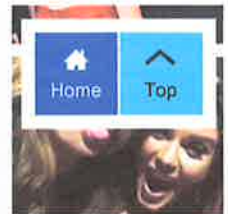
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+ 3 stabbings last year alongside
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Music festivals to get 'neighbourhood watch' schemes to reduce crime

Volunteers ready to work alongside security staff following reports of rape, thefts and attempted murder at this year's events

Tony Thompson

Sunday 15 August 2010 00.06 BST

Festival-goers across the country are hitting back at a wave of violence and antisocial behaviour at events by setting up onsite neighbourhood watch-style schemes aimed at reducing trouble and protecting property.

Although reported crime at festivals has fallen this year, the season has been marred by a number of disturbing incidents, particularly at some of the "high-end" events, which have traditionally been almost crime-free. Two rapes and a sexual assault were reported at Latitude in Suffolk last month, a family-orientated event, while stewards at this year's Camp Bestival in Dorset reported numerous incidents of vandalism and assault. The Womad festival in Wiltshire, another event with a reputation for being family-friendly, prompted a record number of complaints about antisocial behaviour.

There were also two rapes and an attempted murder at T in the Park in Kinross-shire, Scotland. Some festival-goers say a major part of the problem is a changing demographic among those attending, with the music often taking a back seat to drinking and drug-taking.

Thames Valley Police have placed a dispersal order on the Reading festival in an attempt to crack down on crime which rose at the bank holiday event last year. The order gives police the power to request a group to disperse and is aimed mainly at aggressive ticket touts.

Next weekend's V festival sites, in Staffordshire and Essex, and the Reading festival the week after, are expected to use teams of volunteers to help guard property, encouraging campers to look out for one another so that strangers attempting to steal from campsites are more easily spotted. Organised tent theft continues to be a major problem at all festivals.

The scheme is based on one first introduced at Somerset's Sunrise Celebration in June where, in a spirit of self-mockery, volunteers were dubbed Tent Watch Action Teams - or Twats for short. The Twats do not wear uniforms, but work alongside security staff to enhance safety without making the atmosphere overly oppressive. "It is a community-

led activity that was developed [by victims] as a response to tent thefts in 2009," said the scheme's organiser, Dan Hurring. "We broadened it to establish a wider neighbourhood watch-type programme, encouraging the tented community to look out for each other, befriend neighbours and stay vigilant. We wanted to tackle the problem ourselves as this has traditionally been a police-free festival and we wanted it to stay that way."

As a result of the teams, reports of thefts at Sunrise fell from 37 last year to four. Hurring has since been in touch with senior figures from other festivals with a view to introducing similar schemes there.

The Association of Independent Festivals, which oversees Womad and Camp Bestival, is to expand its Festival Watch scheme in which details of troublemakers identified at one venue are passed on to others. A spokesman said that a small minority of festival-goers travel to several events and cause problems at each and it is hoped the scheme will help to stop them gaining entry.

"The whole binge-drinking culture seems to have invaded the festival circuit," said Rachel, a regular at Camp Bestival and Latitude for the past five years. "A lot of festivals started out quite small, and as they've gotten larger, so the number of louts has increased. It's a real shame, and there's no doubt that for some people these problems are going to put them off ever coming again."

Womad attendees have expressed similar concerns in angry posts on the festival's website. "The teen element has significantly increased over the last few years, and their behaviour has sadly deteriorated," wrote one. "These are not just isolated incidents. Womad need to address this, otherwise true music lovers will be put off from attending."

Womad's organisers blamed some of this year's troubles on "a minority of parents arriving with their teenage charges and not only separating from them at the outset... but providing them with large amounts of alcohol to get them through the weekend. This is neither acceptable nor legal. We are in discussion with both police and security to reconfigure the camping for 2011, enabling us to better manage antisocial behaviour and concerns over underage drinking."

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Will Olly and JLS be in festival's top 10?

By The Sentinel (/people/The Sentinel/profile.html) | Posted: May 28, 2013

By Lucy Roue

Comments (0)

MUSIC-LOVERS are in for a treat as 10 international acts take to the stage as part of a new festival.

Radio station Signal 1 announced plans for Total Access Live yesterday.

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you will see we have the same event manager Richard Busceton. This year was a catastrophe. They were out of there depth.

- Former X Factor star Amelia Lily joins Junction 16 Festival line-up (/X-Factor-star-Amelia-Lily-joins-Junction-16/story-19170641-detail/story.html)
- Professor Green joins festival line-up (/Professor-Green-joins-festival-line/story-19501387-detail/story.html)
- Back in The Sentinel archive: Sugababes and Def Leppard perform at Britannia Stadium (/Sentinel-archive-Sugababes-Def-Leppard-perform/story-21463314-detail/story.html)

The event has been organised to celebrate 30 years of the radio station and will take place on the second day of the three-day festival.

Event manager Richard Buxton, aged 47, from Trentham, said: "We are absolutely delighted with the collaboration. Signal 1 will be announcing all the artists throughout the week."

"They will be big household names and the type of artists you hear regularly on the radio. But it is top secret at the moment."

He added: "It is a perfect match because we have the venue and infrastructure to put on the festival and they are bringing in the best of the best."

"It is going to be the biggest thing in North Staffordshire and South Cheshire this summer."

The Total Access Live concert takes place on August 10 at Betley Court Farm, near Crewe, just off Junction 16 of the M6.

Big name acts will take to the stage overlooking the 26-acre Betley Mere.

During a lunch-time broadcast yesterday afternoon presenter Simon Morykin said: "This year is Signal 1's 30th birthday so we want to put on the biggest party of the summer, and we want you to come. You have heard them on Signal 1, now come and see them perform all on one big stage."

