

LICENSING COMMITTEE

Date: Monday 24th February, 2025
Time: 1.00 pm
Venue: Mandela Room

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes - Licensing Committee - 3 February 2025 3 - 8
4. Statement of Licensing Policy 2025-2030 and Cumulative Impact Assessment 9 - 138
5. Update - Licensing Appeals

The Licensing Manager will provide a verbal update, if applicable, on any licensing appeals that have been made since the last meeting of the Committee.
6. Any other urgent items which in the opinion of the Chair, may be considered.
7. Exclusion of Press and Public

To consider passing a Resolution Pursuant to Section 100A (4) Part 1 of the Local Government Act 1972 excluding the press and public from the meeting during consideration of the following items on the grounds that if present there would be disclosure to them of exempt information falling within paragraphs 1, 2, 3 and 7 of Part 1 of Schedule 12A of the Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
8. Review of Private Hire Vehicle Driver Licence Ref:- 05/25 139 - 164
9. Review of a Combined Hackney Carriage and Private Hire Vehicle Driver Licence Ref:- 06/25 165 - 176

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Friday 14 February 2025

MEMBERSHIP

Councillors L Lewis (Chair), S Hill (Vice-Chair), J Cooke, C Cooper, P Gavigan, D Jones, J Kabuye, T Livingstone, L Mason, A Romaine, M Saunders and P Storey

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Joanne Dixon / Scott Bonner, 01642 729713 / 01642 729708, joanne_dixon@middlesbrough.gov.uk / scott_bonner@middlesbrough.gov.uk

LICENSING COMMITTEE

A meeting of the Licensing Committee was held on Monday 3 February 2025.

PRESENT: Councillors L Lewis (Chair), S Hill (Vice-Chair), J Cooke, C Cooper, P Gavigan, D Jones, J Kabuye, A Romaine and M Saunders

OFFICERS: S Bonner, T Durance and S Wearing

APOLOGIES FOR ABSENCE: Councillor P Storey

24/57 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

24/58 **MINUTES - LICENSING COMMITTEE - 13 JANUARY 2025**

The minutes of the Licensing meeting held on 13 January 2025 were submitted and approved as a correct record.

24/59 **UPDATE - LICENSING APPEALS**

There were no updates to be provided.

24/60 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None.

24/61 **EXCLUSION OF PRESS AND PUBLIC**

ORDERED that the press and public be excluded from the meeting for the following items on the grounds that, if present, there would be disclosure to them of exempt information as defined in Paragraphs 1,2,3 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

24/62 **APPLICATION FOR RENEWAL OF PRIVATE HIRE VEHICLE DRIVER LICENCE REF: - 2/25**

The Director of Environment and Community Services submitted an exempt report in connection with an application to renew a Private Hire Vehicle Driver Licence, Ref: 02/25, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The applicant, who was in attendance at the meeting, verified his name and address and confirmed he had received a copy of the report and understood its contents.

The Licensing Officer presented a summary of the report outlining that the applicant appeared before Members as a result of the offence detailed at 1) and 2) of the report. Members were advised the offences related to the same incident.

Members were advised the report was for an application to renew a Private Hire Vehicle Driver Licence. The applicant was first licensed by the Council as a private hire driver on 13 February 2024, with such licence expiring on 31 January 2025

On 20th December 2024, a licensing officer carried out a routine check on the status of the applicant's DVLA driving licence which revealed two motoring convictions, resulting in 8 penalty points being endorsed on his driving licence

The Licensing Officer summarised the report advising the applicant was interviewed by a

Licensing Officer on 17 January 2025 during which the applicant described how the offences were related to an incident when he was employed by a bus company. During the interview the applicant stated that on 6 June 2024, at around 11.00am an incident had occurred resulting in a cyclist falling off their bike at the traffic lights at the junction of Longlands Road. The traffic lights were on green, and the applicant saw a cyclist on his left after a lady had just crossed. The cyclist did not stop, and instead started to cross the road in front of him and was not looking out for traffic.

The applicant stated he was in the left lane at the time, and he had been trained to avoid wherever possible as an emergency stop could potentially injure passengers. To avoid the cyclist the applicant started to pull into the 'right only' lane whilst braking as hard as he could without doing an emergency stop. Unfortunately, he hit the front wheel of the bike, causing the cyclist to fall off. By the time he had stopped his bus, he had gone through the traffic lights which had changed to green by then.

While an ambulance was called the cyclist suffered no injuries but was taken to hospital as a precaution. Two passengers on the bus stated the accident was not the applicant's fault and was unavoidable. However, the applicant was prosecuted for going through a red light (3 penalty points) and for driving without due care and attention (5 penalty points).

When the case went to Court, the witnesses were not present. The applicant's solicitor tried to contact them but was unsuccessful. The Magistrate was sympathetic to the applicant's case and said he could continue driving busses. However, the incident had put him off bus driving. On 22 January 2025, the Licensing Officer received an email from the applicant enclosing a screenshot of a summary of his private hire customers' ratings recorded via his Uber App. A copy of this document was attached at Appendix 1 of the report.

The applicant stated he did not notify the Council at the time of the convictions as he did not realise that he had to, on account that he was not actively driving or working as a taxi driver. The applicant had also suffered a family bereavement abroad and had a lot on his mind at the time.

The applicant confirmed the report was an accurate reflection of the facts and was invited to address the Committee in support of his application.

The applicant spoke in support of his application and responded to questions from Members of the Committee.

It was confirmed that there were no further questions and the applicant and Officers of the Council, other than representatives of the Council's Legal and Democratic Services teams, withdrew from the meeting whilst the Committee determined the review.

Subsequently, all parties returned, and the Chair announced a summary of the Committee's decision and highlighted that the applicant would receive the full decision and reasons within five working days.

ORDERED that the application for a Private Hire Vehicle Driver Licence, Ref No: 02/25 be granted.

Authority to Act

1. Under Section 61 of the Local Government Miscellaneous Provisions Act 1976 ("the Act") the Committee may revoke, suspend or refuse to renew (on application thereof under section 51 of the Act) a private hire / hackney carriage vehicle driver's licence on the grounds that:
 - Since the grant of the licence the Driver has been convicted of an offence involving dishonesty, indecency or violence;
 - Since the grant of the licence the Driver has committed an offence or breached the Act or the Town Police Clauses Act 1847;
 - for any other reasonable cause.
2. The Committee considered Section 61 of the Act, the Middlesbrough Council Private Hire and Hackney Carriage Policy 2022 ("the Policy"), the report and representations made by the Applicant.

3. The Application was considered on its own particular facts and on its merits.

Decision

4. After carefully considering all the information, the Licensing Committee decided to grant the Application for a Private Hire vehicle driver's licence on the grounds that it was satisfied the Applicant was a fit and proper person to be granted such a licence. The Licensing Committee also decided to grant the licence with a warning.

