

# **City Of Wolverhampton Council Statement of Licensing Policy 2024-2029**

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## Contents

1.0.	Introduction.....	5
2.0.	Purpose and scope .....	6
2.1.	General Principles .....	6
2.2.	Human Rights.....	7
2.3.	Equalities .....	7
2.4.	Four Licensing Objectives .....	8
2.4.1.	Prevention of Crime and Disorder.....	9
2.4.2.	Public Safety .....	9
2.4.3.	Prevention of Public Nuisance .....	10
2.4.4.	Protection of Children from Harm .....	11
3.0.	Responsible Authorities .....	12
3.1.1.	Environmental Health-City of Wolverhampton Council.....	12
3.1.2.	Fire – West Midlands Fire Service.....	12
3.1.3.	Health and Safety .....	12
3.1.4.	Home Office (Immigration Compliance Enforcement - ICE) .....	13
3.1.5.	Planning .....	13
3.1.6.	Police .....	13
3.1.7.	Public Health.....	14
3.1.8.	Safeguarding Children.....	14
3.1.9.	Trading Standards .....	15
3.2.0	Responsible Authorities Forum .....	16
4.0.	Applications .....	16
4.1.	Online Applications.....	16
5.0.	Operating Schedules.....	16
6.0.	Principles of good management of the premises .....	17
6.1.	General Information – Standard Premises Licenses and Outdoor Events...17	
6.2.	Enforcement.....	17
6.3	Fire Safety.....	18
6.3.	Integration of Strategies .....	18
6.4	Live Music, Dancing & Theatre .....	18
7.0.	Reviews .....	18
8.0.	Smoking Advice.....	18
9.0.	Street drinking .....	19

10.0.	Temporary Event Notices (TENs).....	19
11.0.	Licensing Best Practice Measures .....	20
12.0.	Care, control and supervision of premises .....	21
13.0.	Night-time Economy Safeguarding Initiatives.....	21
14.0.	Off-licences.....	22
15.0.	Special Policies and Initiatives .....	22
16.0.	Cumulative Impact Zones.....	23
16.1.	Introduction to Cumulative Impact Zones.....	23
16.2.	Cumulative Impact Policy Application .....	24
16.3.	Special Consideration Areas (SCA's).....	25
16.4.	Applications - Within the Cumulative Impact and Special Consideration Areas ...	25
16.5.	Premises Licences and Club Premises Certificates.....	26
16.6.	Café Bars.....	26
16.7.	Restaurants .....	26
16.8.	Late Night Takeaways.....	27
16.9.	Members Club (Club Premises Certificates) .....	27
16.10	Night Club.....	27
16.11	Non-Alcohol-Led Premises (e.g. Theatres).....	27
16.12	Off Licences .....	27
16.13	Public House .....	
17.0.	The Matrix Approach.....	28
17.1.	Introduction to the Matrix Approach .....	28
17.2.	Definitions.....	29
17.3.	Matrix approach for licensing in the Cumulative Impact Zones, Special Consideration Areas, City Centre and other areas.....	29
17.4.	Notes on The Matrix Approach.....	29
18.0.	Local Authority Decision Making Process .....	31
18.1.	Delegation .....	31
19.0	Early Morning Restriction Orders.....	33
20.0	List of Responsible Authorities.....	34
21.1.	List of possible appropriate conditions .....	36
21.2	Prevention of crime and disorder .....	36
21.3.	Public Safety.....	48

21.4.The prevention of public nuisance.....50  
21.4.The protection of children from harm .....55  
22.0. Enforcement and reviews .....62  
22.1.Prosecution of breaches.....62  
22.2.Reviews of Licences.....63  
22.3.Annual Fees/licence suspensions for non -payment.....64  
23.0. Consultation.....65  
24.0 Appendix -Local Area Profile

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## 1.0. Introduction

The Licensing Act 2003 introduced a modernised and integrated approach to licensing which covers: the sale and supply of alcohol; the provision of various forms of entertainment and the provision of late-night refreshment.

City of Wolverhampton Council works with other Responsible Authorities to provide a balanced and proportionate approach to regulation, benefitting businesses as well as who live, visit and work in Wolverhampton.

The City of Wolverhampton is situated in the West Midlands, which consists of seven Councils in total. The Council area has a population of almost 260,000 and covers an area of 26 square miles (ONS 2020). The Council area is urban in nature and is densely populated with approximately 3,500 residents per square kilometre. The City is ethnically diverse with 36% of its residents being of BAME (Black, Asian and Minority Ethnic) heritage. Furthermore, 16.4% of the population in the 2011 census were not born in the UK. The City is religiously diverse with the second highest proportion of Sikh residents in the Country. In addition to the Wolverhampton city centre, there are 3 other local centres, Bilston, Wednesfield and Tettenhall. These areas are shown in the map below.



Data shows the City of Wolverhampton as being a regional and national outlier for alcohol related harm and alcohol related hospital admissions and this is detailed in the appendix to this policy.

The Council is mindful of the balance it must strike between the needs of residents and those of the business community, which may sometimes conflict. The Council is also mindful that in respect of premises licensed for the sale or supply of alcohol that the use of alcohol can adversely effect the health outcomes of our citizens. The Council must also ensure residents can peacefully enjoy their homes and

environment whilst also encouraging responsible and positive investment and economic growth in the leisure economy.

Additionally the Council plan (OUR CITY: OUR PLAN 2023/2024) lists six priorities for the City namely:

- Strong families where children grow up well and achieve their full potential
- Fulfilled lives for all with quality care for those that need it
- Healthy, inclusive communities
- Good homes in well-connected neighbourhoods
- More local people into good jobs and training
- Thriving economy in all parts of the city

This revised Statement of Licensing policy has produced through a period of consultation with fellow regulators and the people of Wolverhampton. The Council recognises the significant contribution that well run licensed businesses make to the local economy. There will always be issues that need to be addressed through the regulatory mechanisms of the Act. This policy promotes consistency in the use of those regulatory actions so that they are balanced, proportionate and effective.

The policy aims to promote a positive pattern of licensing, moving from an alcohol led culture to a greater diversity of provision, where all people feel safe and welcome, with businesses thriving.

This policy sets out management standards and controls that will help to achieve both the Council's vision and promote the licensing objectives. Those standards and controls should be considered by new and existing applicants and by the Council and its regulatory partners.

The Licensing Authority believes that local improvements in standards and reduction in crime and disorder and antisocial behaviour will come from multi-agency partnerships and initiatives.

## **2.0. Purpose and scope**

### **2.1. General Principles**

This policy was approved by Full Council on XXXXXXXX and effective as of XXXX 2024. The Statement of Licensing Policy sets out, in broad terms, how the Council will implement the Act during this five-year period, taking into account the Regulations and Guidance issued by Government. The Council is under a legal obligation to review this statement every five years. It should be noted that this policy does not undermine the right of any person to apply under the terms of the Licensing Act and for each application to be considered on its own merits.

## 2.2. Human Rights

The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a convention right. The Council will have regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 of The Convention on Rights and Freedoms: in determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- Article 8 of The Convention on Rights and Freedoms: that everyone has the right to respect for their home and private life.
- Article 1 of The First Protocol: that every person is entitled to the peaceful enjoyment of his or her possessions.

## 2.3. Equalities

Under the public sector equality duty, as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.

The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.

The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had due regard to the aims of equality duty. Venues can ensure equality of access by having.

Inclusive and transparent policies. Admittance policies may clearly stipulate adherence to a dress code and refusal if someone presents as intoxicated; however they cannot prevent admittance based on any personal characteristics, or against any of the protected characteristics.

Robust complaints procedures that make it easy for customers who feel they have been discriminated against to raise their concerns and understand how this will be investigated or managed.

» Accessible venue layouts that make venues welcoming to all members of the community

Comprehensive training on equality and inclusion for all staff which is periodically

Improving measures in the Council's Licensing Policy to promote the Safeguarding and Equalities agendas will encourage members of the public from all groups to enjoy licensed venues in Wolverhampton.

#### 2.4. Four Licensing Objectives

The Statement of Licensing Policy focuses on the four licensing objectives under the Licensing Act 2003. These objectives are the focus for all decision making. Those objectives are:

- The Prevention of Crime And Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children From Harm

The aim of the licensing process is to regulate licensable activities to promote these objectives. The licensing process will consider the objectives in relation to matters centred on the premises or within the control of the licensee and the effect which the operation of that business will have on the area surrounding their location.

Each objective is of equal importance and the objectives are a paramount consideration for the Council.

The applicant must decide what measures to suggest in its operating schedule to address any potential concerns that might arise in the promotion of the licensing objectives. Applicants are reminded that measures proposed in the operating schedules will be converted into conditions on their licence.

The Council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.

Applicants are reminded that Responsible Authorities or other people may make representations if they feel that the proposals do not adequately promote the licensing objectives. An applicant who proposes no measures to promote the licensing objectives may therefore face more representations than an applicant who risk assesses their operation and proposes necessary and proportionate measures.

The Council recommends early consultation with Responsible Authorities. Many Responsible Authorities have produced guidance which applicants can consider when assessing whether they need to include any measures in their application to promote the licensing objectives. Some Responsible Authorities may be prepared to discuss matters on site with an applicant with a view to reaching agreement on measures to be proposed. Contact details for the Responsible Authorities can be found in Section 0 of this document, as well as on the Council's website or by contacting Licensing Services.

This policy also has regard to the guidance issued under Section 182 of the Licensing Act 2003.



In preparing this policy, the Council has consulted with a wide range of people and organisations including:

- Local business representatives
- Local residents
- Local members of parliament
- Representatives of current licence holders
- Responsible Authorities namely
- West Midlands Police – Licensing
- West Midlands Fire Service
- City of Wolverhampton Council Environmental Health
- City of Wolverhampton Council Planning and Building Control
- City of Wolverhampton Council Safeguarding Children
- City Of Wolverhampton Council Trading Standards
- City of Wolverhampton Council Public Health
- City Of Wolverhampton Council as the Licensing Authority
- Home Office Alcohol Licensing Team

#### 2.4.1. Prevention of Crime and Disorder

The Council and its partners are committed to reducing crime and disorder across the City to ensure Wolverhampton is a safe place. Crime statistics and research indicate that alcohol is often a significant contributory factor to levels of crime and disorder. Crime and disorder may occur external to the premises as well as inside. The type of event being held might also increase the possibility of violence and or disorder occurring within or near the premises. The Council and its partners will look to conditions that promote crime deterrence and prevention such as:

- The need for and location of CCTV cameras
- The need for door supervision
- The need for a text or radio pager system allowing communication between premises and with the police
- Conditions setting capacity remits where this is necessary to prevent overcrowding likely to lead to disorder and violence
- Membership of a recognised pub watch or similar scheme

#### 2.4.2. Public Safety

This objective is concerned with the welfare of people using the premises, including the safety of customers, visitors and people working in the premises. Any shortcomings will be addressed through the licensing process.

Applications should indicate a proposed maximum capacity figure for each room / area and the measures licensees intend to take to ensure that this capacity is not exceeded. Fire risk assessors should be able work out safe capacity for emergency evacuation procedures and there is also information on how to do this contained in

the government guidance West Midlands Fire Service Fire Authority Guidance to applicants. Where other regulators such as Environmental Health or set their own occupancy figures the lowest figure suggested, should be adopted.

Conditions may be imposed in accordance with operating schedules to protect public safety including:

- a) provision of closed-circuit television and panic buttons.
- b) use of shatterproof drinking vessels; bottles requiring use of toughened glass or plastic should normally be required unless applicants can show exceptional reasons why this should not be so.
- c) use of door supervisors, licensed by the Security Industry Authority (SIA).
- d) requirement of a minimum number of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.
- e) the provision of designated and suitably trained first aiders. Where appropriate, licence holders or their authorised representatives will submit event management and safety plans and operating manuals, attend Safety Advisory Groups and similar meetings prior to large events and. Due regard shall be had to any relevant guidance and publications e.g. the Health and Safety Executive (HSE) approved code of practice for events.

#### 2.4.3. Prevention of Public Nuisance

Licensing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals, once they are away from licensed premises and beyond the direct control of the operator of those premises. Nonetheless, the Council expects premises operators to use all reasonable measures to limit noise disturbance as a result of the operation of licensed premises. Noise should not unreasonably interfere with the personal comfort or amenity of immediate neighbours the local community/ The location of premises; the type and construction of the building and the likelihood of nuisance or disturbance to the amenity of nearby residents as a result of noise need to be considered

Applications for new licences and variations to the layout of licensed premises, providing relevant representations have been received, will not normally be granted if:

- the application is for the activities of amplified or live music and
- the premises operates within or abutting known noise-sensitive premises containing residential accommodation (except that occupied by staff of the licensed premises)

A condition may be imposed on new licences that entertainment noise shall not be clearly audible in any residence. Applicants will be encouraged to supply an acoustic report confirming that there will be no noise breakout from the premises that may cause a public nuisance to their neighbours. Advice can be given to the installation

of sound limiting equipment and sound insulation, which may be required to minimise disturbance locally. This may be added as a condition, where relevant representations have been received. Regulated entertainment in the open-air, including tents and marquees, should have a maximum closure hour of 23:00. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to relevant updated guidance and late-night public transport availability and location of taxi ranks to aid dispersal of customers.

#### 2.4.4. Protection of Children from Harm

Harm includes emotional and physical harm, which may be associated with licensed premises and certificated club premises. This includes exposure to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided. Admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed, unless there are good reasons to restrict entry or to exclude children completely or conditions apply as a result of the 2003 Act. Licensees should note the concern of the authority of drink related disorder frequently involving under 18s. To prevent illegal purchases of alcohol by such persons, all licensees should operate a suitable 'proof of age' scheme. Appropriate forms of photographic identification include (e.g. passport, photo driving licence or card with a PASS hologram card).

Licensed premises staff are required to take reasonable steps to prevent underage sales. These steps include: the operation of a suitable proof of age scheme and regular staff training. The licensing authority will not automatically limit the access of children to any premises unless it is necessary for the prevention of emotional or psychological harm to them.

The licensing authority supports the following measures in relation to protecting children and young people:

Providers of events specifically catering for unaccompanied children should consider whether all staff at such events need to be DBS checked. The following areas give rise to concern in respect of children, who will normally be excluded from premises:

- where there have been convictions for serving alcohol to minors or venues with a reputation for underage drinking.
- with a known association with drug taking or dealing.
- where there is a strong element of gambling on the premises.
- where entertainment of an adult or sexual nature is commonly provided.
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:

- limitations on the hours when children may be present.
- age limitations restricting access to those under 18.
- limitations or exclusions when certain activities are taking place.

- requirements for an accompanying adult.
- full exclusion of people under 18.

Licencees of premises giving film exhibitions will be expected to include in their operating schedules arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification (BBFC), or in specific cases where such certificates have not been granted, the licensing authority.

Trading standards and the police undertake ongoing enforcement operations around under-age sales and test purchasing including proxy sales. Trading standards have a programme of business support including training for local businesses to avoid under-age sales which applicants and licensees are urged to consider along with other commercially available advice.

### 3.0. Responsible Authorities

The integrated role to operating the Act requires a partnership approach. However, each of the partners has a distinct role and area of responsibility in the operation of the Act which is summarised below:

#### 3.1.1. Environmental Health-City of Wolverhampton Council

Applicants should provide details of any proposed noise control measures intended to be put in place, particularly for premises in largely residential areas where regulated entertainment is being applied for between the hours of 11 pm and 8 am. If licence conditions are imposed, they will be specific to the premises in question and will relate to the type of licensable activity proposed. Although each application is considered on its own individual merits it should be recognised that restricting the hours of operation in some cases can play an important role in preventing public nuisance. This is especially important in residential areas where there is a history of noise complaints relating to a premises from those living nearby.

#### 3.1.2. Fire – West Midlands Fire Service

The Fire Authority is dedicated to assisting with the process of applications and the safe management of premises. Guidance has been produced which is designed to assist applicants and responsible persons in achieving and maintaining a safe environment within licensed premises.

