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Please see document
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Camberley Police

Cumulative Impact Policy Report

1/11/2014 to 30/10/2015

Derek Seekings

From: Jill Morris [REDACTED]
Sent: 10 November 2015 13:20
To: licensing
Subject: Fw: Surrey Heath Borough Council - Licensing Policy Consultation
Attachments: Surrey Heath Licensing Policy feedback.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Derek,

Thank you for giving us the opportunity to provide feedback on your current Statement of Licensing Policy in advance of the drafting of a revised policy. I copied and pasted the section of the policy which is relevant to Trading Standards and included my comments in the attached document. If you have any questions about my comments please let me know.

Kind regards,

Jill Morris

Trading Standards Officer
Buckinghamshire and Surrey Trading Standards
Consort House, 5-7 Queensway, Redhill, Surrey, RH1 1YB

[REDACTED]

Please note that emails sent to my old @surreycc.gov.uk address will not be delivered after December 2015.

[Buckinghamshire and Surrey trading standards have merged to form a joint service from 1 April 2015](#)



----- Forwarded by Jill Morris/COM/SCC on 10/11/2015 13:02 -----

----- Forwarded by Helen Moore/COM/SCC on 06/11/2015 09:37 -----

From: Derek Seekings <Derek.Seekings@surreyheath.gov.uk>
To: [REDACTED]

Date: 06/11/2015 08:40
Subject: FW: Surrey Heath Borough Council - Licensing Policy Consultation

	<p>Surrey Heath Borough Council Surrey Heath House Knoll Road Camberley Surrey GU15 3HD 01276 707100</p>	<p>Service</p>	<p>Community Services</p> <p>Our Ref: SHBCPR-14317</p> <p>Your Ref: OBJ</p>
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DX: 32722 Camberley
www.surreyheath.gov.uk

Direct Tel: 01276 707100

Email: licensing@surreyheath.gov.uk

5 November 2015

Dear Responsible Authorities

LICENSING ACT, 2003 – LICENSING POLICY STATEMENT & CUMULATIVE IMPACT POLICY – The Golf Driving Range

Consultation Document

The Council is in the process of reviewing its existing Licensing Policy Statement and Cumulative Impact Policy. This is available at the following link: <http://www.surreyheath.gov.uk/publicnotices> There are a number of legislative and policy changes that will need to be incorporated into the new policy, such as those introduced by the Live Music Act, the deregulation of regulated entertainment and the role of public health for instance.

There are currently 242 licensed premises in the Borough, which covers a total of 36.5 square miles and has a population of over 86,000 according to the 2011 Census. Camberley is the largest town in the Borough with Frimley and Mytchett being nearby urban areas. Lightwater and Bagshot are the larger villages with Deepcut, Bisley, Chobham, West End and Windlesham being smaller settlement areas with a small number of licensed premises, including pubs and supermarkets.

You are invited to submit your comments and observations with a view to updating, reviewing, amending, developing or introducing new policy as part of the consultation process that must be undertaken with prescribed consultees.

Such contributions regarding the existing policy should be submitted to me in writing by not later than Friday 18 December 2015 either by letter or e-mail. The postal and e-mail addresses are as shown in the heading to this letter.

The responses submitted during the consultation process will inform the new policy document. It is therefore your opportunity to contribute your own experiences and local concerns regarding the Borough in terms of its future licensing policy under the Licensing Act.

With regard to the Cumulative Impact Policy, the Council will be looking to see if it is appropriate to maintain the policy in the light of evidence that comes forward and to introduce other such policy elsewhere.

If you have any questions that you would like to ask about the consultation process or require a hard copy of the current licensing policy statement please contact this office.

Yours sincerely

Derek Seekings

Licensing Officer
Community Services

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This email and any attachments are intended for the addressee only. The information contained in this email

36. Cigarettes, cigars and tobacco shall not be sold to anyone under eighteen years old and although the sale of these items is not a licensable activity it does impact on the licensing objective that children shall be protected from harm when on the premises. If cigarettes, cigars or tobacco or any other items where there are age limits on the person purchasing the product are to be sold the operating schedule should show what action will be taken to avoid underage sales. This will be particularly important if tobacco products are to be sold from a vending machine. The use of vending machines may in certain circumstances be unacceptable.

Tobacco vending machines which are accessible to consumers are now banned in all circumstances. The only way to legally have a tobacco vending machine in a premises is if it is kept in place which is not accessible to the public (ie it can be behind the bar so that bar staff operate it – this is sometimes done to prevent thefts of tobacco products). There are also regulations in place prohibiting the advertising and display of tobacco products which now apply to all premises. If it would be helpful I can provide links to guidance on the relevant tobacco legislation.

