

## Alcohol in licensed pavement areas

**Option 1: Make permanent the temporary regulatory easements for off-sales under the Business and Planning Act 2020, whereby any on-sales alcohol premise licence automatically covers off-sales as well.**

To what extent do you agree that option 1 would provide a suitable long-term replacement to the temporary off-sales permission that the Business and Planning Act 2020 has been providing?

Disagree

Why do you disagree with option 1?

(Select all that apply)

Concerns about increases in crime and/or antisocial behaviour

Other (please specify):

There would be no scrutiny for Responsible Authorities or public prior to premises starting takeaway/delivery of alcohol, where there may be concerns. It would allow problems to occur before there being a method of remedying them by way of a condition/s being added rather than being reviewed with the prevention of crime and/or disorder and nuisance in mind.

**Option 2: Amend the wording in the Licensing Act 2003 to extend the definition of on-sales so that it includes consumption in a licenced pavement area.**

To what extent do you agree that option 2 would provide a suitable long-term replacement to the temporary off-sales permission that the Business and Planning Act 2020 has been providing?

Strongly agree

Why do you agree with option 2?

(Select all that apply)

Minimise costs to businesses

Ease of understanding

Simplicity to put in practice

Other (please specify):

Provides protection that premises wishing to sell alcohol for takeaway/delivery would be scrutinised prior to grant.

**Option 3: Amend the Licensing Act to permit on-sales only premises licence holders the right to make off-sales to any area for which there**

## is a pavement licence.

To what extent do you agree that option 3 would provide a suitable long-term replacement to the temporary off-sales permission that the Business and Planning Act 2020 has been providing?

Strongly disagree

Why do you disagree with option 3?

(Select all that apply)

Other (please specify):

It is more difficult to put into practice and not as easy to understand as options 1 or 2.

Options 2 and 3 have the same implications for new and existing premises licence holders. Of the two, which - if either - is your preferred option?

Option 2

**Please explain your reason:**

Easier to understand for all parties and easier to administer for licensing authorities.

Are you responding as a licensing officer or on behalf of a licensing authority?

Yes

How many on-sales only licensed premises in your area have taken up the opportunity to automatically do off-sales without amending their licence?

An estimate is acceptable.

<b>Total number of premises in your area that are licensed for on-sales only:</b>	45
<b>Of that total, how many have taken up the opportunity to automatically do off-sales to a licensed pavement area without amending their licence?</b>	1
<b>Of that total, how many have taken up the opportunity to automatically do takeaway drinks without amending their licence?</b>	5
<b>Of that total, how many have taken up the opportunity to automatically offer delivery without amending their licence?</b>	10-15

Please use this space to provide any comments you have on any matter covered in this consultation.

If your submission is lengthy, please submit your answers via this form and email additional information and data to [alcohollicensingconsultations@homeoffice.gov.uk](mailto:alcohollicensingconsultations@homeoffice.gov.uk).

Whilst we do not consider that there have been any/many negative effects of the current temporary off-sales provisions in our Borough in relation to crime and disorder, ASB and/or nuisance. However there one premises in our Borough that is situated within a Council owned park, very close to a children's play area that has allowed off-sales which has raised some concerns from the parks team and members of the public. Option 2 within the consultation would allow this operation to be properly considered.

## About you

Full name

Matthew Burton

Job title, or capacity in which you are responding to this consultation (for example, member of the public)

Licensing Administration Team Manager

Company or organisation name (if applicable)

Newcastle-under-Lyme Borough Council

Address

Castle House, Barracks Road, Newcastle-under-Lyme

Postcode

ST5 1BL