The three-day festival will feature veteran rockers Status Quo perform on the Friday and Madchester legends Happy Mondays on Sunday.

Music fan Soozie Bloor aged 34, from Ironbridge Drive, Silverdale, said: "I think it is great that the concert is attracting international artists."

"It will be interesting to see who is on the final line-up and if it generates a lot of business for the area."

The performance coach added: "I would like to see some alternative bands like Kasabian on there but I'm sure it will be popular either way."

Organiser George Bailey, from Junction 16, said: "We have worked hard to secure this 30th birthday concert and we are proud that Signal Radio has entrusted us with the production of this event."

"It is going to be an incredible weekend of music."

"The line up for all three days is now complete and we look forward to welcoming everyone to Betley Court Farm in August."

Tickets are priced at £15 for general admission and £75 for VIP. They go on sale at 10am on June 3.

To buy tickets visit www.junctionsixteen.com or call 0844 888 9991

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14

One Love Festival switches location following licence bid refusal

3:00pm Friday 21st August 2015

By Jessica Bave

A MAJOR festival due to take place in Popham has been switched to Gloucestershire after its organisers' bid for a licence was rejected.

Organisers of the One Love Festival planned for Popham Airfield, from September 4-6, had sold tickets and announced its line-up ahead of applying for the premises licence.

As part of the application, the organisers applied for permission to host live and recorded music between 1pm and 2am on the Friday, between 11am and 2am on Saturday and between 11am and 11pm on Sunday and to sell alcohol from 11am to 1.45am on Friday and Saturday and from 11am to 10.30pm on Sunday.

But councillors on the borough council's licensing sub-committee refused the application following concerns over the risk to the public, a single access for all visitors including emergency services and the lack of steps to prevent excessive noise.

The decision follows a meeting where councillors considered representations from a number of parties concerned with the event, including police, council officers and the flying club at the airfield on August 6.

In a report to the committee, PC Claire Wanless, a licensing officer at Basingstoke police station, said the festival has attracted a number of complaints at the locations where it had been held.

She added: "The proposed site for the festival is next to the busy A303. There have previously been deaths of pedestrians on this road – the most recent in May this year, and as such making sure the risks in relation to this road must be addressed. The Chief Officer of Police is not convinced this has been achieved."

PC Wanless also raised concerns over the event's drugs policy and the lack of consideration for the use of drugs dogs after drugs were found at previous events.

The borough council's senior licensing officer, Andrew Wake, said he considered it "poor practice" to advertise and sell tickets for an event before obtaining a licence, while Darren Chant, principal environmental health officer, said documents "failed to address" how traffic will be safely managed and how people would be evacuated safely in an emergency.

In the ruling, which was released last Thursday, the sub-committee said that despite efforts to address concerns raised, they felt adequate measures to ensure the public would not come to harm had not been taken.

It added: "The single access is the only route for emergency vehicles. No plan has been drawn up which demonstrates how an emergency vehicle can access the site in the event that the access route is blocked."

"The event site is immediately adjacent to a live airfield which is expected, subject to the appropriate weather conditions, to be in full operation over the three days of the event. Despite the proposed erection of a barrier, access points and the access road are close to one of the runways."

A statement from the festival organisers said: "It's with regret that after building such a great relationship with the Basingstoke and Deane licensing team the site was deemed unworkable for our music festival on mainly evacuation grounds highlighted by the recent local plane crash – we are delighted to have relocated to a venue which doesn't have such high risks associated with it."

When The Gazette asked if customers could get a refund on tickets purchased, they advised people to contact them on their social media accounts.

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Civic Offices
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Staffordshire
ST5 2AG

Licensing Administration (Julia Clearly)
Newcastle under Lyme Borough Council
Civic Offices
Merrial Street
Newcastle under Lyme
ST5 2AG

Dear Julia,

Licensing Act 2003

Re: Application for a premises licence for Wish Promotions Ltd, Holmcroft, Whitmore Road, Baldwins Gate, Staffordshire, ST5 5DA.

Newcastle under Lyme Borough Council's Environmental Health Division, in its capacity as a responsible Authority under the Licensing Act 2003 **OBJECTS** to the application for a premises license, received on the 23rd June 2015 for the above establishment as it considers that the licensing objective "Prevention of Public Nuisance" will not be met based on the submitted details. This fails to address the impact from noise from entertainment, patrons and their vehicles and also the impact of patrons and their vehicles on the surrounding community after 11pm at night.

I am prepared to reconsider this objection should the applicant satisfactorily address my concerns about noise from entertainment, patrons and their vehicles and also the impact of patrons and their vehicles on the surrounding community after 11pm at night by undertaking the following:

- The times of the entertainment licensable activities to be amended to a 22:30 finish, namely;
Plays, films, live music, recorded music, performance of dance and anything similar, music making facilities, dance facilities and anything similar.
- The time for refreshments and late night refreshments to be amended to a 07:00 start and 23:30 finish.
- The time for entertainment licensable activities on Sunday to be amended to a 12noon start, namely; Plays, films, live music, recorded music, performance of dance and anything similar, music making facilities, dance facilities and anything similar.

In addition to the above amendments, we would like to see conditions attached to the license as per Annex 1.

In addition to the above, we would like to make the following observations under the objective of 'Public Safety'. We have concerns about the lack of information submitted with the premises application with regards to:

- Railway line – preventing public trespass from the site to this busy active line.
- Whitmore Road being a narrow, fast road with blind corners
- The large on site pit close to the toilets for the VIP area.

Office Use Only: PROTECT Personal



Working to be a co-operative council

Contacting the Council: Switchboard 01782 717717 - Fax 01782 711032 - DX 20959 - Text 07800 140048
Email webmaster@newcastle-staffs.gov.uk - www.newcastle-staffs.gov.uk