37. The Surrey County Council Trading Standards Service and the Police enforce the legislation that imposes a lower age limit on customers purchasing alcohol and cigarettes. Sales of such items to under-age customers are a matter of concern to both these organisations and the Council shares this concern.

The trading standards function in Surrey is now provided by a joint service known as Buckinghamshire and Surrey Trading Standards.

38. Under previous legislation the Trading Standards Service and the Police have worked with licence holders, particularly in the off-licence trade, on how to set up systems to avoid sales taking place to under-age customers. The Trading Standard Service will, in response to complaints and local intelligence, continue to conduct regular covert test purchasing exercises. Both the Trading Standard Service and the Police believe there is a link between alcohol and a range of crime and disorder issues, and the Council will address these concerns.

We welcome contact from applicants in advance of an application, or during the application process, to discuss appropriate measures to prevent underage sales of age restricted products. We also have resources available to download from our website to assist retailers with staff training and due diligence.

39. In relation to the age limit on customers purchasing alcohol and some other goods, the Council will expect the operating schedule to show:-

- The arrangements that will be made to ensure that staff serving alcohol and goods subject to these restrictions, have received adequate training on the law relating to this subject.
- Details of training material that will be issued to staff and the means that will be used through appraisals and tests, to ensure that staff have an understanding of the material.
- How records will be kept to show details of the training that has been given, the training material that has been issued and the appraisal meetings and tests that have taken place to ensure that staff are aware of the requirements. Licence holders will be expected to keep these records on the premises, possibly in an employer's personal file, and to make them available for inspection by Trading Standards Officers and the Police if required.

40. The training that is given, that will need to be refreshed periodically, will be expected to ensure that staff have a basic knowledge of:-

- The licensing legislation.
- Methods of checking identification for proof of age such as, driving licences or passports.
- How to confront customers whom staff believe to be under 18 years of age and to demonstrate that this is within their capabilities.

We strongly encourage retailers to operate a Challenge 25 Policy whereby anyone who appears under 25 and is attempting to purchase alcohol (or other age restricted products) is required to provide proof of age before the product is sold to them. We also advise retailers to provide specific training on checking that ID is genuine and acceptable as

proof of age, including details of the security features on driving licence photocards. We also encourage retailers to train staff to recognise and accept cards bearing the PASS (Proof of Age Standards Scheme) hologram. PASS cards are recognised as acceptable proof of age by Trading Standards, the Home Office, the Association of Chief Police Officers, the SIA and are mentioned in the mandatory condition regarding age verification policies. I ask that Licensing Authorities support the use of PASS cards by including reference to them as acceptable proof of age whenever discussing ID. Failing to accept PASS cards can lead to unnecessary confrontation and aggression when refusing a sale to someone who is over 18.

41. The operating schedule will be expected to show the arrangements that will be made at the point of sale to ensure that the sale is directly authorised by a person aged 18 years or over who has a command of the English language.

42. Licence holders will be encouraged to keep registers of transactions that have not been completed, because the customer has not satisfied age restriction requirements.

43. The Council will expect details of how these records will be kept to be included in the operating schedule to demonstrate that the responsibility for checking the age of customers is taken seriously. Refusal books should be kept on the licensed premises and be made available for inspection by the Council's Enforcement Officers, the Trading Standards Service or the Police. The refusals book should preferably give details of the name and age of the customer if possible and a description of the appearance of that person.

44. The Council will also expect provision to be made for closed circuit colour television systems to be installed in premises to help prevent and combat the illegal sale of alcohol and some other goods to customer aged less than a legal limit. Provision should also be made for periodic monitoring of the system or recording of images.

45. Details of the means used to record sales, particularly in premises where alcohol is not the main product sold, should be included in the operating schedule. The Council will prefer the use of electronic systems that will sound a warning alarm if the age of the purchaser needs to be checked. It is felt that this would assist employees to be aware of when such checks should be undertaken.

46. Details of any cigarette machines to be sited in the premises, particularly in pubs, restaurants and clubs, should be included in the schedule and, where possible, licence holders should have due regard to guidelines issued by the National Association of Cigarette Machine Operators. Cigarette machines should be sited in positions that are clearly visible to members of staff so that attempted purchases by young people can be observed.

As mentioned above, tobacco vending machines which can be accessed by members of the public are banned.

Derek Seekings

From: Gail Hughes [REDACTED]
Sent: 18 December 2015 15:11
To: Derek Seekings
Cc: Catherine Croucher; Laura May Saunders
Subject: Surrey Heath SLP Consultation - Public Health Response.doc
Attachments: Surrey Heath SLP Consultation - Public Health Response.doc

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

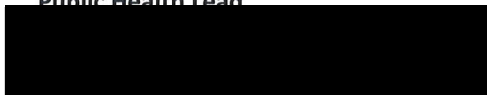
Dear Derek

Please find attached SCC Public Health response to the consultation on Surrey Heath's new Statement of Licensing Policy.