#### 3.1.3. Health and Safety

The Council (Environmental Health) and the Health and Safety Executive are jointly responsible for enforcing health and safety. As a rule, the Council is responsible for the majority of premises, but the Health and Safety Executive is responsible in the case of Council-owned premises.

The main objective is to ensure the health, safety and welfare of employers, employees and members of the public working at or attending licensed premises.

Applicants applying for a premises licence or Club Premises Certificate need to be able to demonstrate a safe environment. Operating schedules will be expected to also set out what steps are being taken to ensure that electrical and gas installations are checked and maintained on a regular basis.

#### 3.1.4. Home Office (Immigration Compliance Enforcement - ICE)

ICE carry out intelligence led enforcement operations in line with Immigration legislation. Applications are considered by Immigration and used to establish if applicants are living in the UK, are entitled to be in the UK and entitled to work in a licensable activity. Enforcement activities are conducted in conjunction with other Responsible Authorities in the spirit of co-operative working.

#### 3.1.5. Planning

Granting of licences does not relieve applicants of the need to apply for planning permission or building control consent where these are relevant. Equally the granting of planning permission does not automatically mean that their licence application will be successful. Applicants are recommended to obtain correct planning consents before applying for a licence to avoid potentially inoperative licences. Matters for consideration in licensing applications will not duplicate matters considered as part of any planning application. There are many factors to consider and a number of Responsible Authorities who may make comment on an application. Similarly, the fact that a licence application may be granted, does not override the need to have the relevant planning consent or permission to operate the business.

#### 3.1.6. Police

West Midlands Police (WMP) is the principal enforcer for matters of crime and disorder. Where appropriate, representations will be made relating to any of the additional licensing objectives. The Police is one of the two authorities who may respond to temporary event notices (TENs) considering all four of the licensing objectives. Applicants serving notice can expect their previous temporary event history to be taken into consideration when assessing any new notice served. The Police have experienced increasing demand for resources further into the early hours of the morning. Increases in 'pre-loading,' when individuals coming into the City's night-time economy have already consumed alcohol purchased at home can present a concern. These trends provide obvious challenges to both the licensed on-trade and the police when assessing and responding to levels of drunkenness. Dispersal from the city centre during the late evening and early morning continues to provide policing challenges. West Midlands Police supports both the Council's Special Consideration Area Policy and the Cumulative Impact Policy in offering guidance to both applicants.

West Midlands Police support maintaining the Council's Special Policy which defines cumulative impact and special consideration areas. West Midlands Police also recognise and support businesses which are aware of their social responsibilities

and as such, actively contribute towards keeping our City a safe and enjoyable place to live, work and visit.

### 3.1.7. Public Health

Public Health recognise that this policy provides an important opportunity to incorporate relevant local public health concerns within the wider policy context of the local licensing authority and that as a Responsible Authority, the Director of Public Health has a key role in identifying and interpreting health data and evidence. Public health functions are now embedded into licensing considerations promoting the Authority's duty to both improve health and reduce health inequality. Health bodies may hold information which other Responsible Authorities do not, but which would assist a licensing authority in exercising its functions. This information may be used by the health body to make representations in its own right or to support representations by other Responsible Authorities. Appendix A contains the Licensing Profile produced by the Director of Public Health and responsible authorities applicants and licence holders should note its contents.

### 3.1.8. Safeguarding Children

The Licensing Authority will not seek to limit the access of children to any premises unless it is appropriate for the prevention of physical, moral or psychological harm. In all other cases, it will be left to the discretion of the licensee. If children are to be permitted on the premises, consideration must be given to CSE (child sexual exploitation) training for staff who regularly come into contact with children. This policy does not attempt to anticipate every issue that may arise in respect of children and each application will be considered on its merits. However, there are particular areas that will give rise to concern in respect of children. The Licensing Authority acknowledges that in certain instances children's access to premises should be limited. Suggested alternatives in such instances are as follows:

- Restrictions on the hours when children may be present.
- Restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place.
- Restrictions on the parts of the premises to which children may have access.
- Age restrictions.
- Restrictions or exclusions when certain activities are taking place.
- Requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- Full exclusion of people under 18 from the premises when any licensable activities are taking place. In relation to the exhibition of film, a mandatory condition will apply, requiring access to be restricted to those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification.

Any theatres which are incorporating adult entertainment in their productions should consider limiting access to children during these performances. In the case of theatrical entertainment specifically for children, applicants should consider what steps they will take and outline them in their operating schedule to ensure the wellbeing of children during an emergency.

Applicants should consider 'Challenge 25' provisions and the type of proof they will accept with regard to proof of age. The Licensing Authority strongly recommends all licensed premises accept PASS accredited proof of age cards in addition to other appropriate photographic proof of age. Adequate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the issue of proxy sales of alcohol and shall ensure that all reasonable steps and procedures are in place and implemented to prevent adults purchasing alcohol for those underage or those that have been refused a sale due to being drunk. Steps must be in place to ensure that any designated premises supervisors and members of staff involved with the delivery of alcohol to residential addresses are made fully aware of their responsibilities to ensure that no alcohol is sold to persons who are underage.

### 3.1.9. Trading Standards

The sale of age restricted products, in this case alcohol, remains a priority for Trading Standards.

Their aim is to ensure that.

- Owners of licensed premises, Premises Licence Holders and Designated Premises Supervisors are aware of their obligations in law and those associated with this policy.
- That non-compliant licensed premises are helped to achieve compliance.
- That there is restricted access to cheap alcohol by removing from sale counterfeit, illicit and non-duty paid alcohol and tobacco.

Trading Standards will:

- Operate a risk rating scheme for licensed premises, so that those premises of highest risk can be focussed on.
- Maximise the use of intelligence to target non-compliant premises, areas where anti-social behaviour is linked to the sale of alcohol and areas of high alcohol misuse.
- Work with businesses and partner agencies in areas where anti-social behaviour is linked to the sale of alcohol by proxy sales, to raise awareness, increase compliance and reduce associated anti-social behaviour.
- Trading Standards are promoting Challenge 25 for all age restricted products including alcohol and tobacco.

The sale of illicit/counterfeit and non-duty paid alcohol and tobacco products continues to have a very serious impact on the local economy. Licence holders

found to be selling illicit alcohol and/or tobacco may be liable to prosecution and could have their licence to sell alcohol reviewed by the Licensing Sub Committee under the prevention of crime and disorder objective. Under these circumstances the authority will also consider amending licence conditions as well as whether the revocation of the premises licence is also appropriate. Licence holders should be aware that they may be subject to test purchasing by Trading Standards if there is cause for concern about the sale of alcohol to young persons.

### 3.20 Responsible Authorities Forum

The Responsible Authorities Forum (RAF) meets on a monthly basis. At the meeting, attendees collectively consider any licensing issues which may arise from both new and existing applicants. The forum also helps in the sharing of intelligence and combination of compliance and enforcement activities so as to best secure consistency in securing compliance with the licensing objectives.

## 4.0. Applications

When making an application, the relevant forms and associated documents are available from the Council directly or at:

<https://www.wolverhampton.gov.uk/licences/alcohol-licences>

In the event of the Council website being unavailable, generic application forms are available via the GOV.UK website at:

<https://www.gov.uk/government/publications/premises-licence-application>

### 4.1. Online Applications

Applicants may also make applications online and make payment online via this link

<https://www.gov.uk/premises-licence>

## 5.0. Operating Schedules

Under the Licensing Act 2003, applicants are required to complete an 'operating schedule' which has regard to this policy.

An operating schedule should include enough information to enable any Responsible Authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.

Applicants should make their own enquiries and demonstrate how they have considered the following in their operating schedule:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young people may congregate.
- Any risk posed to the local area by the proposed licensable activities; and
- Any local initiatives (for example, local crime reduction initiatives or voluntary schemes such as local taxi-marshalling schemes, street pastors and other schemes), which may help mitigate potential risks.



The operating schedule must be set out on the prescribed form and include a statement of the following: -

- Full details of the licensable activities to be carried on at and the intended use of the premises.
- The times during which the licensable activities will take place.
- Any other times when the premises are to be open to the public.
- Where the licence is only required for a limited period, that period.
- Where the licensable activities include the supply of alcohol, the name and address of the individual to be specified as the designated premises supervisor.
- Whether alcohol will be supplied for consumption on or off the premises or both.
- The steps which the applicant proposes to promote the Licensing Objectives. For some premises, it is possible that no measures will be appropriate to promote one or more of the Licensing Objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the Licensing Objectives

The Council welcomes co-operation from applicants with Responsible Authorities, residents and businesses before applications are submitted to minimise the scope for disputes to arise.

#### **6.0. Principles of good management of the premises**

The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend and pass on training to all staff, in particular relating to drugs, violence, child exploitation in licensed premises.

It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence. It is expected that the DPS will spend a significant amount of time on the premises and be readily contactable when they are away from the premises.

#### **6.1. General Information – Standard Premises Licenses and Outdoor Events**

The enforcement of licensing law and inspection of licensed premises will be a joint approach between West Midlands Police, West Midlands Fire Service and City of Wolverhampton Council.

#### **6.2 Enforcement**

When making enforcement decisions in accordance with our Statement of Licensing Policy, the Licensing Authority will have regard to its published Enforcement Policy which can be found at:

<https://www.wolverhampton.gov.uk/sites/default/files/2021-11/Black%20Country%20Regulators%20Operating%20Framework.pdf>

<https://www.wolverhampton.gov.uk/licences/regulatory-policy>

Sharing of information between all enforcement agencies will be encouraged through joint meetings such as the Responsible Authorities Forum (RAF) or similar arrangements.

### 6.3 Fire Safety

Premises and their operators will be regulated by general duties under current fire safety regimes and the Regulatory Reform (Fire Safety) Order 2005 rather than licensing provisions.

### 6.4 Integration of Strategies

The licensing authority shall, as far as reasonably practicable, secure the proper integration of this policy and operations under this policy with local crime prevention, planning policy, transport, tourism cultural and equalities strategies. The licensing authority will consider any dispersal policies recommended and will incorporate matters such as this in their decision-making process. This policy seeks to avoid duplication with other regulatory regimes wherever possible.

### 6.5 Live Music, Dancing & Theatre

This policy recognises the wish to encourage live music, dancing and theatre for the wider cultural benefits of the community. The operation of this policy is not intended to be a brake on such cultural activities. All members of the Licensing Committee must be trained and fully conversant with the Licensing Act 2003 and S182 Guidance. Only appropriate, proportionate and reasonable licensing conditions should impose any restrictions on such events. It is the aim of the licensing authority to promote cultural and community events where possible and to balance the promotion of such events with the effects on the wider community.

## 7.0. Reviews

Reviews represent a key protection for the community. Where the licensing authority considers action necessary under its powers it will take necessary steps to support the licensing objectives. Any Responsible Authority who seeks to apply for a review, is likely to be supported by other Responsible Authorities. The Council supports co-operative working and a shared and supportive approach to reviews and enforcement. A Public Events Safety Advisory Group (PESAG) coordinated by the Local Authority and involving Responsible Authorities and other interested parties provides advice guidance and scrutiny to appropriate events. The role of PESAG is to provide advice to individuals and organisations planning a public event. The recommendations given by PESAG are advisory only and it is for the event organiser to take such steps that are necessary to ensure an event is undertaken safely. Liability for the safety of events always remains the responsibility of the event organiser.

## 8.0. Smoking Advice

Premises licence holders will be expected to:

- Produce and implement a management plan on how to manage smoking on the premises; an effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc. have the relevant planning permission.
- Ensure any new lighting to outdoor areas does not cause a light nuisance to neighbours and again has the any relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with.
- Licence tables and chairs on the Public Highway under the provisions of the Highways Act 1980 or any successive provisions. These licences may have conditions restricting the times that the area can be used.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters will also be turned off.
- To manage the number of outdoor smokers, employ staff and/or SIA registered door supervisors to manage doors. These staff should control customers and smokers entering and leaving the premises.
- Ensure door supervisors maintain order outside venues and protect customer safety. The use of radio, other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.
- Use CCTV to manage outside areas.
- Licensed premises should normally display prominent, legible signs at exits reminding customers to leave in a quiet, peaceful, orderly manner.

## 9.0. Street drinking

This licensing authority will have regard to Public Space Protection Orders (PSPOs). This is a citywide drinking restriction order linked to anti-social behaviour and on-street drinking and a complete street drinking ban in the St Peter's and Park Wards enforceable through Fixed Penalty Notices.

These hot spot areas are considered high risk for street drinkers and the Licensing Authority will have regard to prevention of crime and disorder by virtue of street drinking and anti-social behaviour when considering applications in this area.

## 10.0. Temporary Event Notices (TENs)

Whilst the Licensing Authority will encourage bona fide community events, applications for TENs at existing licensing premises will not be encouraged where the proposal is simply to extend the existing hours of operation. Notices made in

cumulative impact areas will be subject to increased scrutiny by Police and Environmental Health.

Whilst the role of the licensing authority is purely administrative it considers the history. Licensing Compliance staff may visit such events to ensure compliance within the Act.

### **11.0. Licensing Best Practice Measures**

These Best Practice Measures are the sorts of things that the Authority would look to be included in applicants operating schedules. Information such as this would be particularly expected to be found in applications within the Special Consideration Areas Matters that would normally be expected in operating schedules:

- the adoption of a policy (e.g., Challenge 25) with acceptable proof of age as per existing Statement of Licensing Policy.
- all off sales to be made in sealed containers for consumption away from the premises.
- a smoking policy which includes an assessment of noise and litter created by premises users.
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours.
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property.
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated.
- the installation of a digital CCTV system by liaison with, and to a standard approved by West Midlands Police.
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimise noise.
- The DPS of the premises to maintain a list of all persons who have been approved/authorised to sell alcohol and for this to be readily available on request of an authorised officer of any of the Responsible Authorities.

Matters to which positive consideration should be given:

- membership of Pubwatch, Neighbourhood Watch or other similar schemes
- use of 'Night Safe' radio system or similar accredited scheme
- regular refresher training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use systems in place to ensure details of barred or excluded clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events.

- Attendance at a SAG (Safety Advisory Group) meeting to recommend best practice for both on and off premises
- Staff must be aware of the risk of the problem of proxy sales and offer assistance to Responsible Authorities to deter offences
- Signage on premises should set out legal duties
- Restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Challenge 25 would be the norm, particularly in the off-licence trade
- Signage to deter bad conduct and/or to promote good conduct

### **12.0. Care, control and supervision of premises**

The Licensing Authority supports the Night-Safe radio scheme which is normally expected as an operational requirement for city centre bars, clubs and pubs and is an example of good practice in achieving the aim of reducing crime and disorder and improving public safety. Well managed Pub-Watch schemes provide information exchange between the premises licence holders and Responsible Authorities that reduce and deter violent crime and disorder. The Council will always support responsible licensing schemes.

The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The police will consider the applicants, objecting to the application where appropriate. The police may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, such as the type of licence, capacity, operating hours restrictions.

Following the grant of a licence, the management and supervision of the premises, in so far as it might impact on crime and disorder, will continue to be monitored. Particular attention will be paid to any licensed premises where there is evidence of criminal activity or any association with crime. Where licensed premises are found to cause nuisance or be associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. The Licensing Authority will support other partners in addressing breaches of the licensing objectives. Conditions may include use of closed-circuit television, properly licensed SIA registered door supervisors and earlier closing times. This policy promotes and recognises the use of registered Door Supervisors who must be licensed by the Security Industry Authority.

### **13.0. Night-time Economy Safeguarding Initiatives**

The Late-Night Safe Haven, run by City of Wolverhampton Council and the Business Improvement District (BID), currently operational in the city centre, running “payday” weekends and around bank holidays for users of the night-time economy who are rendered more vulnerable due to alcohol and/or drug use. First aid and first responder type assistance is available at the Safe Haven and staff will, where appropriate, signpost referrals to other agencies. Provision of this service is contingent on the availability of adequate funding.