Reasons

5. The Applicant was convicted of two offences as detailed in the report.
6. The applicant was sentenced at Teesside Magistrates' Court received a fine and 8 Penalty Points endorsed on his driving licence covering both offences.
7. The Policy on Convictions were set out at Appendix G, Policy on the Relevance of Convictions, Cautions, Reprimands, Warnings, Complaints and Character.
8. The Policy also stated that if a driver was cautioned for, or convicted of, any motoring or criminal offence or made subject to a CRASBO, ASBO or Injunction or arrested or charged with any motoring or criminal offence they must notify the Council, in writing, within 48 hours.
9. The Policy stated that if an applicant had between 7 and 9 live points on their licence for minor offences, they must show a period of three years free from conviction before an application will be considered.
10. However, the Committee decided to depart from its Policy on this particular occasion as it considered there were good reasons to do so as set out below.
11. The Applicant was first licensed as a private hire driver on 13 February 2024, with the licence expiring on 31 January 2025.
12. The Applicant explained that he was a bus driver for 10 years in London, before moving to the Northeast to continue his career. Whilst still working as bus driver, the Applicant obtained his private hire vehicle licence.
13. The Applicant advised that on the day of the offence he was at work, driving a bus in Middlesbrough. A cyclist was crossing the road in front of him, but the cyclist was not looking at oncoming traffic. The Applicant informed the committee that, as per his training, he was advised not to perform an emergency stop as it could potentially injure up to 70 passengers if driving a double decker bus. Therefore, the Applicant stated that he started to move into the right only lane, whilst braking as hard as he could without performing an emergency stop. The Applicant hit the front wheel of the bike and by the time the Applicant had stopped the bus, he had gone through a red light. The cyclist was not injured.
14. The Applicant advised that at the time of the incident his mother was living abroad and was ill. He stated that his mind was elsewhere and that this is the reason he failed to notify Licensing Officers, he further stated, he simply forgot.
15. The Committee determined that it was a serious incident that the Applicant had been involved in when he received 8 points on his licence.
16. However, the Committee considered the Applicant's representations and account of the incident. The Committee stated they believed this was a one-off isolated incident, as was shown by the fact that in 36 years of driving in the UK, the Applicant had an unblemished record apart from the subject incident.
17. The Committee further considered that although the Applicant now had 8 points on his DVLA driving licence, it was for one occasion and not accumulated over several incidents.

18. The Committee considered that, whilst the Applicant had failed to disclose the incident to Licensing Officers, his mother was ill and he was due to visit her. Further, he was not driving taxis at the time, so the Committee accepted his reasoning that he had forgotten to disclose it.
19. The Committee considered the Applicant a fit and proper person to hold a licence.
20. Therefore, the Committee decided to grant the licence but issue an official warning with the granting of the same. The warning aimed to improve the Applicant's driving standards and reiterated that any further driving incident may risk his licence being revoked.
21. This decision was final and there was no internal or statutory route of appeal, however, the Licensee had the option of judicially reviewing the lawfulness of the decision to the high court if grounds had been made out. If the Licensee decided to challenge the decision by way of judicial review, he may wish to seek independent legal advice as to the grounds and time limits that may apply. If the Licensee decided to take this course of action the Council would apply for any costs it incurred in defending its decision.

24/63

APPLICATION FOR PRIVATE HIRE VEHICLE DRIVER LICENCE REF:- 3/25

The Director of Environment and Community Services submitted an exempt report in connection with an application for a Private Hire Vehicle Driver Licence, Ref: 03/25, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The Applicant, who was in attendance at the meeting, and accompanied by a friend, verified his name and address and confirmed he had received a copy of the report and understood its contents.

The Licensing Officer presented a summary of the report outlining that the Applicant appeared before Members as a result of his licence being previously revoked.

The Applicant had previously held a Private Hire Vehicle Driver Licence with Wolverhampton Council from 15 September 2022 until 31 August 2023 when it was revoked with immediate effect.

The Licensing Officer presented the report advising the committee that the Applicant had applied to Middlesbrough Council for a Private Hire Vehicle Driver Licence on 5th September 2024.

Upon receipt of the application, a Middlesbrough Licensing Officer carried out a routine check on the National Register (NR3S) of revocations and refusals of hackney carriage and private hire drivers' licences. That check revealed an entry made by Wolverhampton Council confirming an action taken to revoke a Driver Licence held by the Applicant.

In view of such information being revealed, on 17th October 2024 a Licensing Officer contacted Wolverhampton Council Licensing Section requesting further information regarding the circumstances that led to their decision to revoke the Applicant's driver licence. Along with his enquiry, the officer also requested whether Wolverhampton Council had received any complaints regarding the Applicant.

On 1st November 2024, the Licensing Officer received an email reply from Wolverhampton Council Licensing Section confirming that a hearing review had taken place with Wolverhampton Council with the involvement of the Applicant's employer.

The Licensing officer stated that on 18 June 2023 at approximately 3:00am a female had got into the Applicant's taxi as a front seat passenger. The passenger stated she would pay for her journey upon arrival as she did not have her money or her phone with her. During the journey the passenger alleged the Applicant made inappropriate comments and sexually assaulted her.

The Committee was also advised that the decision of Wolverhampton review panel found the

application had collected the passenger without a prior booking.

Members were also advised the Applicant admitted to picking up the passenger without a prior booking but strongly denied the allegations of sexual assault and that he collected the passenger without prior booking, as she appeared to be in distress.

The Applicant confirmed that the report was an accurate representation of the facts and was invited to address the Committee.

The Applicant, accompanied by his friend, spoke in support of the application and responded to questions from Members of the Committee, the Council's legal representative and the Licensing Officer.

It was confirmed that there were no further questions and the Applicant, his friend, and Officers of the Council, other than representatives of the Council's Legal and Democratic Services teams, withdrew from the meeting whilst the Committee determined the application.

Subsequently, all parties returned and the Chair announced a summary of the Committee's decision and highlighted that the Applicant would receive the full decision and reasons within five working days.

ORDERED that the application for a Private Hire Vehicle Driver's Licence Ref: 3/25 be refused.

Authority to Act

1. Under Section 51 of the Local Government Miscellaneous Provisions Act 1976 ("the Act") the Committee may decide to grant a private hire vehicle driver's licence only if it is satisfied the driver is a fit and proper person to be granted such a licence.
2. The Committee considered Section 51 of the Act, the Middlesbrough Council Private Hire and Hackney Carriage Policy 2022 ("the Policy"), the report and representations made by the Applicant.
3. The Application was considered on its own particular facts and on its merits.

Decision

4. After carefully considering all the information the Licensing Committee decided to refuse to grant the Application for a private hire vehicle driver's licence on the grounds that the Committee was not satisfied the Applicant was a fit and proper person to be granted the licence. The reasons for the decision were as follows:

Reasons

5. The Applicant held a Private Hire Vehicle Driver Licence with Wolverhampton Council from 15 September 2022 until 31 August 2023 when it was revoked with immediate effect, following an allegation of sexual assault made against him. Further, in revoking the licence, Wolverhampton Council had determined that the Applicant had been plying for hire when he had picked up the subject individual prior to the incident occurring.
6. The Policy was clear that the Council's duty was to ensure, so far as possible, its licensed drivers and private hire operators were fit and proper people to hold such a position of trust. This involved a detailed assessment of an Applicant or licensee's character.
7. The Policy further stated that criminal convictions were not the only criteria used when considering whether an individual was a fit and proper person to be licensed. Other factors, including the Applicant's demeanour and appearance and conduct during the application process may be taken into account in determining fitness and propriety.
8. The Council could consider circumstances of concern even though a conviction had not been obtained or the conduct did not amount to a criminal offence.