Kind Regards

Gail

Gail Hughes
Public Health Lead



take the alcohol test
Get free, personalised advice about your drinking at
dontbottleitup.org.uk - it only takes two minutes!



* * * * *

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Visit the Surrey County Council website - <http://www.surreycc.gov.uk>

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Consultation on Potential Change to Licensing Policy

Response from SCC Public Health Department

18th December 2015

In response to the consultation on the Surrey Heath Statement of Licensing Policy (SLP), recommendations are made by SCC Public Health as per the additions/amendments below, in red. An explanation of the rationale and evidence for these additions/amendments is included in italics.

Licensing Objectives / Strategic Aims - Health

It is recommended that you include an additional section (9) on 'Health' as per below:

Licensing Objectives

7. To achieve these objectives the authority will use its full range of powers and engage all relevant responsibilities including its planning controls, transport controls, crime and disorder policies and **public health** powers. The authority will enter appropriate partnership arrangements, working closely with the police, the fire authority, trading standards, **public health**, local businesses, community representatives and local people in meeting these objectives. Neighbouring authorities and parish councils will be consulted where appropriate.

8. Applicants for new licences are strongly advised to liaise with the Surrey Police Crime Reduction Unit in relation to adopting measures to avoid crime and disorder problems in the premises to be licensed. The Council will also have regard to its strategies in relation to **crime, disorder, safety and public health** which are relevant to achieving the licensing objectives.

9. The Council will consider health related evidence that directly links to a premise when their discretion is engaged after representation where it is considered to impact on one or more of the licensing objectives. Health data may also be considered where it links to the context and surroundings of a premises where a representation is made on the grounds of cumulative impact, either within or outside a Cumulative Impact Policy area as allowed for in the Act.

The Rationale / Evidence:

Since 2011 health bodies, directors of public health (DPH) in England (since April 2013) have been included as responsible authorities under the Licensing Act 2003. The role of the DPH is to help promote the health and wellbeing of the local populations they serve. This is an expansive remit that influences a wide range of circumstances, including local licensing arrangements. Similarly the licensing regime is concerned with the promotion of the licensing objectives, which collectively seek to protect the quality of life for those who live, and work in the vicinity of licensed premises and those who socialise in licensed premises This focus on the wellbeing of the wider community via licensing is an important addition to public health teams' existing work to promote the wellbeing in their localities.

As a responsible authority, DPH may, where they have appropriate evidence:

- make relevant representations on the likely effects of the grant or variation of a premises licence or club premises certificate on one or more of the licensing objectives
- make relevant representations on the review of a premises licence or club premises certificate where problems associated with one or more of the licensing objectives occur after the grant or variation of the licence or club premises certificate
- issue an application for the review of a premises licence or club premises certificate where problems associated with one or more of the licensing objectives occur after the grant or variation of the licence or club premises certificate.
- contribute to the development and review of the statement of licensing policy and have a key role in identifying and interpreting health data and evidence.

Licensing Hours

It is recommended that you include the text in bold as an additional point (73):

73. The Licensing Authority will give more favourable consideration to applications with the following closing times:

- | | |
|---------------------------------|---|
| ➤ Public Houses and Bars | 11pm - Sunday to Thursday
Midnight - Friday and Saturday |
| ➤ Nightclubs | 1am - Sunday to Thursday
2am - Friday and Saturday |
| ➤ Restaurants and Cafes | 11pm - Sunday to Thursday
Midnight - Friday and Saturday |
| ➤ Off Licences | 11pm - Monday to Sundays |

The above closing times provide a guideline for applications only; they will not be the sole determinant of whether a licence is or is not granted. The Licensing Authority recognises the importance of flexibility in determining licensing hours and therefore each application will be considered on its own merits. Fixed closing times, staggered closing times and zoning may be appropriate if there is evidence these mechanisms are justified to promote the licensing objectives.

The Rationale / Evidence:

As the draft Statement of Licensing Policy notes, the most recent s182 guidance provided by the Home Office recognises that different licensing approaches are appropriate in different areas. Evidence for the effective management of opening hours, and, in particular, closing times is strong.