#### 14.0. Off-licences

There remains a concern that people are buying more people buying alcohol from shops and drinking at home before going out prior to going into premises such as pubs and clubs otherwise known as “pre-loading”. The Council is concerned that alcohol pre-loading from off-licence sales is a significant problem in the city and adversely affects the licensing objectives as it gives rise to problems of drunkenness, disorderly behaviour and a higher risk of alcohol sales to children and other vulnerable people.

Representations from the police, local residents and the director of public health at licensing panel hearings have testified to these problems.

The Cumulative Impact Policy and the Special Consideration Areas apply to off-licences as explained in the **matrix approach**. In general, where applications are made for new premises or variations to existing licences, and where the police or others make representations against the grant of a further licence for off sales, the council will give specific consideration to restricting the number, type, and the hours of premises selling alcohol exclusively for consumption off the premises. The Council will want to be assured that the operating schedule of premises, and their overall management, training and levels of staffing, are appropriate to ensure that the licensing objectives are promoted in what may be challenging circumstances. Applicants may seek to include the below into their operating schedules to help to best support their applications. Areas of best practice that may be included in an Operating Schedule include those mentioned at 11.0.

#### 15.0. Special Policies and Initiatives

Cumulative Impact Zones, Special Consideration Areas and Special Policy aim to create a more diverse and balanced representation of premises within the City.

City of Wolverhampton Council has, over the twenty years of alcohol and entertainment licensing, developed a sound understanding of the City and recognised where problems are arising and the concentration of premises which have exacerbated existing areas of concern. Cumulative Impact Policies (CIP) were introduced as a tool for licensing authorities to limit the growth of licensed premises in a problem area. This is set out in the statutory guidance issued under Section 182 of the Act.

Cumulative impact occurs when the saturation of licensed premises (on-licence alone, off-licence alone or both combined) in an area is identified as causing a concern about one or more of the licensing objectives, which is then supported by an evidence base which proves that a special policy is required to more effectively manage and control the supply and consumption of alcohol in that area.

This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to

the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The Licensing Authority does not seek to inhibit progress or to stifle businesses and opportunities. So, there is no current proposal to further constrain business through the implementation of a citywide cumulative impact zone, but we continue to with the concept of a 'Special Consideration Area' surrounding and bordering our existing CIZ's in order to minimise the impact of potentially problematic premises but to also promote the types of businesses which we believe will enhance our district instead of those which we know, through our experience, will potentially intensify problems.

## **16.0. Cumulative Impact Zones**

### **16.1. Introduction to Cumulative Impact Zones**

In acknowledging the concerning matters of crime and disorder, street drinking and anti-social behaviour, City of Wolverhampton Council has introduced five cumulative impact zones to help control and reduce these incidents. The CIZ policy( a "special policy") is revisited every three years and was last considered in 2021 where its review was delayed by the Licensing committee of the Council as the previous years had seen the Covid pandemic and there was concern that there would not be good base of data. The special policy is reviewable independently of this Statement of Licensing Policy.

To further strengthen this policy with a view to reducing incidents, the Authority has sought advice to introduce a protected zone to enable all the Responsible Authorities to more readily manage the escalation of incidents in our district and from where it can reasonably be considered to have an impact on the existing problem areas.

The licensing authority, after careful consideration of police evidence, determined that the concentration of licensed premises in an area of the city centre and four other areas is causing problems of crime and disorder and public nuisance, and that therefore an approach to 'Cumulative Impact' is necessary as part of its statement of licensing policy. City of Wolverhampton Council has five special policies or Cumulative Impact Zones (CIZ's) which are kept under review every three years.

The Licensing Committee resolved to retain the current CIZ's as defined in this Statement of Licensing Policy. Cumulative impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

Through effective coordination of relevant strategies and policy areas (e.g., licensing, policing and public safety), the Council will seek to improve safety by encouraging a more balanced range of complementary evening and night-time economy uses appealing to a wider range of age and social groups and discouraging the activities which have proven to be problematic to manage. This will be in addition to the five existing 'Cumulative Impact Zones' within Wolverhampton and will afford much greater powers to control the number and type of acceptable licensed premises in the city.

This special policy will refer to five Cumulative Impact Zones within the district, At present, the policy of this authority identifies five cumulative impact zones. The City Centre, Bilston, Wednesfield, Dudley Road and the Avion Centre.

The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licences or club premises certificates in the identified areas will be presumed to add to the cumulative impact and will be refused following relevant representations. As this is rebuttable presumable it is open to applicants to show that no addition is being made to the cumulative impact.

This special policy also applies to all new premises licences and club premises certificates, for example pubs, restaurants, and take-away establishments. Off licences also come within this policy as they can contribute to problems of street drinking, proxy purchasing, dispersal issues, preloading and excessive drinking and related disorder. The presumption of refusal does not relieve Responsible Authorities or other persons of the need to make a relevant representation. If there are no representations, the licensing authority must grant the application in terms consistent with the operating schedule submitted.

Furthermore, this special policy is not absolute, and all applications are considered on their merits along with the merits of any relevant representation. However, departing from the special policy would be the exception. If an application is unlikely to add to the cumulative impact of the area, it may be granted. It is important to note that not all types of licensed premises will add equally to the cumulative impact.

For example, while a large nightclub or high-capacity public house might add to problems of cumulative impact, a small restaurant, theatre, or live music may not venue may be considered exceptional circumstances.

## 16.2. Cumulative Impact Policy Application

Whilst it is difficult to prescribe what exceptional circumstances might mean below are some circumstances which would not be considered exceptional

- The fact that a premises will be or is well managed.
- That the applicant is well qualified.
- no residential premises nearby.
- that the increase in hours or capacity applied for is only small venues.

The policy of this licensing authority is that applications for certain premises types will be refused if relevant representations are received. The policy will be strictly applied and only overridden only in exceptional circumstances

These premises types are detailed in Section 17.0 on page 28 of this policy.

The intention of this Authority is that the policy is intended to be strict in order to address the issues of concern experienced since the implementation of this Act. This



policy is directed at the overall impact of licensed premises within the CIZ areas, exceptional circumstances must be directed at showing that the likelihood of granting a licence will not cause any additional impact on the licensing objectives.

Indicative exceptional circumstances might include:

- consultation with and meeting requirements
- of Responsible Authorities,
- an appropriate corporate social responsibility policy,
- community contribution to offset impact (such as membership of BID and Pubwatch),
- community support, alcohol sale ancillary to business activity (demonstrable to
- Responsible Authorities and licensing authority, for instance by licence condition
- allowing authorised officers access to sales accounts).

By their nature, “exceptional circumstances” will be rare.

Applicants who wish to claim that their application is considered exceptional, are expected to set out their case for this within their operating schedule so that this can be evaluated by each of the Responsible Authorities and other persons deciding whether or not to make a representation on the application.

Restaurants, Café Bars and Non-alcohol led premises (e.g., theatres). would be more favourably considered within the CIZ

Where there are no representations received, the application must be granted.

### 16.3. Special Consideration Areas (SCA's)

Special Consideration Areas. Whilst they do not appear within the CIZ themselves, the premises are in such proximity to a cumulative impact area that they should be more carefully considered as to the potential impact that their proximity has against the already recognised problem zone.

We do not wish to specify or name streets which will fall into the SCA's. Where a problem exists and a CIZ is implemented, allowing a premises licence to be granted in close proximity to that CIZ has the potential to impact upon the area and therefore to be of concern. However, we encourage businesses to propose a different type of alcohol licensed premises such as a cinema, theatre, café bar or restaurant. Consideration of problem areas is a matter of shared responsibility for the local authority, Responsible Authorities, businesses, and inhabitants of the district.

Again, consideration will be given to the type of premises the application refers to. (See the Matrix Approach)

This is to ensure that objections are neither frivolous nor vexatious and that there is an evidential basis for the statutory licensing sub-committee to reach a decision.

### 16.4. Applications - Within the Cumulative Impact and Special Consideration Areas

Applications which fall within the City of Wolverhampton's Cumulative Impact Zones or Special Consideration Areas (SCA's) will be subject to the Matrix Approach to Licensing.

Details of the Matrix Approach can be found at pages YY-ZZ onwards within this policy. In cases where either Responsible Authorities or other people seek to establish that an application should be refused on the grounds that it would result in, or further contribute to, a cumulative impact in an area not designated as a cumulative impact area, which would undermine one or more of the licensing objectives, they shall:

- Identify the area where problems are arising or reasonably anticipated problem areas – for example areas immediately outside a CIZ
- Identify the licensing objective which it is considered will be undermined
- Identify the type of licensable activity likely to exacerbate the problem (e.g., sale of alcohol, late night refreshment)
- Provide full details and evidence to show the manner and extent to which it is alleged that the licensing objectives are being, or are at risk of being, undermined in the area
- Provide evidence to show that the undermining of the objective is caused by the patrons of licensed premises in the area.

#### 16.5. Premises Licences and Club Premises Certificates

Variation applications falling within the CIZ and SCA will be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. New public houses within the CIZ are unlikely to be granted where relevant representations are received, unless the applicant can demonstrate there are exceptional circumstances, e.g., specialist importers or other unique features which would warrant special consideration. A well-managed public house or a previous good track record at other licensed premises would not be considered exceptional circumstances.

#### 16.6. Café Bars

The licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions that will prevent the premises becoming a public house and where:

- The sale of intoxicating liquor and other beverages shall be waiter/waitress service for consumption by persons seated at tables
- and/or
- Substantial food shall be always available.

#### 16.7. Restaurants

The licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following restaurant condition.

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.
- Restaurants with outside service - the licensing authority will also consider applications from restaurants that request to serve alcohol to areas adjacent to or immediately outside their premises. In addition to the above conditions for café bars, the licensing authority will expect to see evidence that the applicants have an agreement with the local authority to use the area as defined on a plan provided. The following condition may also apply:

“The sale and supply of alcohol for consumption off the premises shall be restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the licensing authority.”

#### 16.8. Late Night Takeaways

Statistics demonstrate links between late opening takeaways particularly when near late night venues, and breaches of the crime and disorder licensing objective. This can often be associated with drunkenness, queueing, and perceived queue-jumping.

#### 16.9. Members Club (Club Premises Certificates)

The siting of a new members club will be considered in any area but anticipated restrictions on numbers and restrictions on opening times if the application is within a CIZ or SCA would be more likely to be successful.

#### 16.10. Night Club

The siting of a night club in any of our five cumulative impact zones will need to be robustly supported with the applicant's reasons with supporting evidence if appropriate, detailing how such premises will not have an impact on the CIZ. Normally applications of this nature, will be unsuccessful.

#### 16.11. Non-Alcohol-Led Premises (e.g. Theatres)

Applications for non-alcohol-led premises such as a theatre, would be viewed favourably even within the CIZ or SCA's detailed in our matrix approach. The applicant would still be expected to show how they had considered the impact of their premises, but being predominantly non alcohol, is less likely to receive representations and therefore more likely to succeed.

#### 16.12. Off Licences

Applications would normally only be granted where both of the following conditions are included:

- Beer, cider and mixed drinks (such as cocktails and alcopops) are to be stocked and sold in multipacks of a minimum of four units. Multipacks must not be split.
- Sales of alcohol are not to include any super strength lagers, beers or ciders where strength exceeds 6.5% ABV (alcohol by volume).

Applications to vary licences to remove these conditions or similar would only normally be approved in exceptional circumstances.

However, as a result of our comprehensive knowledge regarding the City, any application for an off-licence within any of our CIZs or SCAs will be unlikely to succeed where relevant representations have been made.

Applications within the City centre or any other area (outside of CIZ and SCA) will be expected to contain information provided by the applicant to demonstrate why they would not have any negative impact on one or more of the licensing objectives.

#### 16.13. Public House

The siting of a new public house in any of our five cumulative impact zones will be expected to be robustly supported with the applicant's reasons with supporting evidence if appropriate, detailing how such premises will not have an impact on the CIZ. Normally applications of this nature in an already identified zone, will be unsuccessful where relevant representation is received.

### **17.0. The Matrix Approach**

#### 17.1. Introduction to the Matrix Approach

The Licensing Authority will support a diverse range of premises ensures that there is a mix of the different types of licensed so as to provides licensed trade sector which is attractive to all parts of the community.

City of Wolverhampton recognise that patrons turning out onto the streets at the same time may generate increased opportunities for violent crime, public disorder anti-social behaviour and we therefore support the idea of mixed-use venues encouraging a wider age balance.

A "matrix" approach to licensing decisions included in this policy is set out below. It provides a framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investors and businesses making applications within this district. The matrix approach will only be implemented where there are relevant representations to the application.

The Matrix Approach, like a Cumulative Impact Zone is not absolute. The Authority will not fetter its discretion by excluding consideration of an application but will look at each application on a case-by-case basis. Where the committee procedure is instigated (through the receipt of relevant representations), the onus will be upon the

applicant to show the Licensing sub-committee why he feels that this application warrants departure from the policy.

### 17.2. Definitions

Cumulative Impact Zone - Those areas defined by separate policy which have given rise to concerns over crime and disorder, anti-social behaviour and street drinking.

Special Consideration Area – Those areas just on the curtilage of the Cumulative Impact Zones which may give rise to concerns due to the proximity to these zones.

### 17.3. Matrix approach for licensing in the Cumulative Impact Zones, Special Consideration Areas, City Centre and other areas

	Cumulative Impact Zone	Special Consideration Area	City Centre	Other Areas
Restaurant	Yes (midnight)	Yes (midnight)	Yes	Yes (midnight)
Café bar	Yes –11:30	Yes (midnight)	Yes	Yes (midnight)
Late night takeaway	No	Yes (midnight)	Yes	Yes (midnight)
Night club	No	No	Yes	No
Public House	Yes (11pm)	Yes (11pm)	Yes	Yes (midnight)
Non-Alcohol-Led Premises (e.g., Theatres)	Yes (favourable)	Yes (favourable)	Yes	Yes (favourable)
Off Licence	No	No	No	Yes – from 12:00 to 23:00 but if in densely residential areas, closure time may be earlier
Members club premises certificates	Yes (100 capacity) 11pm closure	Yes (100 capacity) 11pm closure	yes	yes

### 17.4. Notes on The Matrix Approach

Subject to the following notes, the policy, as represented in the matrix, will be strictly

adhered to:

- 1) Each application will be considered on its own individual merits. The suggested terminal hours for different application types may be varied if exceptional circumstances are demonstrated.
- 2) Applications within the CIZ are subject to the special policy on cumulative impact. There is a strong presumption against the success of applications within the CIZ and a need for exceptional circumstances to be presented. Directly outside this documented zone are areas which shall be defined as Special Consideration Areas. Applications near, but outside the CIZ, will be more carefully vetted for potential detrimental impact upon the designated CIZ areas. There is a presumption against the grant of applications within the special consideration areas.
- 3) Departure from the matrix policy is expected only in exceptional circumstances.
- 4) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix.
- 5) Exceptional circumstances may include consultation with and meeting requirements of Responsible Authorities, an appropriate corporate social responsibility policy, community contribution to offset impact (such as membership of BID and Pubwatch), community support, alcohol sale ancillary to business activity (demonstrable to Responsible Authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts).
- 6) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community-based street parties, members clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre.
- 7) Other Areas; consideration will be given to the nature of the area and location in relation to any application. In a residential area for example the knowledge of Public Health, the Police and Councillors with local knowledge, together with the concerns of residents will be relevant when considering applications for off-licences, pubs or café bars, especially if there is evidence of anti-social behaviour, street drinking or underage drinking. Earlier closing times may be appropriate. Keen regard will be given to representations of Responsible Authorities such as the data provision of Public Health and other specialist representative knowledge of problematic areas when assessing alcohol licensing.
- 8) In an area where there are already several existing off-licences and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds. Wolverhampton has a recognised problem area for street drinking and anti-social behaviour and for these reasons any additional applications or variations for off licences are likely to be refused unless there are significant demonstrable circumstances.

- 9) Outdoor events will be supported where arranged through the council's event planning process. Generally, regulated entertainment in the open-air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to specialist guidance and advice.

