

Appendix C – Report on results of consultation

Andy Dean TVP Licensing (South)

No comments

Ian Wares TVP Licensing (Vale)

No comments

Anonymous

No comments

Anonymous

No comments

Ipsden Parish Council

With reference to the final sentence of Section 6.14 relating to Small music festivals and outdoor events, it is suggested that 'and' replace 'or' as follows:

Organisers are encouraged to employ event management techniques similar to larger scale events to avoid public nuisance, these can include considering the suitability of the location, the geography, limiting amplifier output, duration and direction.

The use of 'or' in this context might suggest that consideration need only be given to one cause of public nuisance such as limiting amplifier output, or duration, or direction, rather than consideration for all potential causes of public nuisance associated with a small music festival or outdoor event.

Officer response: Amended 6.14 accordingly.

Thame Town Council

Thame Town Council considered all the proposed changes and raised no objections.

Wallingford Town Council

Wallingford Town Council discussed the consultation at their Council meeting on the 7th December and agreed that Council would respond that they wished to be kept informed and stay in the process and that once more details are know they will discuss further.

Public Health, Oxfordshire County Council

2. Licensing Objectives and Key Aims

Add a section as follows:

Please see the Local Alcohol Profile and maps available on our website. These aim to increase awareness of local risks and improve information sharing in order to facilitate positive engagement with licensees and a more coordinated approach to local risks. They also inform applicants of the specific risks that need to be considered prior to submitting any new or variation licence applications or temporary event notices, to ensure the promotion of the licensing objectives.

Officer response: New section 2.9

4. Prevention of Crime and Disorder

Add to 4.8 as follows:

Any premises application must consider the installation of CCTV covering both inside and outside of the premises with images retained for a minimum of 31 days or detail why they do not think it is appropriate in their application. Staff must be trained to operate the CCTV equipment and able to provide recordings within 24 hours to any of the responsible authorities on request.

Officer response: Amended 4.8 and added to 4.9

Add a new point after 4.9 as follows:

Premises should complete a specific risk assessment in respect of any alcohol promotions and should follow any industry codes of practice such as the Portman Group Code of Practice of the Naming, Packaging and Promotion of Alcoholic Drinks. Promotions that encourage irresponsible consumption of alcohol should be avoided, including drinking games as these would likely breach the relevant mandatory licence conditions and pose a risk to public safety.

Officer response: Added new section 4.11

Add to 4.13 as follows:

The application should state if they propose the use of registered door supervisors which is supported by the completion of a risk assessment. Where it is felt the registered door supervisors are not required the reasons for this should be provided in the application and again supported by the completed risk assessment.

Officer response: Amended section 4.15

Add to 4.17 as follows:

The following should be considered

- Measures to prevent the bringing of offensive weapons onto the premises
- Illegal (illicit, counterfeit or non-duty paid) tobacco or alcohol
- Use of toughened glass or plastic (consideration to be given to the use of plastic drinking receptacles in outside areas that are situated in town centres).

Officer response: Added to section 4.20

5. Public Safety

Add as follows:

Premises must make provision to ensure that premises users safely leave their premises.

Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home;
- Adequate lighting outside the premises, in car parks and on paths leading to and from the premises.

Officer response: Added new section 4.17

Alcohol Harm Reduction (add following to existing 5.5-5.7)

Please refer to the Local Alcohol Profile which can be found on the council's website.

Officer response: Added to section 5.6

Alcohol related harm costs UK an estimated £21 billion per year, of which £11 billion is related to crime, £3 billion is related to NHS and £7 billion is related to lost productivity, sickness or unemployment. Alcohol is recognised as a causal factor for more than 60 diseases and a greater risk for mortality. Excessive alcohol consumption is a major cause of preventable premature death. Higher risk of alcohol misuse is seen in populations with severe disadvantage, especially those with poor mental health, offenders and the homeless. It is also seen in higher proportion in areas of deprivation and increases health inequality. The impact of harmful drinking and alcohol dependence is much greater for those in the lowest income bracket and those experiencing the highest levels of deprivation. <https://www.gov.uk/government/publications/health-matters-harmful-drinking-and-alcohol-dependence/health-matters-harmful-drinking-and-alcohol-dependence>