9. The Applicant applied for a private hire driver licence with Middlesbrough Council on 5 September 2024. Whilst the Applicant had stated he had a licence revoked by Wolverhampton Council on the application, he responded 'no' to the question querying if he had been subject to any Police enquiries or investigations.
10. Licensing Officers carried out checks on the National Register of revocations and refusals of hackney carriage and private hire drivers' licences. This revealed the revocation from Wolverhampton Council, confirming the action to revoke the Applicant's licence in their area.
11. Licensing Officers contacted Wolverhampton Council, who in turn provided the reports from the incident and subsequent revocation. In the reports it detailed that the Applicant had been arrested for the alleged offence of 'Sexual Assault – Intentionally Touch Female – No Penetration'.
12. Cleveland Police have confirmed that no further action was taken with regards to the alleged offence, due to evidential difficulties.
13. At the Committee hearing, when asked why he had failed to inform Licensing Officers of his past investigation, on his application form, the Applicant stated that because it was no further actioned, he thought it did not need to be on there.
14. The Applicant was also asked why he was plying for hire, he responded that the female was upset and distressed, he stated he wanted to help her and that it was not about money.
15. The Committee was not satisfied that the Applicant was a fit and proper person to be licensed as a private hire vehicle driver in Middlesbrough. The Committee, upon hearing the evidence, determined that the serious allegation made against the Applicant, along with the plying for hire and failure to disclose the Police investigation on his application form highlighted that the Applicant was not a fit and proper person.
16. If the Applicant is aggrieved by the decision he may appeal to a Magistrates Court within 21 days from the date of the notice of the decision. The local magistrates for the area is the Teesside Justice Centre, Teesside Magistrates, Victoria Square, Middlesbrough.
17. If the Applicant does appeal the decision and the appeal is dismissed by the Magistrates Court, the Council will claim its costs in defending its decision from the Applicant which could be in the region of £1,000.

MIDDLESBROUGH COUNCIL

AGENDA ITEM

COMMITTEE REPORT

LICENSING COMMITTEE

24 FEBRUARY 2025

**REPORT OF THE DIRECTOR OF ENVIRONMENT & COMMUNITY
SERVICES**

**APPROVAL OF STATEMENT OF LICENSING POLICY 2025 – 2030 AND
CUMULATIVE IMPACT ASSESSMENT 2025 - 2028 Ref: 4/25**

Purpose

This report is to seek the Committee's approval of the Council's Statement of Licensing Policy 2025-2030 and Cumulative Impact Assessment 2025-2028.

Recommendations

The Committee is recommended:

- 1. To approve the Statement of Licensing Policy 2025 – 2030 and Cumulative Impact Assessment 2025 - 2028; and**
- 2. To recommend to Full Council that the Statement of Licensing Policy 2025 – 2030 and Cumulative Impact Assessment 2025 - 2028 be ratified.**

Rationale for recommended decision(s)

The Statement of Licensing Policy and Cumulative Impact Assessment must be ratified by full Council in order to be fully adopted and implemented.

Background and relevant information

Section 5 of the Licensing Act 2003 ("the Act") requires Licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act. Such statements are to apply

across a stated five-year period. Pursuant to the Act, the Council's Statement of Licensing Policy must be approved by Council. During each five-year period the Council must keep its Licensing Policy under review and make such 'revisions as it considers to be appropriate'. The Statement of Licensing Policy is considered when the Council exercises its functions under the Licensing Act.

The purpose of the Policy is to promote the four Licensing Objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm

The Council's previous Statement of Licensing Policy took effect on 1 January 2017 and had application until 31 December 2022. Due to the impact of the Coronavirus pandemic, it was not possible to review the Policy and Cumulative Impact Assessment at the appropriate time.

Since the introduction of the Licensing Act in 2005, the Council has implemented Cumulative Impact Policies for certain types of premises. The previous policy included cumulative impact policies for the following areas:-

On and Off Licensed premises

Town Centre – see map in CIA at Appendix 3

Off Licensed premises only

Central
Newport
Park
Longlands & Beechwood
North Ormesby

These policies were implemented based on evidence in relation to:-

- Local crime and disorder statistics including statistics on specific types of crime and crime hotspots;
- Statistics on local anti-social behaviour offences;
- Health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- The density of licensed premises; and
- Evidence obtained through local consultation

Since 6th April 2018, an amendment to the Licensing Act was introduced by the Policing and Crime Act 2017, that placed a duty on Licensing Authorities

intending to implement a Cumulative Impact Policy to carry out a cumulative impact assessment to evidence the justification of such policy.

Section 5(a) of the Act states that a Licensing Authority may publish a Cumulative Impact Assessment (CIA) to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. This includes serious problems with disorder and nuisance. CIAs relate to applications for new premises licences and club premises certificates, and applications to vary existing premises licences and club premises certificates in a specified area. Where a Licensing Authority publishes a CIA, it must, before the end of a three-year period, consider whether it remains of the opinion set out in the assessment.

A Draft Statement of Licensing Policy and Cumulative Impact Assessment have been developed in accordance with the Act. Officers believe that the evidence provided in the cumulative impact assessment justifies the inclusion of three additional ward areas as follows:-

Park End & Beckfield
Brambles & Thorntree
Berwick Hills & Pallister

A consultation exercise has been carried out with statutory consultees and wider partners. The consultation ran for a period of 8 weeks from 1 July 2024 until 26 August 2024.

Following the consultation on the Draft Policy and CIA, 10 responses were received, including from Cleveland Police, the Office of the Cleveland Police and Crime Commissioner and the Council's Public Health/Licensing officers. Details of the consultation responses along with the Officers' responses are shown in the table attached at Appendix 1.

In consideration of the responses to the consultation a number of amendments have been made to the Statement of Licensing Policy including the following:-

- Drink and Needle spiking (Paragraph 5.5)
- Violence against women and girls (Paragraph 5.6)
- Counter Terrorism – Terrorism (Protection of Premises) Bill, also known as “Martyn’s Law” (Paragraph 5.7)
- Public Space Protection Orders, including problems associated with street drinkers (Paragraph 5.1)
- The role of Public Health and its influence on licensing decisions (Paragraph 3.11)

In addition, amendments to the Draft Policy have been made in relation to matters concerning Child Sexual Exploitation (paragraph 8.1) and alcohol delivery services (paragraph 9.6).

Minor amendments have also been made to the CIA. The revised draft policy and CIA are shown in Appendix 2 and 3 respectively. For ease of reference the amendments made to both documents have been highlighted in red and emboldened. A list of consultees is provided in the Draft Policy document.