### **18.0. Local Authority Decision Making Process**

Where representations are received and not mediated beforehand, the Local Authority decision making process will be engaged.

This Authority has a body of councillors appointed as a Statutory Licensing Committee who take decisions on licensing matters. As required by the Act, these councillors will meet as a Committee or a delegated sub-committee comprising three Licensing Councillors, one of whom is nominated as Chairperson.

The professional development and competence of licensing councillors will be provided and maintained to support the need to act as a professional licensing authority, meeting lawful standards of good administrative decision making. Decisions made will be after careful consideration of information provide by all the attendees at the hearing.

All decisions are made in accordance with the legislative requirements of the Act, including Regulations, Guidance made under Section 182 of the Licensing Act 2003 and this Statement of Licensing Policy.

Additionally, The Licensing Committee or Sub-Committee will be guided by a specialist Legal Representative and will have regard to other legislation, case-law, updates, and amendments.

The relevant Human Rights considerations are included in Section 2.2.

#### **18.1. Delegation**

The national scheme of delegation for determinations is set out below.

<b>Matter To Be Dealt With</b>	<b>Licensing Committee</b>	<b>Sub-committee</b>	<b>Officers</b>
Application for personal licence		If a police objection	If no relevant representation made
Application for personal licence with unspent convictions		If a police objection	
Application for premises licence/club premises certificate	If discretion engaged for major applications	If a relevant representation made	If no relevant representation made

Application for provisional statement		If a relevant representation made	If a relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If a relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious,			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application			All cases
Decision of a Police/EHO objection to a Temporary Event Notice		All cases	
Policy Decisions	All cases		



Decision whether to consult other Responsible Authorities on minor variation applications			All cases
Determination of minor variation applications			All cases

Where representations are received and not mediated beforehand, the Local Authority decision making process will be engaged. This Authority has a body of councillors appointed as a Statutory Licensing Committee who take decisions on licensing matters. As required by the Act, these councillors will meet as a Committee or a delegated sub-committee comprising three Licensing Councillors, one of whom is nominated as Chairperson.

All decisions are made in accordance with the legislative requirements of the Act, including Regulations, Guidance made under s182 of the Licensing Act 2003 and this Statement of Licensing Policy. Additionally, the Licensing Committee or Sub-Committee will be guided by a specialist Legal Representative and will have regard to other legislation, case-law, updates and amendments. The licensing authority will have particular regard to articles 1,6 and 8 of the European Convention on Human Rights.

### **19.0 Early Morning Restriction Orders(EMRO's)**

An EMRO is a power enabling licensing authorities to restrict the sale of alcohol in a specific area, whether it be just one street or the whole of the City, where they consider that there are alcohol related crime and disorder issues in the whole or a part of their area, looking at a specified time that can fall somewhere between 12 midnight and 06.00am on all or some days.

This restriction would apply to all premises within the specific area that sell alcohol, club premises certificates and temporary event notices. Whilst there are no exceptions to the type of premises that will be affected by an EMRO it will not apply to the supply of alcohol to residents, by accommodation providers .eg. hotels, provided the alcohol is only sold through mini-bars and/or room service.

Before an EMRO is adopted The licensing authority should consider evidence from Responsible Authorities, local Community Safety Partnerships, affected persons (especially residents and businesses), together with its own evidence to determine whether an EMRO is appropriate for the promotion of the four licensing objective

At the time of writing no EMROs' applications have been made by any licensing authority in England and Wales. Should the matter need to be considered in

Wolverhampton, the City Council will follow the statutory guidance issued under s182 of the Act.

## **20.0 List of Responsible Authorities**

For an up to date list, please visit

<https://www.wolverhampton.gov.uk/licences/alcohol-licences/responsible-authorities-alcohol>

### **West Midlands Police - Licensing**

wv\_licensing@west-midlands.pnn.police.uk  
01902 649085  
Bilston Street Police Station  
Bilston Street  
Wolverhampton  
WV1 3AA

### **West Midlands Fire Service**

firesafety.admin@wmfs.net  
0121 380 7500  
West Midlands Fire Service Headquarters  
Protection Admin  
99 Vauxhall Road  
Birmingham  
B7 4HW

### **Environmental Health**

environmentalhealth\_responsibleauthority@wolverhampton.gov.uk  
01902 554320  
Environmental Health  
Wolverhampton City Council  
Civic Centre  
St Peter's Square  
Wolverhampton  
WV1 1DA

### **Local Planning Authority**

building.control@wolverhampton.gov.uk  
planning@wolverhampton.gov.uk  
01902 551155  
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## 21.0 List of possible appropriate conditions

These are suggested conditions that responsible authorities and applicants for a licence or review can consider as part of their representations or consideration. This is not an exhaustive list neither is the wording designed to be prescriptive to the exclusion of all other wording which meets addresses the issues at hand.

### 21.1 Prevention of crime and disorder

<b>Issue to be Addressed</b>	<b>Appropriate condition</b>
There should be a defined policy that documents the security measures in place for the premises.	The premises licence holder will arrange for a crime prevention audit to be conducted by West Midlands Police or independent company approved by the licensing authority, and the recommendations of the audit shall be implemented within three months
A defined policy should ensure a consistent approach and explain the standards expected of staff.	All staff shall be briefed and be aware of their responsibilities and relevant company operating procedures before they commence paid duty at the premises.
It is expected that premises hold security review meetings on a regular basis to help identify and resolve issues and ensure that staff are fully aware of important issues. Relevant issues could include the prevention of thefts, or identifying problematic individuals	The premises licence and/or Designated Premises Supervisor (DPS) shall carry out reviews of security incidents at the premises. Such reviews shall be documented and conducted at least [monthly] [quarterly] and include details of any remedial action identified and implemented. Copies of the security review shall be made available upon inspection by a Responsible Authority, police officer, or authorised officer
Management of high risk events	West Midlands Police will receive full details of all events including DJ's and any other performers, with

	at least 14 days' notice so that a full risk assessment can be made
The Effective management of queues outside premises	
Queues should be managed effectively to prevent any nuisance or disorderly behaviour.	]  A temporary barrier/permanent railing system will be used to ensure the proper management of customers wishing to enter the premise. The railing system will run parallel to the side of the premises, starting at the entrance and finishing at the end of the premises. The width of passage will be at least 1.5m, to ensure patrons in wheelchairs can queue safely. This will be supervised by the door supervisors or DPS when door staff aren't present.
The control of entry and egress from the premises, including assessing the need for door supervisors	
Consideration should be given to how capacity will be controlled and how already drunk or disorderly individuals will be prevented from being admitted.	Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises. A Clubscan/IDSCAN or similar system shall be operated at the premises. All persons entering the premises must provide verifiable proof of age and record their details on the system.
The need for security staff will be determined by documented risk assessment. Where door supervisors are provided, it is expected that licensees have consideration of the following:  High-visibility identification – It is expected that door supervisors shall be easily identifiable by wearing high-visibility clothing.  Appropriate number of staff – Door supervisors should be employed at specified times with regard to the	The premises licence holder shall ensure that the provision of door supervisors at the premises is appropriate to ensure the safe control of the premises, and shall review this on a regular basis and upon request from WMP.  All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high-visibility [jackets or vests] [armbands].

<p>individual circumstances of the premises. The need for door staff should also be regularly reviewed and risk-assessed, and appropriate security employed.</p> <p>The role of door supervisors in ensuring effective dispersal of patrons from the premises at the end of the night – Door supervisors should be instructed to encourage persons leaving the premises to do so without causing disturbance and in an orderly fashion.</p> <p>SIA Approved Contractor Scheme Companies Holding security briefings at the start and end of duty.</p>	<p>A minimum of [2] Security Industry Authority SIA-licensed door supervisors shall be on duty at the entrance of the premises at all times while it is open for business.</p> <p>Door supervisors shall be employed at the ratio of [XX] door supervisor for every 100 customers (or part thereof).</p> <p>At least [XX] female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.</p> <p>When the premises are carrying on licensable activities after [XX:XX] hours, at least [XX] registered door supervisor(s) is (are) to be on duty at each door used for entry or exit.</p> <p>A minimum of [XX] SIA-licensed door supervisors shall be on duty at the exit from the premises to ensure orderly dispersal from [XX] hours until the area immediately outside the premises is clear of customers at the close of business</p> <p>Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company All door supervisors shall be briefed on their responsibilities and relevant company operating procedures before they commence duty</p> <p>SIA front-line licensed door supervisors used, on Friday and Saturday evenings 20:00 until close of business, at a ratio of at least 1:100. (One of these shall be female). SIA door staff will also be used three hours prior to kick-off of Wolverhampton Wanderers home matches, with away fans excluded</p>
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	and during occasions when live music takes place.
Maintaining a register of door supervisors on duty on any occasion they are employed at the premises	A register shall be maintained of all persons engaged as door supervisors, to include the name and SIA number of the staff. A nightly briefing of door supervisor responsibilities shall take place and a written record shall be maintained of the time and dates commenced and finished and signed to confirm the briefing has taken place. Clickers or similar counting device shall be used to monitor and maintain capacity levels. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to WMP or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: the times on duty, names and the licence numbers, of all licensed door supervisors employed by the premises
The need for searches will be determined by risk assessment	The premises licence holder and/or DPS shall carry out a documented risk assessment on the need for searching patrons entering the premises. The risk assessment shall be reviewed regularly and no less than every six months
Any search policy is expected to include provision for the following circumstances:  a. Records maintained of searches and seized items – Records should be maintained of any searches where prohibited items are seized and removed. Records should be made available to the police.  b. b. Circumstances under which searches will be conducted – Risk assessments should be	A clearly visible notice shall be placed at each entrance to the premises advising those attending that it is a condition of entry that customers agree to being searched and that the police will be informed if anyone is found in possession of controlled substances or weapons.  All persons entering or re-entering the premises shall be searched by

<p>conducted to consider when searches are appropriate</p> <p>c. Location of where searches will take place – Areas should be covered by CCTV and not be in isolated areas.</p> <p>d. Use of detection devices to detect weapons and drugs and when and where they will be used – Consideration for appropriate detection devices should be risk-assessed and employed as appropriate.</p> <p>e. Putting procedures in place for the seizure and retention of recovered drugs and other prohibited items – Items recovered should be kept in a secure location and the police notified.</p>	<p>an SIA-trained member of staff [in an area monitored by premises CCTV].</p> <p>No patron shall be admitted or readmitted to the premises after [XX:XX] hours unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, been physically searched in accordance with a procedure agreed with West Midlands Police, which will include a ‘pat down search’ and a full bag search.</p> <p>There shall be a policy agreed with West Midlands Police for the premises relating to illegal drugs, weapons or other prohibited items found on persons attempting to enter or on the premises.</p>
<p>Knife Crime concerns</p>	<p>A knife arch will be in place/knife wands will be used on all entrance points and will be used as a condition of entry into the venue. This knife arch and any knife wands will be maintained in good working order and if it breaks, West Midlands Police are to be informed and action taken to repair at the earliest opportunity</p>
<p>The premises should have a documented policy that includes searches before the premises open, during hours of operation and at closing.</p>	<p>The DPS and/or a nominated member of staff shall carry out searches of the premises before the premises open, during hours of operation and at closing. Any relevant items recovered, e.g. illegal drugs, lost property, shall be managed accordingly, in accordance with company procedures.</p>
<p>Late-night premises in the city centre are expected to consider subscribing to the Night Safe Radio System</p>	<p>The Night-Safe Radio shall be operated [from [XX:XX] hours until the premises have closed] [at all times the premises are open to the public]. The radio shall be kept in good working order, operated by a</p>



	responsible member of staff and used to report incidents of crime and disorder to the CCTV control room and other radio users from the base at the Mander Centre.
Important and relevant incidents that occur at the premises should be recorded. Such records should be made available upon request by a Responsible Authority. Recordable incidents could include: – Accidents – Lost and found property – Refused sales of alcohol – Thefts – Banned and ejected persons – Other incidents – Injuries – Allegations against staff.	An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: (a) all crimes reported to the venue, or by the venue to the police (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) seizures of drugs, offensive weapons, fraudulent proof of age or other items (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any faults in the CCTV system, searching equipment or scanning equipment (i) any visit by a relevant authority or emergency service (j) the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises
Promoters are expected to notify West Midlands Police in writing to <a href="mailto:wv_licensing@west.midlands.pnn.police.uk">wv_licensing@west.midlands.pnn.police.uk</a> and the licensing authority no later than 28 days before the event	28 days' notice shall be given to West Midlands Police of any events held that are organised by an external promoter, including full details of the nature of the event and of the promoter. There shall be no events at the premises that are organised by an external promoter.
Dispersal at closing up time	SIA registered door supervisors shall be provided outside of the premises for an additional period of 30 minutes after closing, to assist in the safe and orderly dispersal of

	<p>patrons from the premises. Body cameras and high visibility vests, tabards or jackets shall be worn by door supervisors when employed in this function</p> <p>Alcohol for consumption on the premises must not be sold less than 15 minutes before the premises' scheduled closing time</p>
<p>Documented staff training should be conducted relevant to the prevention of crime and disorder issues on the premises, to include (but not limited to):</p> <ul style="list-style-type: none"> <li>– Age restrictions in respect of products</li> <li>– Responsible Alcohol Service, including recognising signs of drunkenness, refusal skills, drugs awareness</li> <li>– Company policies and reporting procedures (see above)</li> <li>– Managing and resolving conflict</li> <li>– Action to be taken in the event of an emergency, including the report of a crime, fire, or request for emergency medical attention</li> <li>– Licence conditions</li> <li>– Relevant obligations and offences under the Licensing Act 2003, including those associated with the sale of alcohol.</li> </ul>	<p>All staff shall be trained in: [relevant age restrictions in respect of products], [recognising signs of drunkenness], [how to refuse service], [the premises' duty of care], [company policies and reporting procedures], [action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services], [the conditions in force under this licence].</p> <p>Documented records of training completed shall be kept for each member of staff.</p> <p>Training shall be regularly refreshed and at no greater than [4] [6] [12] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council</p>
<p>Records of all training should be documented and kept on the premises available for inspection by the Responsible Authorities.</p>	<p>The designated premises supervisor shall attend a formal training course on [avoiding underage sales] [responsible alcohol sales] such as the National Certificate for Designated Premises Supervisors or the BIIAB Award in Responsible Retailing and provide evidence of attendance if requested.</p>

The premises should have a written policy in relation to drunkenness. Premises should not admit persons who are visibly intoxicated, and staff should be trained regarding responsible alcohol sales, identifying drunkenness and preventing alcohol sales to them.

Use of the 'Responsible Alcohol Service' Guide. <http://www.iard.org/>

All staff shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than [4] [6] [12] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council.

There shall be no self-service of spirits on the premises.

The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.

The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.

The supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises

	<p>where alcohol is sold or supplied for consumption on the premises during the periods when alcohol is sold.</p> <p>A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of City of Wolverhampton Council at all times while the premises are open.</p>
<p>Consideration should be given to how any promotions could impact upon the mandatory licence condition for on licensed premises prohibiting irresponsible promotions. It is expected that licensees have reference to recognised codes of practice in respect of the responsible sale and promotion of alcohol products, such as those codes issued by the British Beer and Pub Association, Portman Group and Drinkaware Trust</p>	<p><b>*Voluntary Only*</b> No super-strength beer, lagers or ciders (including perries) of 6.5% ABV (alcohol by volume) or above shall be sold at the premises. Any promotional activity shall comply with the most current Portman Group Code of Practice on the Rules for Naming, Packaging and Promotion of alcoholic drinks</p>
<p>It should be demonstrated how the premises will be effectively monitored, e.g., patrols by staff, which areas will be covered by CCTV, whether security staff will be employed (and, if so, where), as well as any other appropriate measures. Additionally, appropriate monitoring of external areas, e.g., immediately outside the entrance to the premises, smoking shelters and beer gardens, should be addressed where relevant.</p> <p>Details of CCTV cameras should be provided (both internal and external).</p>	<p>. A digital CCTV system will be in place which covers entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access, the immediate vicinity outside the premises (and any area where searches are conducted). The system will be installed and maintained in working order at the premises during all times when the premises is open. The system's recorded images and video will be high definition, in colour, indicate</p>

CCTV should be installed in liaison with, and to a standard approved by West Midlands Police

the correct date and time and be kept for at least 31 days unedited. The footage will enable facial identification of every person entering the premises, in any light condition. At least one designated member of staff will be trained to use the CCTV system and be available to provide downloads upon request or, in any case, within 24 hours. Images and video will be downloadable in a suitable format and provided to any officer of a responsible authority upon request. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided. (Note: this condition may be scaled back as appropriate for smaller premises.)