According to the 2019 Index of Multiple Deprivation (IMD), though overall South Oxfordshire is relatively less deprived, parts of Berinsfield and Didcot West are amongst the 40% most deprived areas nationally. In Vale of White Horse, one small part (LSOA) of Abingdon Caldecott is among the 20% most deprived neighbourhoods nationally. A small area in Faringdon is within the 50% most deprived LSOAs nationally. For further information, maps of deprivation (IMD) ranked nationally and within each district are available here: <http://insight.oxfordshire.gov.uk/cms/jsna-district-summaries-2020>

The Oxfordshire Drug and Alcohol Partnership Strategy (2020-2024) brings together partners, including the Licensing Authority and Responsible Authorities to work together to reduce the harm caused to individuals and to society by misuse of alcohol and drugs. Further information is available here: <https://mycouncil.oxfordshire.gov.uk/documents/s52833/Item%2010%20-%20DA%20partnership%20strategy%20FINAL%20DRAFT%20HIB%20Sept%202020.pdf>

Officer response: Added new sections 5.8 – 5.10

Replace existing 5.11 – 5.14 with following:

The inclusion of the Local Director of Public Health as a responsible authority under the Act enables Public Health to have a say in alcohol licensing. Public Health may have access to information that is unavailable to other responsible authorities, which help the licensing authority exercise its functions.

The role of the Director of Public Health is to help promote the health and wellbeing of the local populations they serve. This wide remit influences a wide range of circumstances, including local licensing arrangements. The licensing regime is concerned with the promotion of the licensing objectives which collectively seeks to protect the quality of life for those who live and work in the vicinity of licenced premises and those who socialise in licensed premises. The Director of Public Health could make or support representations as well as make observations on licensing applications. The focus on the wellbeing of the wider community via licensing is an important addition to the role of public health in promoting the wellbeing of their localities.

Officer response: New sections 5.14 – 5.16

Add following to 5.18:

- There shall be no external advertising of alcohol on the premises or facia windows.
- Premises should consider promotion of smaller measures of alcohol.

Officer response: Added to 4.20 and 4.11 respectively.

6. Prevention of Public Nuisance

Add following to 6.9:

Steps should be taken towards supporting the proposed Oxfordshire Smokefree Policy.

Officer response: Added to section 6.9

7. Protection of children from harm

Add following to 7.18:

Under the Licensing Act 2003, premises licence holders and Designated Premises Supervisors have a legal responsibility to ensure that children and young people are protected from harm at their premises. The guidance issued under Section 182 of the Licensing Act requires that children must be protected from 'moral, psychological and physical harm, which not only includes protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure of certain films or adult entertainment).' It is important that the risk of child exploitation is managed at premises to both protect children and young people from harm as well as to protect the business, particularly financial and reputational risk if legal action is taken against the premises, which could result in suspension or revocation of the licence.

To minimise the risk to children and young people, premises need to have preventative systems in place. Below are some suggested safeguarding measures:

- Undertake a written children and young person's risk assessment and use it to inform or complement your staff training and premises operating policy
- Staff should be trained to operate an age verification scheme, know what types of identification can be accepted and to recognise signs of proxy purchase of alcohol
- Staff should be trained to recognise indicators of child sexual exploitation and know how to report concerns
- Staff training records should be maintained
- Activities at the premises should be monitored (by using CCTV or by regular patrols). If patrols are carried out, a record should be kept of who made the patrol, where they patrolled and the time it was carried out together with the date.
- Suspicious activities should be reported to the police, including details of vehicle registration numbers and description of any individuals involved and all incidents of this nature should be recorded in the premises' incident log.
- If the Designated Premises Supervisor, Licence Holder or staff are in a situation involving the supervision of a vulnerable person at the premises, it is important to follow a consistent and auditable protocol.
- Code of conduct could be enforced when deliveries are made to unaccompanied children.

Officer response: Added new sections 7.19 and 7.20