Impact(s) of the recommended decision(s)

Financial (including procurement and Social Value)

The annual fee levels paid by holders of premises licences are set by the Secretary of State and are intended to provide for full cost recovery of all licensing functions including the preparation and publication of the Statement of Licensing Policy and Cumulative Impact Assessment. The current fees produce income of £181,500. The annual fee levels have not been reviewed since the introduction of the Act in 2005 and they do not cover the cost of delivering the licensing functions. Annually, there is a £50,700 pressure on this budget.

Legal

The Council is under a legal duty to formally approve the adoption of its Statement of Licensing Policy and Cumulative Impact Assessment. The policy is required to be reviewed every 5 years and the Cumulative Impact Assessment every 3 years. A decision by full Council to approve a new policy will remedy the current position of being without a policy.

Risk

The Licensing Policy is a requirement of the Licensing Act 2023 to support the Council in assessing applications and other processes under this legislation.

Human Rights, Public Sector Equality Duty and Community Cohesion

An initial Impact Assessment has been carried out and no negative or adverse impacts have been identified.

Climate Change/Environmental

Not applicable.

Children and Young People Cared for by the Authority and by Care Leavers.

Not applicable.

Data Protection

Not applicable.

Appendices

1. Table of responses to consultation on Draft Statement of Licensing Policy and Cumulative Impact Assessment.
2. Final Draft Statement of Licensing Policy.
3. Final Draft Cumulative Impact Assessment.

Background papers

The following background papers were used in the preparation of this report:-

Guidance issued under Section 182 of the Licensing Act 2003.

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SOLP and CIA Consultation Responses

Appendix 1

No.	Consultee/ Respondent	SOLP Response/Comments	CIA Response/comments	Other Comments	Officer response
1.	Resident	Licensing should be a break the rules you lose the licence, its upto the owners to get there staff to do there job correctly. if a staff member does not do there job right then they loose there licence todo the job too with a fine.			The LA has a statutory obligation to enforce the relevant legislation to ensure compliance across all licensing matters. All duties are exercised in a proportionate and consistent manner.
2.	Resident	As a resident I am often appalled that we have the worst crime rates in the country, the worst shoplifting rates and one of the highest knife crime rates. Drugs and alcohol fuel crime and there are already enough premises serving or selling alcohol especially in areas like Thorntree and Brambles Farm as well as the town centre.			The areas mentioned within this response are subject to the CIA and if approved will form part of the Cumulative Impact Policy along with other areas that have been identified as having high volume crime rates. This will provide greater control over licensing decisions on matters relating to premises located in such areas.
	Resident		A agree wholeheartedly with the Policies.		Comments noted.
4.	Portman Group	Thank you for reaching out and inviting comment on your draft revised Statement of Licensing Policy. We very much appreciate the existing signposting in the document under provision 8.12 on 'advertising' commending the use of the 'Portman Group' Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises. In terms of extra builds to the draft, we would ask that you perhaps consider adding in a little extra context in the text concerning the Code of Practice and encouraging retailers in your area to abide by Retailer Alert Bulletins to remove irresponsible products and promotions.			Noted observations with regard to paragraph 8.13 within the draft policy document which has been amended to reflect the suggestions with regard to The Portman Groups revised guidance. Sect 182 guidance Naming, packing and promotion in retail premises 10.11 The Government acknowledges that the irresponsible naming, packing or promotion of alcoholic drinks may contribute to alcohol related harms. Where there is direct evidence of specific incidents of

SOLP and CIA Consultation Responses

Appendix 1

Page 16	<p>We would suggest including something along the following lines:</p> <p><i>The Portman Group Code of Practice</i></p> <p><i>The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks sold in licensed premises are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published online. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. We would encourage retailers to sign up to and abide by Retailer Alert Bulletins. The Secretary of State's Statutory Guidance under the Licensing Act 2003 states that licensing authorities should, in the exercise of their licensing functions consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group's Retailer Alert Bulletins.</i></p> <p>We would also ask that you consider the comments from former UK Public Health Minister Andrea Leadsom in February 2024, who suggested that "licensing authorities should consider whether it is appropriate to impose</p>			<p>irresponsible naming, packing or promotion of alcoholic drinks linked to the undermining of one of the licensing objectives, licensing authorities should, in the exercise of their licensing functions (in particular, in relation to an application for the grant, variation or review of a premises licence), consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group's Retailer Alert Bulletins. This condition should be considered on a case by case basis and in the context of the promotion of the licensing objectives.</p>
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SOLP and CIA Consultation Responses

Appendix 1

		<p>conditions on licences that require the licence holder to comply with the Portman Group’s Retailer Alert Bulletins” if there is evidence of irresponsible alcohol promotion undermining licensing objectives.</p> <p>If you have any questions or any of the above or how we can be of further assistance in your work, please just let me know.</p>			
5.	Public Health/Licensing	<p>SOLP response</p> <p>Public Health The Licensing Authority recognises there is no Public Health licensing objective and therefore is limited in its ability to conduct its licensing function to promote public health. The licensing function can only be carried out to promote the four licensing objectives as set out by the Licensing Act 2003. Nevertheless, the Licensing Authority recognises the potential impact of alcohol on the public health of the residents of Middlesbrough. This can have a big impact on the National Health Service and medical providers locally. Public Health are a Responsible Authority under the Licensing Act 2003 and can make representations on licence applications as well as calling for reviews on premises that undermine the licensing objectives. The Secretary of State’s Guidance states that health bodies can make representations based on any of the four licensing objectives. The Licensing Authority considers data:</p> <ul style="list-style-type: none"> • Around hospital admissions due to alcohol consumption, 			<p>New paragraph has been inserted in the revised draft policy to provide information to businesses and key stakeholders about the role of Public Health, and its influence on decisions relating to licensing matters. (Paragraph 3.11)</p>