The position of CCTV cameras at the premises shall be to the satisfaction of West Midlands Police and a plan showing the cameras shall be provided for the licensing authority and West Midlands Police.

A TV monitor shall be positioned at the entrance/exit to the premises, showing live footage of persons entering and leaving.

CCTV installed, monitored and 24-hour recordings kept for 28 days

	and made available to constables and persons authorised under the 2003 Act to help identify attempted proxy purchasing.
<p>The licensing authority considers it good practice for alcohol-licensed premises to ensure that there is a personal licence holder on site at all times the premises are open for the sale of alcohol.</p> <p>Depending on the size of the premises, it may be appropriate for multiple personal licence holders to be on duty, e.g., if the premises have more than one bar or are particularly large.</p>	<p>There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.</p> <p>The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identity against the notice.</p>
<p>A zero-tolerance policy should be implemented regarding the use of illegal drugs on the premises. A drugs policy should be in writing and include how drugs will be prevented from being brought into the premises, what action the venue will take should anyone be caught with drugs on the premises, and how the drugs will be disposed of.</p> <p>The use of toilet attendants, regular documented toilet checks and searches of the premises could be conducted.</p> <p>Licensees for on-licensed premises should also consider what action will be taken to prevent the spiking of drinks at the premises. This could include encouraging customers to ensure that drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.</p>	<p>There shall be a policy agreed with West Midlands Police for the premises relating to illegal or 'recreational' drugs (including 'legal highs') found on persons or on the premises.</p> <p>Signs informing patrons of a zero-tolerance policy to all drugs shall be placed at key locations, including all entrance areas, toilets and the bar area.</p> <p>There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS and/or [designated role holder at business], shall have access. All controlled drugs (or items suspected to be or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to West Midlands Police for appropriate disposal.</p>
<p>A documented risk assessment should be conducted for the use of glassware on the</p>	<p>Alcohol is to be served in polycarboor shatterproof glasses</p>

<p>premises, and safer drinking vessels, such as toughened glass or polycarbonate should be used when appropriate. Risk assessments should also include the use of glass in external areas (if appropriate) as well as how glass collections will be managed throughout the premises, including the frequency of such collections</p>	<p>[on specified days or events] [upon reasonable notice by West Midlands Police]. No drinks shall be served in glass containers at any time. Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence. The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.</p>
<p>Where businesses are selling alcohol for consumption off the premises, the following may be appropriate to impose as a self-regulating measure or applied by the licensing sub-committee in circumstances where alcohol sales are problematic amongst children or drunken persons.</p> <p>Premises which are known to sell alcohol to children to be conditioned to label stock thereby providing evidence of unlawful sales if product found commonly in possession of persons under 18</p>	<p>Designated single items – beer, alcopops and cider – must not be sold to any person. A minimum of 4 units of beer, alcopops or cider to be sold as a multi-pack only.</p> <p>Products to be labelled (a label stuck to the bottle or can) to show the details of the shop making the sale</p>
<p>Regulation of certain sporting events</p>	<p>Boxing, wrestling or other similar contact sports will be regulated by the approved regulatory body</p>
<p>BYOB events</p>	<p>Alcohol must be purchased on site; customers are not allowed to bring their own alcohol for consumption onto the premises</p>
<p>Single sales and super strength for 'off licences'</p>	<ul style="list-style-type: none"> <li>• Beer, cider and mixed drinks (such as cocktails and alcopops) are to be stocked and sold in multipacks of a minimum of four units. Multipacks must not be split.</li> <li>• Sales of alcohol are not to include any super strength lagers, beers or ciders where strength exceeds 6.5% ABV (alcohol by volume).</li> </ul>

Self Service	Alcohol purchases on self-checkout must undergo Challenge 25 and be authorised by a member of staff over 18 years old.
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## 21.2 Public Safety

Issue to be addressed	Appropriate conditions
Capacity should be managed effectively and in accordance with an appropriate risk assessment to prevent overcrowding. Advice should be sought from West Midlands Fire and Rescue in relation to the safe capacity for premises and how it should be managed	The number of persons permitted in the premises at any one-time including staff shall not exceed [XX] persons, and this number shall be prominently displayed by each entrance to the premises. The premises licence holder shall ensure a suitable method of calculating the number of people present during licensable activities is in place, and that the results are securely recorded in a logbook for a period of at least 12 months.
Condition of site	A full site check, including internal and external areas to be completed, looking for any weapons, illegal substances or insecure areas both before and after opening for business
Licensed premises should: –  Conduct a Fire Risk Assessment for the premises, which is reviewed as required, and as a minimum every 12 months. –  Ensure all fire equipment is inspected and serviced annually and documented.	All external fire exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.  All firefighting equipment is inspected and serviced in line with the appropriate British Standard.
Consideration should be given to implementing such checklists as they can help ensure that all appropriate and routine actions are conducted consistently, ensuring good practice.	The premises shall operate a preopening and closing checklist to ensure all appropriate steps have been taken before the premises are open to the public and at the close of business each day. These checks shall be recorded and kept for a minimum of six months and made available for inspection upon request by a Responsible Authority, police officer or authorised officer.



<p>Documented staff training should be provided to ensure adequate public safety on the premises, including (but not limited to):</p> <p>First aid –  Fire safety procedures –  Evacuation procedures –  Terrorist threats (predominantly citycentre venues)  Overcrowding</p>	<p>The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment. The designated premises supervisor shall attend a formal public safety type training course, provided by West Midlands Fire Service, (responsible person course) where such training is available, and provide evidence of attendance if requested.</p> <p>All staff on duty at the premises shall be trained in the Fire Safety and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff.</p> <p>Training shall be regularly refreshed. Training records shall be made available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council.</p>
<p>Off Sales to diners</p>	<p>Only patrons ordering table meals, seated refreshments and/or services shall be permitted to purchase alcohol for supply off the premises.</p>
<p>Licensed premises, particularly those located in the city centre, should have regard to the Guidance found at:</p> <p><a href="https://www.protectuk.police.uk/">https://www.protectuk.police.uk/</a></p>	<p>Staff training shall include procedures to deal effectively with emergency incidents, including: i) reporting an emergency to the relevant emergency service  ii) safe evacuation of customers  iii) dealing with terrorist threats or incidents.</p>

Premises licensed for the sale of alcohol for consumption on the premises should have a policy and procedure in place to ensure effective and efficient collection of glasses and the cleaning up of spillages throughout the premises.	The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware
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### 21.3 The prevention of public nuisance

Issue to be addressed	Appropriate conditions
<p>This relates to both internal and external areas. Measures such as double glazing, the use of an acoustic lobby, noise-limitation devices and soundproofing for internal areas may be relevant.</p> <p>Licensees should demonstrate the measures taken to address such issues</p>	<p>All windows and external doors shall be kept closed between [XX:XX] hours and [XX:XX] hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.</p> <p>No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</p> <p>A tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all amplified music played at the premises must pass through this sound limiter at a level agreed by the Council's Environmental Health section. The noise limiter shall not be altered without prior agreement with the Council's Environmental Health section.</p> <p>Speakers shall not be located/operated in the entrance lobby or outside the premises, nor shall they be located or positioned in such a manner as to cause a nuisance outside the premises. While live or recorded music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of any monitoring, including the date, time and</p>

	<p>location of monitoring; the name of the monitor; and any action taken. Records shall be kept for no less than six months and shall be made available upon request by a police officer or an authorised officer of City of Wolverhampton Council.</p> <p>Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p>
<p>Consideration should be given to a curfew on entry times, which can reduce the possibility of persons who may have been attracted to the premises causing noise and disturbance late at night.</p>	<p>There shall be no admittance or readmittance to the premises after [XX: XX] hours</p>
<p>Licensees are expected to communicate with local residents and businesses to address and resolve relevant problems. This could include giving contact telephone numbers to local residents so they can report any issues to the premises for them to be dealt with. It is expected that contacts at the premises would be persons in a position of responsibility who are contactable whenever the premises are open to the public so that any issues can be addressed without delay. Licensees could also arrange regular meetings with neighbours to ensure good relations</p>	<p>A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.</p> <p>Local residents shall be invited to quarterly residents' meetings held by the premises licence holder to resolve any problems associated with the carrying on of licensable activities at the premises. The minutes of the meeting and any action to be taken shall be lodged with the Council's Licensing Department by the premises licence holder within seven days of the meeting</p>
<p>Where the premises include any exterior areas, licensees should demonstrate what measures are in place to prevent issues that may give rise to problems. Relevant considerations should include:</p> <ul style="list-style-type: none"> <li>– A limit on the number of patrons in such areas</li> <li>– Whether there is a curfew</li> <li>– How they will be delineated, if relevant –</li> </ul> <p>How premises will be kept clean and litter free, particularly at the end of trading</p>	<p>There shall be a documented smoking policy, as agreed with the City of Wolverhampton Council Environmental Health section, implemented at the premises and a copy lodged with the Council's Licensing Unit.</p> <p>Notices shall be prominently displayed at any area used for smoking, requesting patrons to</p>

<ul style="list-style-type: none"> <li>– What supervision will be in place? – Will the premises be covered by CCTV?</li> <li>– Will glasses be allowed outside?</li> <li>– What glass collection arrangements will be in place?</li> <li>– How to avoid customers causing noise disturbance</li> <li>– How the premises will prevent begging at, and in the immediate exterior of, the premises</li> </ul>	<p>respect the needs of local residents and use the area quietly.</p> <p>Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>Outside tables and chairs (in the beer garden) shall be rendered unusable by [XX: XX] hours each day.</p> <p>All tables and chairs (in the beer garden) shall be removed from the outside area by [XX: XX] hours each day. Alcohol consumed outside the premises shall only be consumed by patrons seated at tables. Patrons permitted to temporarily leave and then re-enter the premises, e.g., to smoke, shall not be permitted to take drinks or glass containers with them</p>
<p>Where the licensable activities could give rise to litter being dropped in the vicinity of the premises, the measures in place to prevent this occurring and/or to tidy it up should be demonstrated. Such measures could include regular litter inspections during the hours of operation and at the close of business, the placing of litter bins in prominent areas of the premises, reducing packaging, and the use of branded packaging.</p>	<p>At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.</p> <p>All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name.</p> <p>The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.</p> <p>Litter bins shall be provided at the premises in sufficient capacity to</p>

	ensure that customers can adequately dispose of any litter.
Any use of flyers and other promotional material should be done in a responsible and appropriate manner	No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
Adequate and secure storage for refuse should be provided that is appropriate for the nature of the business. Particular regard should be given to the management of glass bottles to prevent them being taken outside the premises as potential weapons, and to the emptying of bottles into refuse containers at times that could disturb local residents and businesses.	No rubbish, including bottles, shall be moved, removed or placed in outside areas between [XX: XX] and [XX:XX] hours. No bottles, glasses or similar items may be disposed of in outside receptacles between [XX: XX] and [XX:XX] hours. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
Consideration should be given to how and at what times deliveries are made to the premises to avoid disturbance to local residents and businesses and avoid any obstruction. Equally, this would apply to any collections from the premises, e.g., refuse collections by private contractors.	All deliveries to the premises must be made via the rear of the premises. No deliveries must be made to the premises between [23:00] and [07:00] hours.  Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.

	<p>All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.</p> <p>Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle</p>
Delivery location	Alcohol shall be delivered to a residential or business address only and shall not be delivered to a person in a public place, e.g. a car park, a street corner, a bus stop etc.
<p>Licensed premises need to ensure the orderly exit and dispersal of customers from the premises. Relevant considerations could include:</p> <ul style="list-style-type: none"> <li>– Prominent display of notices requiring courtesy for neighbours</li> <li>– Preventing customers from congregating outside</li> <li>– Directing to and advising on available public transport</li> <li>– Providing contact details for taxi/private hire firms and provision of a call-back service</li> <li>– Use of a dedicated taxi/private hire service – Implementing a dispersal policy based upon good practice</li> <li>– Use of a winding-down period – The role of door supervisors in managing persons leaving.</li> </ul>	<p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.</p> <p>The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers, who will be encouraged to use such services. A call-back system must be operated, and drivers instructed not to sound their horns when collecting customers</p>
PSPO	An A4 Public Space Protection Order (PSPO) notice, provided by the Licensing Authority will be displayed prominently on the premises, visible from outside of the premises.
Noise from extraction units	Extraction units used by the premises must not cause a noise nuisance to nearby properties, with

	air ducts being taken to the roof and at chimney height, so as to alleviate noise and smell
Noise from regulated entertainment	Noise and vibration should not be allowed to emanate from the premises so as to cause a nuisance to nearby properties or residents. (External doors and windows must remain closed during periods of Regulated Entertainment (after 23:00) except to permit ingress and egress of patrons.)

#### 21.4 The protection of children from harm

Issue to be addressed	Appropriate conditions
<p>Regard should be had to specific risks that may arise when children are on the premises. The risk assessment should be documented and available for inspection by the Responsible Authorities upon request. Relevant considerations could include:</p> <ul style="list-style-type: none"> <li>– Will access be restricted to certain areas of the premises?</li> <li>– Is there adequate supervision?</li> <li>– Are the areas covered by CCTV?</li> <li>– Will alcohol sales be restricted in areas where children are permitted?</li> <li>– How will children be prevented from accessing alcohol?</li> </ul> <p>Special consideration is expected to be given to promoted events in licensed premises aimed at, or likely to attract, persons under 18. The licensing authority expects robust measures to be in place to address potential risks associated with such an activity</p>	<p>Entry by children under the age of 18 [to the premises] [a specified part of the premises] is prohibited [whilst the following licensable activities take place:] [between the hours of [XX] and [XX]] [unless accompanied by an adult over the age of 18].</p> <p>No events solely for those under the age of 18 will be permitted on the premises.</p> <p>The premises licence holder must ensure that there is a minimum of one member of staff on duty for every [[XX] – number to be confirmed by Wolverhampton Safeguarding Children’s Board] children in the premises at any one time to assist in the evacuation of children in an emergency. Such number of staff may include licensed door supervisors.</p> <p>The premises licence holder shall ensure that adequate arrangements, including transport, are implemented for ensuring the wellbeing of children at the conclusion of any regulated entertainment under this licence.</p>

<p>Where adult-only entertainment is provided, children should be prevented from being on the premises when such entertainment is taking place.</p>	<p>No persons under 18 shall be permitted on the premises at any time that adult entertainment is provided at the premises.</p>
<p>Premises licensed for the sale of alcohol should take proactive steps to prevent this occurring. Possible measures include:</p> <ul style="list-style-type: none"> <li>– Regular checks around and/or outside the premises for underage persons encouraging adults to purchase alcohol for them</li> <li>– Use of CCTV, particularly in external areas</li> </ul> <p>-Displaying prominent notices in the premises explaining the law in relation to purchasing alcohol on behalf of persons under 18 and the penalties involved.</p>	<p>The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.</p>
<p>It is expected that any child performers are properly licensed with the Council's Juvenile Employment Department and a nominated adult is present to act in a supervisory capacity.</p>	<p>The licence holder and/or DPS shall ensure that any child performer is licensed with City of Wolverhampton Council's Licensing Unit and accompanied by a registered chaperone. Documented records should be kept for six months, including the child's name, their licence number and chaperone details.</p>
<p>Where age-restricted films are displayed, appropriate and effective measures must be in place to ensure relevant age restrictions are complied with.</p>	<p>The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram</p>
<p>Online sales</p>	<p>The company website shall include reference to the Challenge 25 policy and customers must be at least 18 years old to purchase alcohol and that the supply of alcohol may be refused, if unable to provide ID when challenged under the Challenge 25 Policy. A record is kept of all purchases and attempted purchases. Orders cannot be collected from the premises.</p>