The research base on the link between alcohol related harms, particularly assaults, and changes in closing times is strong. A recent Norwegian study (Rossow and Norstrom, 2012) concluded that each additional hour extension to licensed premises opening hours resulted in a 16% increase in violent crime. A recent evaluation of a restriction in closing times over 5 years in Newcastle, Australia (Kypri et al, 2014) showed that the reduction in closing times in the Newcastle town centre was associated with a sustained reduction in assaults. A 2009 systematic review of the evidence (Popova et al, 2009) concluded from a review of 15 research papers that extended opening hours of licensed premises led to increased levels of alcohol consumption and associated harm.

Cumulative Impact Policy

Generally the evidence used to put a Cumulative Impact Policy into place in a specific area currently is evidence in relation to crime, violence and anti-social behavior. There is scope to expand the data used to underpin Cumulative Impact Policies to include health related data; specifically alcohol related hospital admissions and ambulance recorded data, although there is also scope to include A&E data shared according to the Cardiff Model.

The Rationale / Evidence:

“The revised s182 guidance from the Home Office published in October 2014 identifies the types of evidence that should be used to inform the adoption of a CIP. Section 13.23 of this document identifies that: health-related statistics such as alcohol-related emergency attendances and hospital admissions may be able to be drawn upon in deciding on the use of a CIP in a specific area. Given the evidence from Kypri (2008) there is a strong case to expand the evidence used to establish and underpin CIPs to include alcohol related admissions data and ambulance service collected data.”

International evidence strongly correlates increases of outlet density from all types of licenses to increases in all types of violent offences, furthermore a strong correlation is made between the vicinity of a person’s home to a high density of all types of licensed premises and an increased likelihood of alcohol related negative outcomes, regardless of deprivation levels.

- *There is a strong correlation between proximity to higher numbers of licensed outlets and levels of drinking and all types of alcohol related harm (Kypri et al, 2008)*
- *There is evidence of a linear relationship between licensed outlet density and levels of alcohol consumption (Chikritzhs et al, 2008)*

Surrey Public Health Position:

Surrey Public Health supports the use of Cumulative Impact Policies where there is evidence of alcohol related harm, and supports the continuation of Cumulative Impact Policy areas where they are already in place.

Partnership Working and Integrating Strategies

Partnership working is currently mentioned in section 7 (page 2). It is recommended that you include an additional section on ‘Partnership Working and Integrating Strategies’ as per the text in red:

The revised s182 Guidance, paragraph 13.56, recommends that SOLPs should provide clear indications of how the licensing authority will secure the proper integration of its licensing policy with local crime prevention, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of town centres and the night-time economy. While many local strategies are not directly related to the promotion of the licensing objectives, they indirectly impact upon them. Co-ordination and integration of such policies, strategies and initiatives is therefore imperative.

In conjunction with Surrey’s Licensing Forum, the council will endeavour to:

- 1. Work with partner agencies that are involved either directly or indirectly in delivery of the SOLP, including responsible authorities, local businesses and the local community.**
- 2. Ensure interrelated strategies and agendas which support delivery of the SOLP are identified and integrated, such as the countywide Substance Misuse Strategy, Surrey’s Anti Social Behaviour Strategy and borough and district Sustainable Communities Strategies.**
- 3. Identify and galvanise new and existing opportunities to develop, strengthen and foster partnership working in order to improve delivery of the SOLP.**

4. Undertake consultation and communication on licensing issues with all licensees, communities and their representatives.
5. Ensure pro-active enforcement in line with the council's enforcement policy in order to achieve the licensing objectives.
6. Work to reduce crime and disorder which exists in the close proximity to licensed premises.

Derek Seekings

From: Catherine Croucher [REDACTED]
Sent: 18 December 2015 20:03
To: licensing
Cc: Tim Pashen; Cllr Bill Chapman; Airey Nicola [REDACTED]
Subject: Fw: Surrey Heath SLP Consultation - Public Health Response.doc
Attachments: Surrey Heath SLP Consultation - Public Health Response.doc

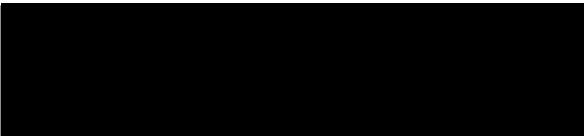
Please find attached a response from Surrey Public Health to the Surrey Heath Licensing Policy consultation

Kind regards

Catherine

Catherine Croucher MFPH
Consultant in Public Health

Public Health
Surrey County Council
Room G55, County Hall, Penrhyn Road, Kingston Upon Thames KT1 2DN



Working days: Monday to Thursday inclusive

----- Forwarded by Catherine Croucher/PHE/SCC on 18/12/2015 20:00 -----

From: Gail Hughes/PHE/SCC
To: [REDACTED]
Cc: [REDACTED]
Date: 18/12/2015 15:10
Subject: Surrey Heath SLP Consultation - Public Health Response.doc

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