SOLP and CIA Consultation Responses

Appendix 1

Page 18	<ul style="list-style-type: none"> • That shows a correlation between anti-social behaviour and excessive alcohol consumption in different localities, • That references violence related to alcohol or the night-time economy in general, • That links high alcohol consumption to a particular area, and • That undermines the physical, moral and psychological safety and welfare of children and vulnerable persons, to all be relevant to the promotion of the licensing objectives. <p>Any or all this evidence could provide grounds for Public Health in their role as a Responsible Authority to make a representation on the basis of any of the licensing objectives. Although public health is not a licensing objective, the Licensing Authority believe that this Statement of Licensing Policy needs to be placed in context with the alcohol-related harms that are apparent in Middlesbrough. The Licensing Authority takes the issue of public health extremely seriously and would expect applicants and licence holders to familiarise themselves with any local issues that may be detrimental to the public health of people living in, working in and visiting Middlesbrough.</p> <p>4.2 – to include licensed premises operating in the day and night time economy</p> <p>5.3 - Anti Spiking Spiking is a crime: Spiking is giving someone alcohol or drugs without them knowing or agreeing. For example, in their drink or with a needle.</p> <p>Spiking of any kind, whether it be by adding to a persons drink or an injection is an offence under</p>			<p>Noted and draft policy amended.</p> <p>It is recognised that anti-spiking is a high profile matter and that more awareness is needed around this subject. The observations and recommendations that have been made have been noted and amendments have been made in the draft policy. (Paragraph 5.5)</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 19		<p>the section 24 of the Offences Against the Person Act 1861 (administer poison or other noxious substance with the intent to injure, aggrieve or annoy a person). This offence is not limited to illicit drugs, the offence occurs if alcohol or other legal substances (e.g., sleeping tablets) is added to a person's drink. The Sexual Offences Act 2003 covers cases where someone spikes a victim to sexually assault them. Best Practice guidance:</p> <p>Operators are strongly encouraged to develop a harm-reduction policy for their business and ensure sufficient measures to protect and provide support to customers in spiking and vulnerability incidents.</p> <p>Spiking and vulnerability</p> <ul style="list-style-type: none"> – Physical and other measures to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone's drink without them knowing – Active bystander training for staff – How the venue will encourage an active bystander approach – Having designated, trained welfare staff – Mobile phone-charging facilities for customers – Providing a safe space for welfare or first aid while getting further help <p>The Night-Time Industries Association (NTIA) published an Industry Security Information Note. (highlight link) to support enhanced security efforts in the hospitality sector.</p> <p>The NTIA's information note contains some useful guidance to the hospitality sector about the risks of drink spiking.</p>		
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SOLP and CIA Consultation Responses

Appendix 1

Page 21	<p>certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.</p> <p>Martyn's Law, if enacted will apply to anyone responsible for publicly accessible locations used for purposes such as entertainment and leisure, retail, food and drink, museums and galleries, sports grounds, public areas of local and central Government buildings (e.g., town halls), visitor attractions, temporary events, Places of Worship, health, and education. Many of these locations will have the benefit of a premises licence.</p> <p>The government have indicated that publicly accessible locations with a capacity of more than one hundred people will need to undertake simple yet effective activities to improve protective security and preparedness. Those activities will include completing free training, raising awareness and cascading information to staff. As well as completing a plan. Publicly accessible locations with a capacity greater than eight hundred people will also be required to produce a risk assessment and security plan, considered to a 'reasonably practicable' standard.</p> <p>If this Bill is enacted, it will become primary legislation that must be complied with whether a premises has a licence or not.</p> <p>Although no date has yet been set for the introduction of the legislation advance information, guidance and news about training resources can be found at:</p> <ul style="list-style-type: none"> • counter terrorism pages on GOV.UK • Protect UK website 			<p>subject. The observations and recommendations that have been made have been inserted into the draft policy. (Paragraph 5.7)</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 22		<p>Local Counter Terrorism measures Having consulted Andy Shippey, Community Safety partnership officer, the following information has been provided which outlines the local approach to Counter Terrorism</p> <p>Deliver and promote the Protect strategy focusing on the priorities within, to reduce the threat from Terrorism in licensed premises, ensuring licensed premises are adequately prepared for and equipped to respond in the event of a terrorist incident.</p> <p>The licensing authority continues to provide free ACT (Action Counters Terrorism) Awareness training courses both E-Learning and in person (upon request*) delivered for licensed premises for venue operators, Designated Premises Supervisors, and those in managerial positions.</p> <p>We encourage licensed premises to incorporate the freely accessible ACT E-learning and the SCan for All eLearning resources as part of wider staff training packages. We also encourage licensed premises owners to make use of the information and guidance available on the Protect UK platform including use of the Protect UK App .</p> <p>The licensing authority also expects that</p> <ul style="list-style-type: none"> - Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of: <ul style="list-style-type: none"> o the current terrorist threat level o what that level means in relation to the possibility of an attack. - Risk assessments for public entertainment venues include 		
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SOLP and CIA Consultation Responses

Appendix 1

Page 23		<p>consideration of the risk of a terrorist attack and the different types of attack.</p> <ul style="list-style-type: none"> - All persons responsible for security are briefed at every event about the current threat level and risk of terrorist attack. - All public-facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly so that investigations can be made, and action taken, if appropriate. - All public facing staff know the appropriate actions to take in the event of an incident which may include, but is not limited to, a marauding terrorist attack, unattended/suspicious items, vehicle borne attack. Advice and guidance available on Protect UK. <p>*Requests for in-person training can be submitted via email to communitysafety@middlesbrough.gov.uk .</p> <p>** Act Awareness and SCaN for All eLearning resources can also be requested from communitysafety@middlesbrough.gov.uk</p> <p>Para 5.6 – to amend the final 3 bullet points as follows:</p> <p>Considering the non-sale of certain alcohol products such as super-strength beer, lagers, ciders or perry products of 6.5% ABV (alcohol by volume) or above.</p> <p>Banning the sale of single cans or bottles of beer or cider.</p>			<p>Suggestions made have been accepted and draft policy at paragraph 5.6 has been amended.</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 24	<p>Consideration of restricting the sales area at any one time for the sale, exposure or display of alcohol. (No more than (x)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol) This is dependent on the size and nature of the business, e.g. alcohol sales in premises such as post offices, newsagents.</p> <p>Para 8.10 to include highlighted wording Consideration should be given to the use of SCANNET or similar devices which are used to detect false identification by those that seek unlawful entry to licensed premises.</p> <p>Para 8.13 to include: Premises Licence Holders should also give consideration to their pricing of soft drinks pricing so as not to discourage consumption of soft drinks.</p> <p>In licensed premises where the primary use is for children’s activities i.e. soft play/bowling, the advertising of alcohol should be restricted to the licensed areas where alcohol sales are made.</p> <p>Para 8.16 – to remove reference to CRB</p> <p>9.6 – to include</p>			<p>The comments relating to the restrictions on the areas for alcohol sales inside premises have been accepted and draft policy has been amended (para 5.6).</p> <p>Reference to the use of SCANNET or similar devices are accepted and the draft policy amended (para 8.10).</p> <p>Comments relating to the pricing of soft drinks has been accepted and the draft policy amended (para 8.13).</p> <p>Comments around the advertising of alcohol in and around soft play areas have been accepted and draft policy has been amended (para 8.13).</p> <p>Reference to CRB has been removed from the draft policy (para 8.16).</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 25	<p>Alcohol Deliveries</p> <p>The Licensing Authority considers there are particular risks associated with delivery services for alcohol.</p> <p>An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures, they intend to implement to ensure that:</p> <ul style="list-style-type: none"> • The person they are selling alcohol to is at least 18 years of age. • The alcohol is delivered to a person who is at least 18 years of age. • A clear document trail of the order process from order, dispatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer. • The time the alcohol is sold and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol. • Age verification procedures are implemented at both point of sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery. • Retailers should ensure that delivery staff have been given appropriate training in procedures relating to requesting and identifying proof of age and implement these procedures as standard. 			<p>The concerns raised regarding the particular risks associated with delivery services for alcohol are acknowledged, and the draft policy has been amended to include the comments made. (Paragraph 9.6)</p>
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SOLP and CIA Consultation Responses