<p>Online age verification</p>	<p>Premises to use online age verification at the point of purchase where purchased via an online platform. The online platform must require customers to verify they are over 18, when purchasing alcohol. No sale of alcohol is to be made to anyone identified as being under 18 years of age.</p>
<p>Effective and appropriate measures must be taken to ensure age restrictions are enforced at the premises. Relevant considerations include: – Details of what forms of proof of age are acceptable</p> <ul style="list-style-type: none"> <li>– The use of till prompts</li> <li>– The maintenance of refusal logs</li> <li>– Staff training.</li> </ul>	<p>The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, an EU/EEA national ID card or a card bearing the PASS hologram.</p> <p>The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that the Challenge 25 scheme is in operation.</p> <p>A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale.</p> <p>The log will be available on request by the police or an authorised officer of City of Wolverhampton Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.</p> <p>There shall be a policy for the premises agreed with West Midlands Police on the handling of fraudulent identification used to attempt to purchase alcohol or gain entry to the premises.</p> <p>The premises shall display prominent signage indicating [at any point of sale]</p>

	<p>[at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>Designated checkout(s) for alcohol sales (supermarket).</p> <p>Personal licence holder/DPS to be on site at all times during sales of alcohol.</p> <p>Personal licence holder/DPS to supervise and authorise every individual sale of alcohol.</p> <p>SIA registered security staff to be present at points of sales to support staff refusing sales to u-18s and drunks.</p> <p>Alcohol sales only to be made only by person aged 25 years or over'</p> <p>CCTV installed at all points of sale and recorded.</p>
<p>Documented staff training is expected, particularly in relation to activities consistent with the licensing objectives, including (but not limited to):</p> <ul style="list-style-type: none"> <li>– Identification and refusal of underage sales</li> <li>– Age-restricted products</li> <li>-- Any access restrictions to the premises by children.</li> </ul>	<p>In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice. The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal. The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.</p> <p>Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than (4) (6) (12) monthly intervals. Training records shall be made</p>

	available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council.
Where children are allowed on the premises, information should be available on what to do if there is a cause for concern regarding a child's welfare. This can include reporting to Wolverhampton Safeguarding Board telephoning the Contact Centre for or NSPCC Helpline (0808 800 500), or dialling 999 in the event of an immediate threat	Where children are allowed on the premises, information shall be displayed [location] on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to City of Wolverhampton Council via its Contact Centre or dialling 999 in the event of an immediate threat
<p>– The licensing authority expects licensees to consider additional measures in their operating schedule when applying to provide adult entertainment if they are considered appropriate for the promotion of the licensing objectives: The exclusion of under-18s from the premises</p> <ul style="list-style-type: none"> <li>– A code of conduct for customers</li> <li>– A code of conduct for dancers and performers</li> <li>– Documentary checks for dancers and performers, including proof of age, identity and (where appropriate) proof of permission to work</li> <li>– How the entertainment will be advertised and promoted at the premises</li> </ul>	<p>No entertainment, performance, service, or exhibition involving nudity or sexual stimulation that would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall be provided.</p> <p>There shall be no striptease or nudity, and all persons shall be decently attired at all times.</p>
City of Wolverhampton Council has implemented Public Space Protection Orders in several areas throughout Wolverhampton in order to help address and prevent numerous problems caused by public consumption of alcohol. Street drinking can be a major cause of antisocial behaviour, often involving underage persons, which gives rise to disorder, concerns over public safety and harm to children. Additionally, it is widely reported that consumption of alcohol by persons on the way to on-licensed premises gives rise to problems of drunken and disorderly behaviour.	All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.

<p>Concealment of alcohol when not authorised for sale (not included in policy).</p> <p>Sale of alcohol at food takeaway premises (not included in policy).</p> <p>Alcohol delivery service (not included in policy)</p>	<p>Outside the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors to prevent access to the alcohol by customers or staff. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.</p> <p>The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out: a) The trading name of any company that will operate under the licence b) All telephone numbers that will be used to accept orders c) The URL/website address that will be used to accept orders Any change to this information must be notified to the licensing authority within seven days.</p> <p>Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this Page includes flyers, leaflets and business cards promoting the business</p>
<p>Restaurant condition</p> <p>Odours and noise from kitchen extract equipment</p> <p>Not included in Policy</p>	<p>The premises shall only operate as a restaurant</p> <ul style="list-style-type: none"> <li>(i) in which customers are shown to their table</li> <li>(ii) that provides food in the form of substantial table meals prepared on the premises and served and consumed at the table using non-disposable crockery</li> <li>(iii) that does not provide any takeaway service of food or drink for immediate consumption</li> <li>(iv) where intoxicating liquor shall not be sold, supplied or consumed on the premises otherwise than to persons who are diners taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.</li> </ul>

	<p>There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given:</p> <ul style="list-style-type: none"> <li>– dry ice and cryogenic fog</li> <li>– smoke machines and fog generators</li> <li>– pyrotechnics, including fireworks</li> <li>– firearms (e.g., blank firing pistol)</li> <li>– lasers</li> <li>– explosives and highly flammable substances – real flame</li> <li>– strobe lighting</li> </ul>
<p>Restricting alcohol sales in relation to designated special events, e.g., Football matches.</p>	<p>Prior to any [designated special event by West Midlands Police] ['designated sporting event' (as defined in the Sporting Events Control of Alcohol Act)] the premises licence holder shall ensure that:</p> <ul style="list-style-type: none"> <li>(i) Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated [special] [sporting] event</li> <li>(ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated [special] [sporting] event</li> <li>(iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated [special] [sporting] event</li> <li>(iv) On any day where there is a relevant designated [special] [sporting] event taking place, the premises will not externally advertise as a result of a local</li> </ul>

	<p>store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated [special] [sporting] event or in the vicinity of the premises as a result of the designated [special] [sporting] event</p> <p>(v) All members of staff working at the premises are informed of this condition prior to taking up employment</p> <p>(vi) On the day of the relevant designated [special] [sporting] event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed.</p>
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## 22.0 Enforcement and reviews

The 2003 Act does not require inspections to take place save at the discretion of those charged with this role. Principles of risk assessment and targeted inspection (in line with the Regulators' Code) should prevail, and, for example, inspections should not be undertaken routinely but when and if they are judged necessary. This should ensure that resources are used efficiently and for example, are more effectively concentrated on problem premises. Licensing authorities should also remind operators of licensed premises that it is incumbent on them to provide appropriate training for their staff to ensure the promotion the licensing objectives.

The Licensing Act contains measures to ensure that the council, and Responsible Authorities, can deal with premises that wilfully and persistently undermine the licensing objectives. The Council and Responsible Authorities are committed to encouraging a thriving day time and evening licensed economy but will not tolerate those premises whose activities infringe upon the quality of life for local residents and businesses.

The Council has established a multi-agency risk-based enforcement of the Licensing Act 2003 This involves carrying out joint inspections with the police, the fire authority, trading standards and other relevant agencies.

The purpose of enforcement is to protect the public, interested parties and the environment from harm caused because of activities made licensable by virtue of the Licensing Act 2003.

### 22.1 Prosecution of breaches

The Council adopts a multi-agency approach to the prosecution of offences under the Licensing Act. The Council also has a joint policy in conjunction with the other Black Country Authorities of Dudley, Sandwell, and Walsall.

<https://www.wolverhampton.gov.uk/sites/default/files/2021-11/Black%20Country%20Regulators%20Operating%20Framework.pdf>

Consideration will be given to the appropriate powers needed to address a problem. Each of the Responsible Authorities such as the police, fire authority, environmental protection and trading standards have their own enforcement powers under their own enabling legislation. The Responsible Authorities Forum (RAF) is a key medium for effective combination of compliance and regulatory functions that are the most effective and least burdensome on both premises and authorities

The Licensing Act 2003 provides its own schedule of offences as well as prosecutable offences to be dealt with via the court.

Formal enforcement will be a last resort and proportionate to the degree of risk. To this end the key principles of consistency, transparency and proportionality will be maintained.

## 22.2 Reviews of Licences

The Council recognises that the ability of the police, other Responsible Authorities and members of the public to apply for a review of a premises licence, is an incentive to effective self-regulation.

On receipt of a properly made application to carry out a review the Council has a range of options available to it under the Act. These include:

- modification of conditions of the licence including imposing new conditions, altering existing conditions or removing conditions (permanently or temporarily)
- exclusion of a licensable activity from the scope of the licence (permanently or temporarily)
- Removal of the Designated Premises Supervisor
- Suspension of the licence for a period not exceeding three months
- Revocation of the licence

The Council will try to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.

Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the Council must carry out a review of the licence.

Where a Magistrates Court makes a Closure Order under the Anti-Social Behaviour, Crime and Policing Act 2014 (on grounds of the use, supply or production of Class A drugs associated with disorder or serious nuisance) the police will usually ask the Council to carry out a review of the licence.

Where a closure order has been made under the Anti-Social Behaviour, Crime and Policing Act 2014 (on grounds of noise) the council's Environmental Health section will normally request a review of the licence.

Trading Standards normally provides evidence of the keeping of smuggled goods, such as counterfeit alcohol or tobacco, The Home Office Enforcement Team will normally provide evidence for and instigate the review of a premises licence for the employment of persons who do not possess the right to work in the UK.

Matters to be considered

When considering a review request or the possibility of enforcement action the Council will consider all relevant circumstances but will view the following matters particularly seriously:

- use of the premises for criminal activities such as the supply of drugs or money laundering
- failure to promptly respond to a warning properly given by a responsible authority
- failure to engage with the RAs in an effective manner
- previous convictions for licensing offences
- previous failure to comply with licence conditions

The Violent Crime Reduction Act 2006 (Expedited Reviews)

The Violent Crime Reduction Act 2006 amended parts of the Licensing Act 2003 and expanded police and council powers to deal with problem premises in a more expedient manner.

A power to carry out summary reviews in cases of serious crime and disorder is brought in at section 53A of the Licensing Act 2003. Where a review application is accompanied by a certificate issued by a senior police officer, the Licensing Authority is required within 48 hours to consider whether it is necessary to take any interim steps pending the completion of the review process. This may include the immediate suspension of the premises licence.

22.3 Annual Fees/licence suspensions for non-payment

Annual fees are payable each year on the anniversary of the grant of the licence, and the only premises exempt from payment are community premises which do not include alcohol sales as an activity. The Licensing Act requires the Licensing Authority to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due.

The Act provides for a grace period of 21 days in cases of an administrative error or where there is a dispute over liability for the fee, after which the licence/certificate will be suspended. In order to accommodate this period, the Premises Licence Annual Fee renewal letter is sent out 28 days prior to its due date. If renewal payments are not received by the due date, the licence must be suspended in accordance with the Act.

The Authority must give a minimum 2 days' notice of the licence/certificate being suspended if payment is not made. This Authority gives notice on the invoice that if payment of the annual fee is not received by its annual fee 'due date', the premises licence is automatically immediately suspended.



If more than one year of Annual Fee payments have been missed, any payment which is made will be allocated to the oldest outstanding debt first.

Licences will not be reinstated until outstanding payments are made in full. In respect of cheques, when they have cleared.

All parties will be notified in writing by letter or email once the payment has cleared and confirming that the suspension has been lifted. If you make payment by either credit/debit card, you are advised to send the details of the payment directly to the licensing team. This will ensure that any suspensions are quickly lifted, and an early response made by email.

### **23.0 Consultation**

This policy was arrived at through a consultation with:

- the chief officer of police for the area;
- the fire and rescue authority for the area;
- Director of Public Health
- persons/bodies representative of local premises licence holders;
- persons/bodies representative of local club premises certificate holders;
- persons/bodies representative of local personal licence holders; and
- persons/bodies representative of businesses and residents in its area.
- Members of the public through the Council website

24.0 APPENDIX A .Local Area Profile produced by the Director of Public Health



## Licensing profile – Public Health

The following local area profile aims to summarise existing national research regarding alcohol-related harm, as well as providing a local evidence base regarding issues relevant to the licensing objectives and geographical areas of potential risk. Data from various sources will be utilised to provide an understanding of current and emerging issues to support the statement of licensing policy, as well as identifying issues that will need to be considered by applicants during the application process.

This profile will also serve to support the decision-making process for future applications to minimise the risks associated with licensed premises. Ultimately this information will assist the Licensing Authority in terms of meeting the objectives and ensuring the specific needs of local communities are considered and vulnerable groups are protected.

The licensing process focuses on four key objectives of the Act, which include:

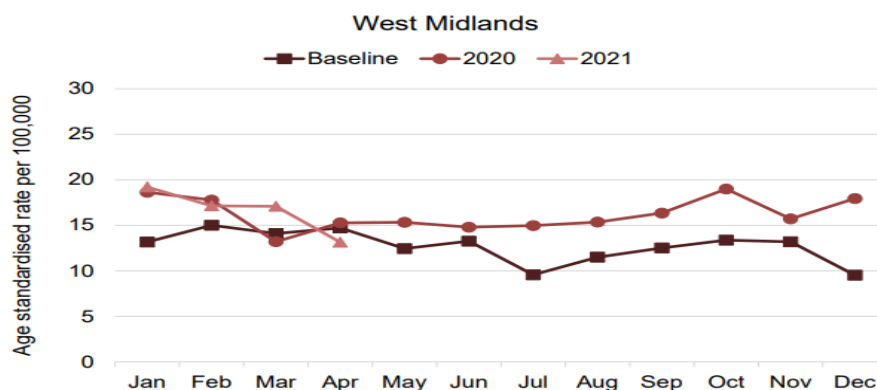
- Prevention of crime and disorder
- Promotion of public safety
- Prevention of public nuisance
- Protection of children from harm.

All applicants must serve notice on Responsible Authorities and evidence that they can satisfy these key objectives. Applications may be subject to representation, and in the event of an objection(s) to the licence that cannot be resolved through mediation with the applicant, a hearing is held to determine the outcome.

### Alcohol Related Harm

In England there are currently over 10 million people drinking at levels which increase their risk of health harm. Alcohol is the leading risk factor for ill-health, early mortality, and disability among those aged 15 to 49 years, and among all ages, it is the fifth leading risk factor<sup>1</sup>. Whilst the average age of death from all causes in England is 77.6 years, the average age of those dying from an alcohol-specific cause is 54.3 years<sup>2</sup>. Alcohol harm affects younger age groups, with more working years of life lost (YLL) in England to alcohol than from the 10 most frequent cancer types combined<sup>3</sup>.

**Figure 1: Monthly trend in total alcohol-specific deaths in the West Midlands<sup>4</sup>**



<sup>1</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>2</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>3</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>4</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Alcoholic liver disease is a type of damage or disease to the liver caused by excessive alcohol consumption, including fatty liver disease, alcoholic hepatitis, and cirrhosis. Liver disease is responsible for 86% of directly attributable mortality from alcohol in the UK<sup>1</sup>.

In recent years, many indicators of alcohol-related harm have increased. There are now over 1 million hospital admissions relating to alcohol each year, half of which occur in the lowest three socioeconomic deciles<sup>2</sup>. Lower socioeconomic groups often report lower levels of average consumption yet experience greater or similar levels of alcohol-related harm. This is particularly true for mortality from chronic liver disease<sup>3</sup>.