Appendix 1

		<p>Para 10.5 – to remove reference to rebuttable presumption as this no longer applies.</p> <p>Para 11.3 – Link does not work, needs to be checked.</p> <p>Appendix 1 – Needs to be amended and list of consultees needs to be amended.</p> <p>Glossary Pg 67 – The meaning of Regulated Entertainment needs to be stated.</p> <p>Reference to Late Night Refreshment unnecessary duplication.</p> <p>Child Sexual Exploitation</p>		<p>It is acknowledged that the sentence stating that there will a “rebuttable presumption that an application for a premises licence within a Cumulative Impact area will be refused” no longer appears in the statutory guidance issued under the Licensing Act. Therefore, the relevant paragraph has been removed from the revised draft policy.</p> <p>The link relating to reviews at paragraph 11.3 in the draft policy needs to be checked whether still relevant.</p> <p>The list of consultees shown at Appendix 1 within the draft policy has been amended.</p> <p>The meaning of “Regulated Entertainment” contained within the Glossary of Terms has been corrected.</p> <p>The unnecessary duplication of reference to “Late Night Refreshment” within the Glossary of Terms has been removed.</p> <p>The comments made regarding Child Sexual Exploitation are considered to</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 27		<p>There are a number of criminal offences associated with Child Sexual Exploitation (CSE) which could have damaging consequences for a hospitality business, including a possibility of prosecution, action being taken against a premises licence and reputational and/or financial damage. It is the responsibility of premises licence holders and their managers to make sure that suitable control measures are in place at licensed premises for the protection of children from harm. This is a legal requirement under the Licensing Act 2003 and there are legal implications if licenced premises do not have safeguards in place or fail to act if sexual exploitation of children occurs, or is believed to have occurred, on the premises. Hotels and hostels play an important role in protecting children from harm. These premises may sell alcohol either in a bar, restaurant, at an event on the premises or in rooms, either via room service or mini bar. Therefore, sufficient procedures and suitable training must be provided to staff on age restricted sales. These venues often have children staying at their premises who are accompanied by an adult. The licence holder and staff have an important part to play in safeguarding children and young people. Hotels are often used as a place to exploit and abuse victims of child sexual exploitation. The Police have powers to demand guest information in connection with child exploitation. All children must be safeguarded from harm and exploitation whatever their:</p> <ul style="list-style-type: none"> • Race, religion, first language or ethnicity. • Gender or sexuality. • Age, Health, ill-health or disability. 		<p>be extremely important and reference to this subject matter has been amended in the revised draft policy (Paragraph 8.1)</p>
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SOLP and CIA Consultation Responses

Appendix 1

		<ul style="list-style-type: none"> • Location or placement (e.g. living alone in a hostel or residential unit, with family or a foster family; as a tourist in a hotel, etc). • Criminal or offensive behaviour, wealth or lack of it. • Political or immigration status <p>Public space protection orders</p> <p>The Council supports the use of Public Space Protection Orders as a tool to prevent alcohol related crime and disorder in the streets. The Council expects premises that operate in areas where Public Space Protection Orders have been implemented to have measures in place to ensure that their customers do not contribute to drink related anti-social behaviour.</p>	<p>CIA document</p> <p>Para 2.6 – impact is already being experienced in an area designated to be a CI area. to consider adding the word ‘further’ negative impact.</p> <p>Para 4.1 – Need to change in the reference to previous 5 years of data.</p>		<p>The comments made regarding Public Space Protection Orders are accepted and have been included in the revised draft policy. Reference to problems associated with street drinkers has also been included in the revised draft policy. (Paragraph 5.1).</p> <p>Comments made regarding the Cumulative Impact Assessment are noted and relevant amendments to the draft policy have been made.</p> <p>Paragraph 2.6 has been amended to state:- It is for the applicant to demonstrate, within their operating schedule, that they will not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 29			<p>Para 10 – Needs to be deleted, not necessary as referred to in section 5.3.</p> <p>Summary and conclusion to be amended to para 10</p>		<p>The following paragraph has also been included in the draft CIA document (at paragraph 2.8) and in the Statement of Licensing Policy (paragraph 10.18)</p> <p>The council makes it clear in this policy that cumulative impact, in the absence of a specific ‘special’ policy, can still be raised in relevant representations and could form the basis for legitimate questions by members of the licensing sub- committee. i.e. the absence of a special policy does not prevent the issue of cumulative impact being properly raised, considered and acted upon in the interests of promoting the licensing objectives.</p>
	Cleveland Police	<p>Thank you for your contact with regards to the Consultation on the CIA and Policies this is really appreciated as you are aware Mr Webster faced some questions around this in a recent meeting – Steve kindly supported my knowledge.</p> <p>In terms of moving forward and taking a more collaborative and positive approach in order to make the streets safer for our communities to go into and enjoy both DTE and NTE, not with standing licensed shops, can we consider some key areas of nationally recognised issues which can be supported by licensed premises – this being Violence Against Women and Girls which as we know is Nationally driven and spoken about daily and I would hope isn’t seen as Police centric. Licensing can be instrumental in supporting Cleveland. Additionally spiking and the measures</p>			<p>The comments made by Cleveland Police are noted. The particular concerns raised in relation to Violence against Women and Girls, Spiking, Counter Terrorism and Public Space Protection Orders are accepted and have been included in the revised draft policy. (Paragraph 5.4)</p> <p>Reference to issues around the DTE (Day Time Economy) is noted and the draft policy has been amended to reflect that problems and concerns associated with both the night time and day time economy should be treated with equal importance. (Paragraph 4.2)</p>

SOLP and CIA Consultation Responses

Appendix 1

		<p>that have already been put into place to prevent this happening recognising it to be an issue.</p> <p>Aside from this is Counter Terrorism and the threat and mitigation measure in place.</p> <p>I understand there has also been discussions around Public Space Protection Orders – which could hopefully be considered appropriately to enhance safety of our customers/community.</p> <p>Happy to discuss and support moving forward.</p>			
7. Page 30	Police and Crime Commissioner for Cleveland	<p>Sections covering the Licensing Objectives provide numerous control measures which gives a clear overview of what is expected from venues. The council does provide a wealth of training through their E-learning site however this is not mentioned as good practice. The policy seems to focus on what occurs within premises; more considerations to the impact outside on the public highway would be welcomed. Further guidance is required on what ‘good’ CCTV looks like as this is subjective. Additional guidance in Section 5.7 needs to include lone working policies and safeguards to protect staff. In addition, more guidance on the proper management of drugs boxes is required. The document focuses largely on alcohol and the NTE, however more attention is needed on other age restricted products available and the DTE which overlaps. We would have expected further public safety measures to have been included such as Ask For Angela, and for public health drugs warning to be displayed.</p>		<p>The policy documents are comprehensive and as such the character limit on this survey has limited our ability to provide more meaningful feedback; we would welcome opportunities to discuss these with you further. We must note that the links between the NTE, drug consumption and VAWG, that we know are high, feel like key omissions. Furthermore, there is little or no reference to zero-</p>	<p>The points that have been made regarding control measures are noted. However, specific initiatives and resources should not be named and included as such may be subject to change and /or specific funding for retaining resources may not be available. A broader approach within the policy document will ensure that any future initiatives can be developed.</p> <p>The comments of the PCC regarding “more considerations to the impact outside on the highway would be welcome” are noted. However, the relevant guidance issued under the Licensing Act (paragraph 2.27) states – “Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly</p>

SOLP and CIA Consultation Responses

Appendix 1

Page 31				<p>tolerance approaches in weapon policies and spiking. The data justifies an NTE focus, but not enough focus is given to the DTE which is a contributor to NTE related offending. There is concern around the ability of RAG to enforce the policies set out. Point 2.6 identifies that from January 2017 to July 2023, there have been approximately 6 inspections carried out per month. This seems low considering the number of licensed premises. Section 11 highlights the reasons for enforcement visits, however, does not outline any engagement work with premises (e.g. Pubwatch) or proactive work (test purchasing).</p>	<p>reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.”</p> <p>The comments of the PCC regarding “Further guidance is required on what ‘good’ CCTV looks like as this is subjective” are noted. However, in consultation with Cleveland Police the Licensing Service has established a generic list of comprehensive conditions relating CCTV that will commonly apply to both ‘On’ and ‘Off’ licensed premises. The details of such conditions are also available to prospective applicants for premises licences upon request. It is regarded that the measures associated with these conditions satisfy the meaning of a ‘good’ CCTV system.</p> <p>The comments of the PCC – “Additional guidance in Section 5.7 needs to include lone working policies and safeguards to protect staff” are noted. Although it is regarded that responsibility for ensuring the safety and well-being of staff lies with the management of premises through the</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 32				<p>implementation of relevant staff training and risk assessments. There are several references to staff training in the draft policy which is intended to ensure that high operational standards are maintained, whilst also protecting the safety and well-being of staff. All businesses are also under a legal duty to comply with the Health and Safety at Work Act 1974.</p> <p>The comments of the PCC – “more guidance on the proper management of drugs boxes is required” are noted. Although the draft policy (paragraph 5.5) makes reference to effective Policies and Procedures to support well managed licensed premises and includes “Drugs Policy to prevent the use or supply of illegal drugs and the and the installation of a drugs deposit box”. It is proposed that this paragraph within the draft policy be expanded to include – “A drugs policy, where applicable, should be implemented by the premises licence holder in consultation with Cleveland Police if required.”</p> <p>The comments of the PCC – “The document focuses largely on alcohol and the NTE, however more attention is needed on other age restricted products available and the DTE which overlaps” are noted. It is important to note that the licensing policy covers matters relating</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 33				<p>to the supply of alcohol, regulated entertainment and late night refreshment. Licensing legislation does not cover other age restricted products. Enforcement into such matters is covered by other legislation that falls under the responsibility of other agencies.</p> <p>The comments of the PCC – “We would have expected further public safety measures to have been included such as Ask for Angela, and for public health drugs warning to be displayed” are noted. Reference to Ask for Angela has been included in the draft policy under violence against women and girls (Paragraph 5.6)</p> <p>The points that have been made regarding control measures are noted. It is recognised that the safety measures mentioned were not included in the first draft policy. Following responses to the consultation, matters in relation to spiking, violence against women and girls, safeguarding and counter terrorism will be included in the final policy document. (Paragraph 5.4).</p> <p>The comments of the PCC – “We must note that the links between the NTE, drug consumption and VAWG, that we know are high, feel like key omissions” are noted.</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 34				<p>Although it is considered that the proposed amendments to the draft policy as outlined above, in response to the consultation replies, are sufficient to address these concerns raised.</p> <p>The comments of the PCC – “There is little or no reference to zero-tolerance approaches in weapons and spiking” are noted.</p> <p>There are several references to weapons within the draft policy, including at Paragraph 6.8 which includes – “The Licensing Authority also expects that licence holders will also take steps to prevent the presence of knives and other weapons on their premises and that a log be kept of all drug, knife and weapon incidents”</p> <p>It is proposed that the above sentence be amended in the final draft policy to include the words “take a zero tolerance approach” to prevent the presence of knives and other weapons.</p> <p>It is considered that the concerns of the PCC in relation to spiking have been adequately covered earlier in this Table.</p> <p>The comments of the PCC – “The data justifies an NTE focus, but not enough focus is given to the DTE which is a contributor to NTE offending” are noted.</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 35			<p>CIA Comments</p> <p>The need for the use of a CIA is demonstrated in the data and we welcome the consideration around alcohol-related crime and impact on police resources. We largely agree with the assumptions made but would highlight some observations.</p>		<p>As stated above in this Table, the draft policy has been amended to reflect that problems and concerns associated with both the day time and night time economy should be treated with equal importance. (Paragraph 4.2)</p> <p>The comments of the PCC – “The policy documents are comprehensive and as such the character limit on this survey has limited our ability to provide more meaningful feedback; we would welcome opportunities to discuss these with you further” are noted. Officers have since held discussions with representatives of both the PCC and Cleveland Police regarding their submissions made on the policy and CIA consultation, and it has been established that the proposed additions/amendments set out in this Table satisfactorily address the concerns that have been raised.</p> <p>Data analysis has been collated across all 20 wards in Middlesbrough. CIP 1 relates to On licensed premises only. CIP 2 relates to Off licensed premises. Southfield Road is covered by both CIP1 and CIP2.</p> <p>The bulk of the data identifies that there is a high prevalence of alcohol</p>
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SOLP and CIA Consultation Responses



Appendix 1

Page 36			<p>Firstly, there is anecdotal evidence that Southfield Road attracts underage drinkers, this concerns us in relation to safeguarding of young people. The bulk of the data is based in Newport and Central wards, but the majority of incidents occur outside of these areas. We are supportive of the Captain Cook's Square development, but there has been an increase in youth related ASB in this area, where targeting hardening measures are now being considered. We'd welcome a more proactive approach. No issues in relation to CIP area 1. CIP area 2 is a significantly large geographic area. What were the considerations taken in determining this? Further clarity on how the authority utilises this assessment as part of their decision-making processes would be welcomed.</p>		<p>related crime, disorder, anti social behaviour and health harms within both Central and Newport wards that relates to alcohol sales from both On/Off licensed premises. CIP 2 covers a larger geographical area showing that the majority of alcohol related issues occur from Off sales across several ward areas which have been named as been or becoming ward areas that will be covered by CIP 2 if approved.</p> <p>Cumulative Impact Policies do not restrict the application process or the granting of new premises licences within the named areas, it allows a process to be followed to establish whether a representation should be made against an application for the grant or variation of a premises licence within areas where it has been deemed that cumulative impact exists, and where there is concern that the granting of such will further impact on the area where the premises are situated and the licensing objectives.</p> <p>Subject to any representations made, a Licensing Sub-Committee meeting will be held to determine an application.</p>
	8.	Resident	<p>Drinking isn't a problem in Middlesbrough it's the big use of Cocaine that causing all the trouble in Middlesbrough. Every pub you go in people using the cubicles for anything other than doing a number 2.</p>		<p>Comments noted. In consultation with Cleveland Police the Licensing Service has established a generic list of comprehensive conditions relating to drugs that will</p>