**Figure 2: Local Alcohol profiles <sup>4</sup>**

INDICATOR PER 100,000	Period	England	West Midlands	Wolverhampton
Alcohol specific mortality (1 year range)	2021	13.9	15.8	21.5
Alcohol specific mortality (3 year range)	2017-19	10.9	12.9	20.1
Admission episodes for alcohol specific conditions	2021/22	626	619	865
Admission episodes for alcohol related conditions (Narrow)	2021/22	494	564	742
Hospital admissions rate for alcoholic liver disease	2021/22	50.3	53.9	83.9
Number of premises licensed to sell alcohol per square kilometre	2017/18	1.3*	1.3*	11.0
Successful completion of alcohol treatment	2021	36.6%	36.7%	44%
Volume of pure alcohol sold through the off-trade	2014	5.5	5.1	5.8

\*Aggregated from all known lower geography values

In 2020, unplanned admissions for alcoholic liver disease were the only alcohol specific unplanned admissions to increase between 2019 and 2020. This increase was 13.5%, and from June 2020 onwards, there were significant and sustained increases in the rate of unplanned admissions for alcoholic liver disease<sup>5</sup>.

Given the stark trends in higher-than-expected liver deaths, long-term and sustained action to prevent liver disease remains a priority for public health.

Data shows the City of Wolverhampton as being a regional and national outlier for alcohol related harm and alcohol related hospital admissions. During 2021 Wolverhampton recorded significantly higher alcohol-specific mortality (21.5 per 100,000 population) compared to West Midlands (15.8 per 100,000) and England (13.9 per 100,000). Hospital admissions for alcoholic liver disease in Wolverhampton (83.9 per 100,00) during 2021 were again significantly higher than West Midlands (53.9 per 100,000) and England (50.3 per 100,00)<sup>6</sup>.

<sup>1</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>2</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>3</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>4</sup> [Local Alcohol Profiles for England - OHID \(phe.org.uk\)](https://phe.org.uk)

<sup>5</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>6</sup> [Public health profiles - OHID \(phe.org.uk\)](https://phe.org.uk)

Additionally, Wolverhampton reports a higher number (742) of admission episodes for alcohol-related conditions than both the West Midlands (564) and England (494)<sup>7</sup>.

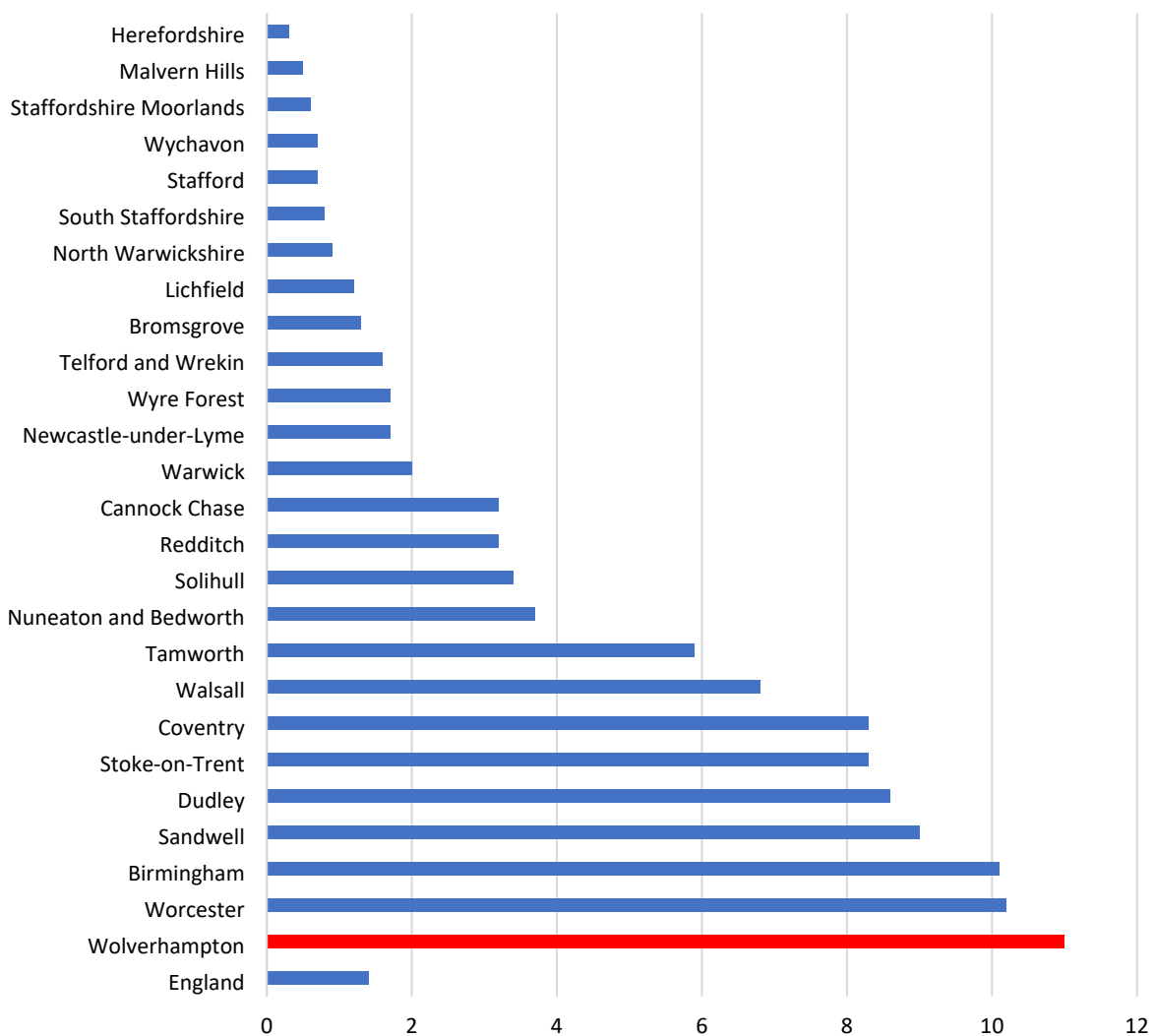
This data clearly highlights the significant impact alcohol has on the city and the extent of health implications associated to excessive alcohol consumption across the local population.

**Licensed premises**

Nationally, a considerable body of evidence exists to suggest that alcohol outlet density is related to alcohol consumption and alcohol-related harm. It is also an indicator of availability and exposure to alcohol<sup>8</sup>.

There has been a shift in drinking locations, in that most alcohol is now bought from shops and drunk at home<sup>9</sup>.

**Figure 3: Number of premises licensed to sell alcohol per square kilometre 2017/18<sup>10</sup>**

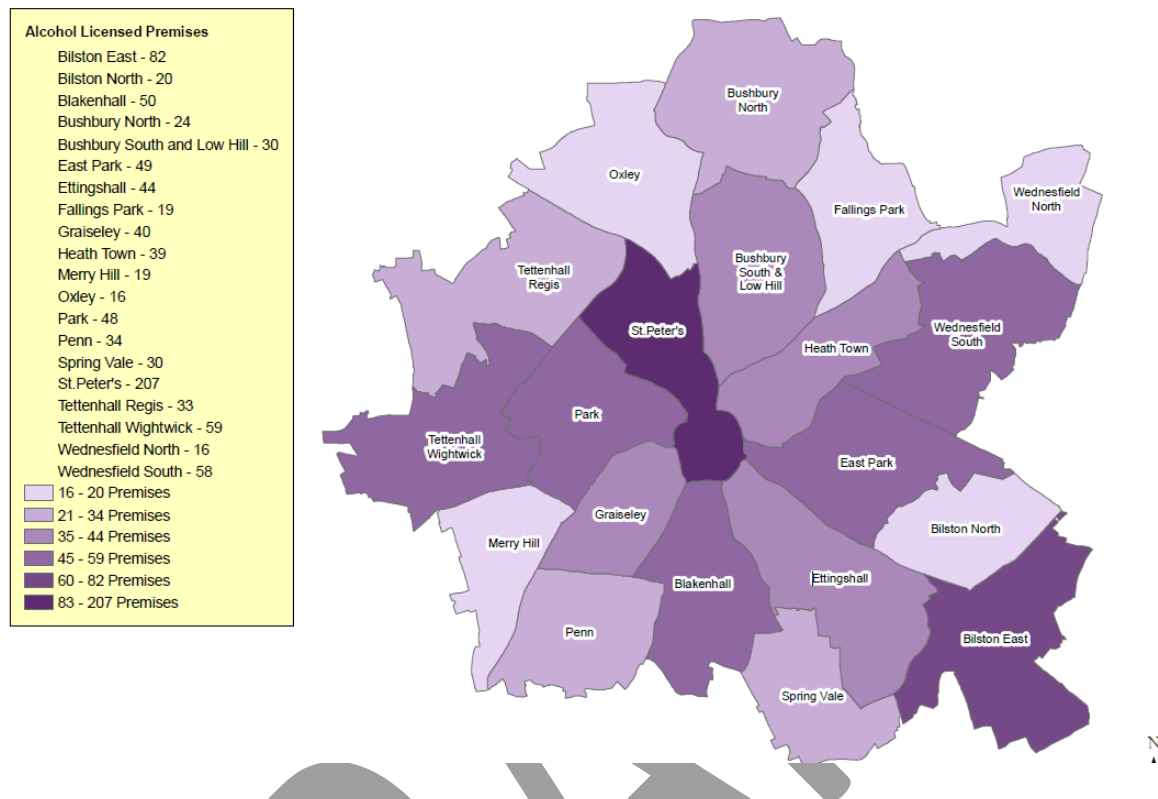


<sup>7</sup> [Public health profiles - OHID \(phe.org.uk\)](http://publichealthprofiles.org.uk)

<sup>8</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

<sup>9</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

<sup>10</sup> [Public health profiles - OHID \(phe.org.uk\)](http://publichealthprofiles.org.uk)

**Figure 4: Heat map of licensed premises to sell alcohol in Wolverhampton**

In 2017/18, Wolverhampton had a total of 917 licensed premises to sell alcohol, there has been an increase in the number of licensed premises in 2023/24, rising to 936. According to 2017/18 data, the city has the highest number of premises licensed to sell alcohol per square kilometres (11.0) in the West Midlands and much higher than the national average of 1.3.

There are a total of 577 premises licensed for off sales in the city with a further 359 premises licensed for on sales only. Almost a quarter (23%) of the premises licensed to sell alcohol are within St Peters Ward (207), in addition, a high proportion of licensed premises are located in Bilston East (82), Tettenhall Wightwick (59) and Wednesfield South (58). The volume of licensed premises are widely spread across the city, further emphasising the scale of potential alcohol related harm in the city of Wolverhampton.

*Recommended conditions to be included in applicant operating schedules:*

1. *Alcohol licensed premises should have clear policies and procedures in place identifying all public safety risks, alongside measures to prevent and manage those risks, such as:*
  - a. *Promotional material, signposting to local alcohol treatment provider (please liaise with Public Health) within all alcohol licensed premises across Wolverhampton to be displayed within points of entry/exit as well as toilets within pubs, clubs etc*
  - b. *Safe night-time transport: The safety of individuals leaving the premises should also be acknowledged; for example promoting safe night-time transport options.*
  - c. *Consideration should also be given to the location of licensed premises in areas with a higher rate of individuals vulnerable to alcohol related harm; for example (not exhaustive), hostels, treatment services, support services etc.*

## Prevention of Crime and Disorder

National and local crime statistics and research indicate that alcohol is often a significant contributory factor to levels of crime and disorder.

Different types of premises impact upon the night-time economy in different ways according to their style and characteristics. Nightclub venues contribute disproportionately to alcohol related violent crime in comparison to other licensed venues<sup>11</sup>.

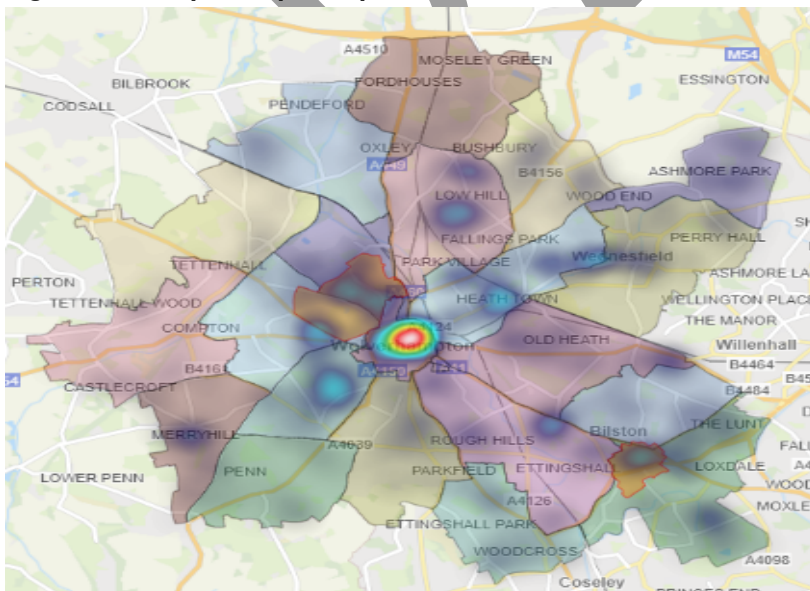
In 2017/18, in 39% of violent incidents the victims of crime believed the offender(s) to be under the influence of alcohol<sup>12</sup>.

Alcohol-related violent incidences are more likely to occur at specific days and times during the week. Levels of violence are often disproportionately high on weekend nights. On weekends, 70% of all violent incidents are alcohol-related compared to 35% on weekdays and between midnight and 6am. 84% of all violent incidences are alcohol-related compared to 23% between midday and 6pm. Many of these assaults involve the use of glass or bottles as weapons<sup>13</sup>.

Ten studies have provided consistent evidence that increasing opening hours by two hours or more increases alcohol-related harm, for example road traffic collision (RTC) and injury. Most recently, a systematic review evaluating the impact of changes to trading hours of licensed premises concluded that the evidence of effectiveness is strong enough to consider restrictions, particularly on late-night operating hours, as a key approach to reducing late-night violence. One and a half years after implementation, this policy reduced police recorded assaults in the area from 99 per quarter before the restriction to 68 per quarter<sup>14</sup>.

Reported alcohol related violence in Wolverhampton, predominately occurs within the city centre, as illustrated on Figure 5.

**Figure 5: Hot spot map of reported alcohol related violence recorded by West Midlands Police in Wolverhampton**



<sup>11</sup> [Statement of Licensing Policy final \(wolverhampton.gov.uk\)](http://wolverhampton.gov.uk)

<sup>12</sup> [Nature of crime: violence - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

<sup>13</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>14</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

### Single Can and Super Strength Alcohol

These products and their marketing have been said to encourage excessive drinking and harmful behaviours among vulnerable populations. A single 500 ml can of super-strength alcohol could exceed the UK health guidelines for daily alcohol consumption, while a four pack (multi-pack) of Super Strength alcohol (18 units) would exceed the weekly guidelines (14 units)<sup>15</sup>.

Super Strength alcohol sales are most commonly associated with street drinkers, although street drinkers do not aim to cause nuisance, research has identified repeated problems caused by street drinkers such as anti-social behaviour, low level crimes such as theft and littering<sup>16</sup>.

Equally, national evidence links single can sales of high strength alcohol to high levels of alcohol dependence. There is a well-established and complex link between alcohol and crime. Victims of crime believed that the offender was under the influence of alcohol in over half of all crimes (53%) across England and Wales, there is significant hidden harm associated with alcohol due to its contribution to domestic violence and child neglect<sup>17</sup>.

Further research of targeted interventions across other local authorities such as Manchester, has found where the sale of super strength alcohol was prohibited, in the 12 month period there on after its introduction, alcohol-related crime in the intervention area fell by 32% compared to the previous year. Recorded alcohol-related anti-social behaviour dropped by 15% compared to the previous year<sup>18</sup>.

### Cumulative Impact Zone

In acknowledging the concerning matters of crime and disorder, street drinking and anti-social behaviour, City of Wolverhampton Council have five cumulative impact zones (CIZ) to help control and reduce these incidents. This special policy will refer to five Cumulative Impact Zones within the city, at present, the policy of this authority identifies five cumulative impact zones. The City Centre, Bilston, Wednesfield, Dudley Road and the Avion Centre<sup>19</sup>. The CIZ policy is revisited every three years and reviewable independently via the Statement of Licensing Policy.

The city centre (St Peters ward) saw Total Related Crime (TRC) increase marginally between 2019/20 and 2020/21; however, doubled between 2020/21 and 2021/22 with an increase of 724 offences.

It is **highly likely** that this increase is reflective of a reduction in TRC in 2019/20 and 2020/21 due to the COVID-19 pandemic and a number of government isolation restrictions aimed at reducing the spread of the virus. However, when comparing TRC to pre-pandemic levels (average of 930 crimes per year from 2012 to 2017), there is still a considerable increase of 454 crimes.

<sup>15</sup> [untitled \(bmj.com\)](#)

<sup>16</sup> [street-drinking-supporting-evidence-and-best-practice.pdf \(apccs.police.uk\)](#)

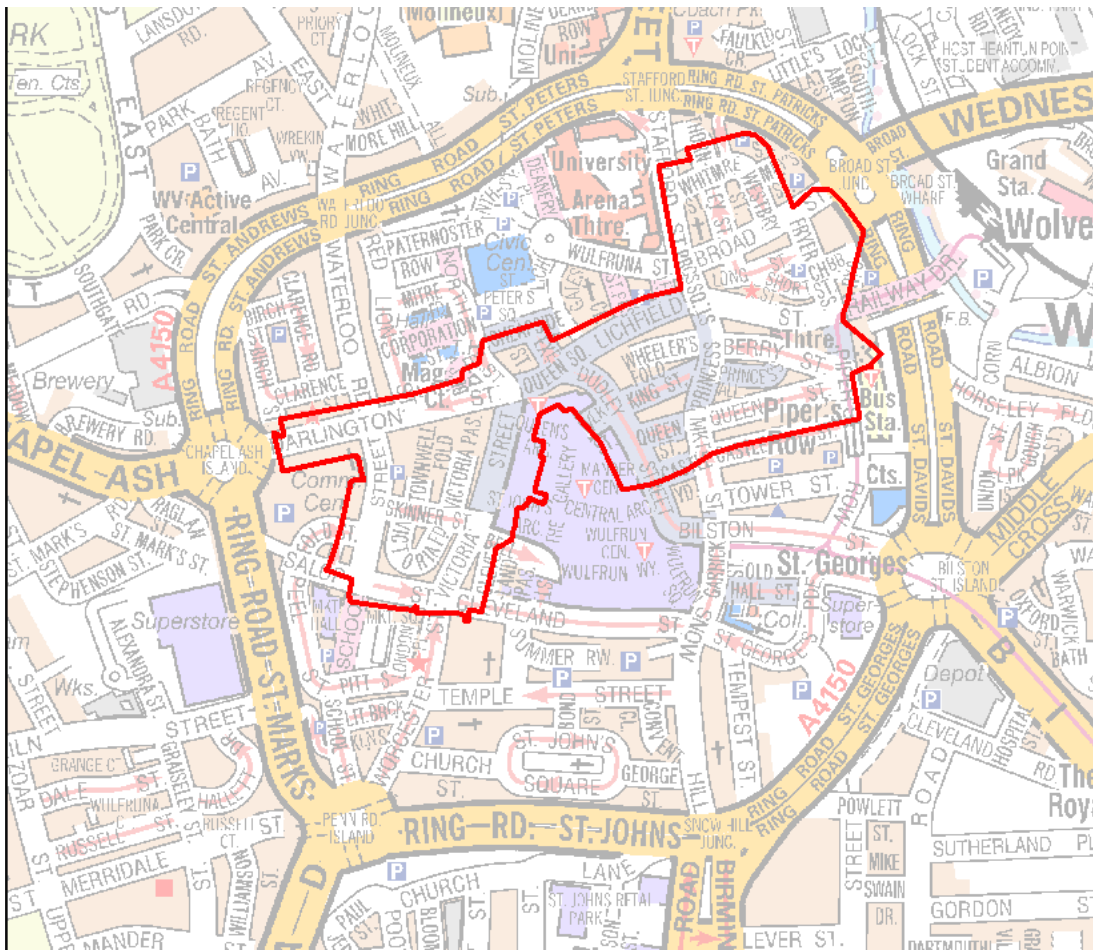
<sup>17</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

<sup>18</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

<sup>19</sup> [Statement of Licensing Policy final \(wolverhampton.gov.uk\)](#)



**Figure 6: Total Recorded Crime and Violence offences from October 2019 to September 2022 within the City Centre Cumulative Impact Zone**



Total related crime across the other CIZ have seen an increase when compared to 19/20, the table below highlights the changes over the two-year period:

Location – CIZ area	TRC – 19/20	TRC – 21/22
Dudley Road	142	154
Avion Centre	95	127
Bilston High Street	335	682
Wednesfield High Street	272	621

The density and proximity of local licensed alcohol premises within these localities can only further exacerbate what is an increasingly concerning issue, without further restrictions and policies put in place to reduce the likelihood of TRC.

See suggested recommendations from Public Health as a Responsible Authority,

1. All CIZ areas implement Public Spaces Protection Order, prohibiting the consumption of alcohol in a public place in order to reduce alcohol related crime and anti-social behaviour.
2. All off sale licensed premises within CIZ areas, voluntary agree to, implement a 'no sale of single can policy' and 'prohibit the sale of super strength alcohol with a 6.5 ABV both including multipack sales.

## The Protection of Children from Harm

The Licensing Act 2003 states that children should be protected from harm, and as such recognises young people as a vulnerable group. If someone is under the age of 18 it is illegal to sell them alcohol, to buy (or attempt to buy) alcohol, for an adult to buy (or attempt to buy) alcohol for them, or to drink alcohol in licensed premises. Premises licence holders must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol, such as 'Challenge 25' which require individuals who appear to be under the age of 25 to provide ID.

### *Young people and the consumption of alcohol*

Evidence shows drinking alcohol damages health, specifically a child's health. It can affect the normal development of vital organs and functions, including the brain, liver, bones and hormones<sup>20</sup>. Under-age drinking is also associated with risky behaviour, such as violence, injuries, having more sexual partners, pregnancy, using drugs and suicidal ideation, furthermore, drinking before the age of 15 has a strong association with future problematic drinking and drug use<sup>21</sup>.

Evidence from multiple sources shows that risk taking behaviour among young people is declining at a population level. Teenagers are less likely to take drugs, to smoke, to drink alcohol or to become pregnant than the generation before them. However, levels of alcohol consumption among United Kingdom (UK) youth are higher than the European average and there are groups of young people who are taking risks and experiencing harm. A recent UK study suggests that pre-teen drinking behaviours are particularly important; while many 11 year-old children are yet to explore alcohol, examining the situations in which children drink (how they obtain alcohol, who they drink with, where, when, what they drink) could help inform effective policy and alcohol harm prevention strategies to alleviate the risk associated with drinking in youth. Furthermore, drinking before the age of 15 has a strong association with future problematic drinking and drug use<sup>22</sup>.

Young white populations are much more likely to drink than those from a Black and Minority Ethnic group background<sup>23</sup>. Patterns of drinking vary by deprivation group with young people in the least deprived areas being more likely to have had an alcoholic drink (66%) and to be regular drinkers (8%) than those in the most deprived areas (44% and 4% respectively). This is similar to the pattern observed for adult drinkers<sup>24</sup>.

Contrary to the above, there is some evidence that the alcohol-harm paradox seen amongst adults is also present for young people living in the most deprived areas. There is a strong relationship between smoking and drinking, with current smokers much more likely to drink alcohol frequently than non-smoker<sup>25</sup>.

Children and young people in Wolverhampton reported in the 2022 Health Related Behaviour Survey that 27% of secondary aged school young people (11-16 years) had drunk alcohol (just a sip or taste) with only 4% of those young people reporting they had been drunk. However, there are instances of self-reported alcohol consumption being considerably higher for Pupil Referral Unit and College students, rising significantly up to 70% and up to 20% reporting they had been drunk<sup>26</sup>.

Further consideration should be given to interventions which will ensure the prevention of underage drinking such as, education within schools through PSHE curriculum, limitation on exposure to alcohol

<sup>20</sup> [Should my child drink alcohol? - NHS \(www.nhs.uk\)](https://www.nhs.uk)

<sup>21</sup> [Should my child drink alcohol? - NHS \(www.nhs.uk\)](https://www.nhs.uk)

<sup>22</sup> [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>23</sup> [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>24</sup> [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>25</sup> [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>26</sup> [Health Related Behaviour Survey results published | City Of Wolverhampton Council](#)

related products within nearby off licenses. Additionally, the location of premises should be taken into consideration, for example the proximity to schools.

### ***Parental & Guardian effects of substance misuse on Young People***

During childhood, experiences in the home and family are often a child's primary source of what is normal or acceptable drinking, and parents exert a powerful influence on drinking behaviour in their offspring. There is a body of literature from studies of identical and non-identical twins demonstrating that alcohol dependence has an inherited component of between 40% and 60% and also affects the likelihood of developed alcohol-related physical diseases including liver cirrhosis<sup>27</sup>.

The impact of parental substance misuse on children can be anything from abuse (physical and emotional) and neglect, exposure to criminal activities as well as the psychological damage such incidents have on the development of a young person, parents and carers who misuse substances can have chaotic, unpredictable lifestyles and may struggle to recognise and meet their children's needs<sup>28</sup>.

### **Behaviour**

Men have almost a 60% higher risk of getting hypertension compared to their non-drinking counterparts. As well as the volume of alcohol consumed, the frequency of drinking occasions affects the risk of harm. For example, repeated heavy drinking is associated with dependence whereas, a single bout of heavy drinking is associated with injuries and risk of cardiovascular disease<sup>29</sup>.

Most alcohol is now bought from shops and drunk at home. In 2012, 6.4 litres of alcohol per person was consumed off-trade compared to 3.2 litres on-trade. This price differential has added to the motivation to drink at home before arriving in night-life venues<sup>30</sup>.

Those drinking >75 units per week comprise of 1.3% of the population. This group, alongside the higher-risk drinkers comprise only 4.4% of the population but consume over one third of all self-reported alcohol intake<sup>31</sup>.

People of lower socioeconomic status show greater susceptibility to the harmful effects of alcohol and are more likely to die or suffer from a disease relating to their alcohol use<sup>32</sup>.

***Figure 6: Variations in alcohol related mortality and drinking patterns by deprivation status in England<sup>33</sup>***

<sup>27</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

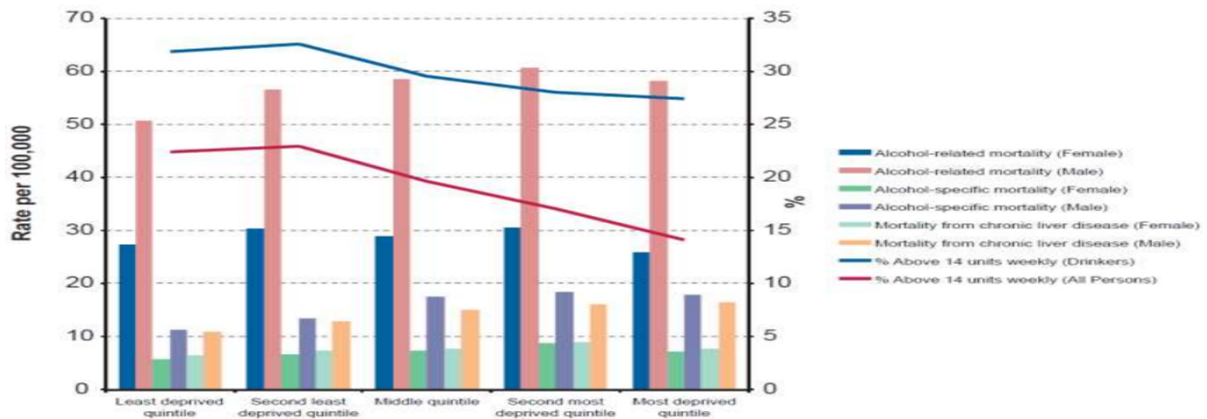
<sup>28</sup> [Parental substance misuse | NSPCC Learning](#)

<sup>29</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>30</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>31</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>33</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)



Data from a consumer purchasing panel that measures off-trade volume sales of alcohol shows that between 2019 and 2020 (before and during the pandemic), volume sales increased by 25.0%.

This increase was consistent and sustained for most of 2020. Increases for all product types were observed, with the largest relative increase for beer (+31.2%), followed by spirits (+26.2%), wine (+19.5%), and cider (+17.6%). It is noted that cider and beer saw the largest relative decreases when looking at the trends in duty-paid volume of alcohol<sup>34</sup>.

Compared to 2019 (before the pandemic), in 2020 (during the pandemic) off-trade volume sales were up by 25.0%, amounting to an extra 685,943,736 litres of alcohol. Between the announcement of social distancing (16 March 2020) and the end of the first national lockdown (4 July 2020), there was a 35.9% increase in volume sales (based on changes between the week ending 19 March 2020 and week ending 5 July 2020). During this first lockdown, volume sales peaked in the week ending 31 May 2020 at 86,516,246, which was 60.0% higher than for the corresponding week in 2019<sup>35</sup>.

Alcohol Concern found that 51% of people drinking more since the start of lockdown drank 5 units or more on a typical day. Also, 50% of those who reported drinking “a lot more” in the past 2 weeks also drank 5 units or more on a typical drinking day. A follow up survey from Alcohol Concern found that heavier drinkers were more likely to report increasing the amount they drank. For example, 38% of those who typically drank heavily on drinking days pre-lockdown (7 units or more) said they drank more during lockdown, compared to 23% of those who drank 2 units or less on a typical drinking day<sup>36</sup>.

## Societal impact

The public health burden of alcohol is wide ranging, relating to health, social or economic harms. These can be tangible, direct costs (including costs to the health, criminal justice and welfare systems), or indirect costs (including the costs of lost productivity due to absenteeism, unemployment, decreased output or lost working years due to premature pension or death)<sup>37</sup>.

The spectrum of harm ranges from those that are relatively mild drinkers, through to those that are severe, and who may experience associated family breakdowns, unemployment, illnesses, health

<sup>34</sup> [Monitoring alcohol consumption and harm during the COVID-19 pandemic \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>35</sup> [Monitoring alcohol consumption and harm during the COVID-19 pandemic \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>36</sup> [Monitoring alcohol consumption and harm during the COVID-19 pandemic \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>37</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

conditions and a reduced life expectancy. Many of these harms impact upon other people, including relationships, children, relatives, friends, co-workers and the general public<sup>38</sup>.

The direct costs of alcohol misuse are typically borne by government, whereas indirect costs tend to be borne by society at large and intangible costs by drinkers and their families.<sup>39</sup>

## Policies

Aside from environmental factors, the health and social harm caused by alcohol is determined by three related dimensions of drinking:

- The volume of alcohol consumed
- The frequency of drinking occasions
- The quality of alcohol consumed

It is recognised that stronger overall policy environments are associated with lower levels of binge drinking and alcohol-related cirrhosis mortality<sup>40</sup>.

The Organisation for Economic Co-operation and Development (OECD) suggests that combining alcohol policies may create a 'critical mass' effect, changing social norms around drinking to increase the impact on alcohol-related harm. Alcohol policy should be coherent and consistent. For example, warning labels highlighting the risks of alcohol consumption should not be undermined by a unit price that encourages heavy consumption<sup>41</sup>.

Such consistency is essential to creating a supportive environment for society, including for those who wish to adopt healthier lifestyles by reducing their alcohol consumption, and for those who drink at hazardous and dependent levels.

Taxation and price regulation policies affect consumer demand by increasing the cost of alcohol relative to alternative spending choices. Policies that reduce the affordability of alcohol are the most effective, and cost-effective, approaches to prevention and health improvement.

Overall consumption in the population did not change suggesting that increases in opening hours may facilitate the drinking of male heavy drinkers<sup>42</sup>.

These levels are heavily influenced by access to alcohol, which comprises three variable factors or drivers: (1) How easy it is to purchase or consume alcohol (availability), (2) How cheap alcohol is (affordability) and (3) The social norms surrounding its consumption (acceptability)<sup>43</sup>

<sup>38</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

<sup>39</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

<sup>40</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

<sup>41</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

<sup>42</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

<sup>43</sup> [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)