SOLP and CIA Consultation Responses

Appendix 1

Page 37					<p>commonly apply to both 'On' and 'Off' licensed premises if and when the need arises.</p> <p>The details of such conditions include the provision for premises to have a written drugs policy that includes instruction around premises and person searches, a secure drugs storage cabinet and a register to record any drugs found on a person or premises. Such conditions are also available to prospective applicants for premises licences upon request. It is regarded that the measures associated with these conditions will assist in the prevention of drug misuse on licensed premises.</p>
	Resident	We do not need anymore takeaway places in Middlesbrough town. Linthorpe road stinks of takeaways.			<p>Comments noted, although under the Licensing Act, only food takeaway premises opening between 11.00pm and 5.00am are required to be licensed. Food takeaway premises operating outside these hours are not covered by the Licensing Act and are regulated by other primary legislation. (eg, Planning, food standards, noise & pollution).</p>
	10. British Beer & Pub Association	<p>Middlesbrough Council - Consultation on Statement of Licensing Policy and Cumulative Impact Policies About the BBPA</p> <p>The British Beer & Pub Association is the leading body representing Britain's brewers and pub companies. The Association is more than a</p>			<p>It is important to note that minimum unit pricing has been included in Middlesbrough's Statement of Licensing Policy since 2017.</p> <ul style="list-style-type: none"> • Localised pricing

SOLP and CIA Consultation Responses

Appendix 1

Page 38	<p>century old and was originally founded as the Brewers' Society in 1904.</p> <p>Our members account for around 20,000 of the nation's pubs and brew over 90 percent of beer sold in the UK. Member companies have many different ownership structures, including UK PLCs, privately-owned companies, independent family-owned brewers and UK divisions of international brewers.</p> <p>The brewing and pub industry in the UK makes a major contribution to the local and national economy. The sector generates £26 billion of economic value and supports over 900,000 jobs.</p> <p>Minimum Unit Pricing in England</p> <p>The beer and pub sector is committed to reducing the harmful use of alcohol. However, pricing and taxation are blunt instruments to achieve this, penalising those on low incomes and responsible drinkers.</p> <p>The BBPA supports a ban on below-cost selling and a tax system and policy measures that encourage the production and consumption of lower-alcohol drinks. Along with targeted interventions, local community partnerships, greater education and awareness and support for pubs where alcohol is consumed in a managed and safe environment, this is our preferred approach to fostering a culture of responsible drinking in the UK.</p> <p>The UK Government consulted on the introduction of an MUP in 2012 but in 2013 announced that they would instead introduce a ban on the selling of alcohol below 'cost' (defined as duty + VAT) to prevent retailers loss leading on alcohol. This effectively sets a 'minimum price' for each drink type, controlled by the excise duty rate. This came into effect on 28 May 2014 in England and Wales</p>			<p>The BBPA supports a ban on below-cost selling and a tax system and policy measures that encourage the production and consumption of lower-alcohol drinks. Along with targeted interventions, local community partnerships, greater education and awareness and support for pubs where alcohol is consumed in a managed and safe environment, this is our preferred approach to fostering a culture of responsible drinking in the UK.</p> <p>Section 182 of the guidance para 10.21 states - Fixed prices – Licensing authorities should not attach standardised blanket conditions relating to fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area. This may be unlawful under current law. However, it is important to note that the mandatory conditions made under sections 19A and 73B of the 2003 Act prohibit a number of types of drinks promotions including where they give rise to a significant risk to any one of the four licensing objectives; the mandatory conditions also prohibit the sale of alcohol below the permitted price, as defined in paragraph 10.56. 10.22 Where licensing authorities are asked by the police, other responsible authorities or other persons to impose restrictions on promotions in addition to those restricted by the mandatory conditions,</p>
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SOLP and CIA Consultation Responses

Appendix 1

	<p>via the Licensing Act 2003 (Mandatory Conditions) Order 2014. In March 2020, the Government said there were “no plans for the introduction of MUP in England” although it would continue to monitor progress in Scotland and consider the evidence of its impact. To date, there is still no MUP in England and the Government has not signalled its intention to introduce it.</p> <p>Objection to introducing a local MUP requirement</p> <p>The BBPA confirms its objection to the inclusion of a provision for MUP in the new SoLP. Whilst we understand the intention to address alcohol-related harm, we believe that a local MUP policy is misguided and potentially harmful for a number of reasons.</p> <p>As the draft Statement of Licensing Policy already acknowledges, the Mandatory Licensing Conditions that were introduced in 2014 prevent licensed venues from offering irresponsible promotions of alcohol, and that would include for free or for a fixed or discounted fee if there is a significant risk that such provision would undermine a licensing objective. Licensing Authorities already have sufficient ability to address any such venues without the need to introduce a local MUP requirement.</p> <p>Introducing a local MUP not only runs counter to national Government policy, but also represents an unnecessary additional level of regulation. The following list sets out reasons why a local MUP should not be included in the SoLP:</p> <ul style="list-style-type: none"> • Lack of jurisdiction: Pricing policies for alcohol are typically set at a national level. A Local Authority that seeks to introduce (or “encourage”) its own MUP may be exceeding its legal powers and could face legal challenges. For example, 		<p>they should consider each application on its individual merits, tailoring any conditions carefully to cover only irresponsible promotions in the particular and individual circumstances of any premises where these are appropriate for the promotion of the licensing objectives. In addition, when considering any relevant representations which demonstrate a clear causal link between sales promotions or price discounting and levels of crime and disorder on or near the premises, it would be appropriate for the licensing authority to consider the imposition of a new condition prohibiting irresponsible sales promotions or the discounting of prices of alcoholic beverages at those premises. However, before pursuing any form of restrictions at all, licensing authorities should take their own legal advice.</p> <p>Middlesbrough draft policy paragraph 9.3, 9.4 & 9.5</p> <p>The Licensing Authority will encourage all licensed premises to apply a minimum unit price of 65p (increased from 50p as stated in previous policy) to all alcoholic products sold under their premises licence. (The unit pricing will be reviewed in line with national Guidance.)</p> <p>Where the premises are found to be selling alcohol below this price, and</p>
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SOLP and CIA Consultation Responses

Appendix 1

Page 40	<p>implementing a local MUP could be a breach of competition law.</p> <ul style="list-style-type: none"> • Inconsistency and confusion: Implementing MUP at a local level could create a patchwork of different pricing policies across neighbouring areas, leading to confusion for both businesses and consumers. • Economic impact on local businesses: Local pubs, restaurants, and shops may suffer reduced sales and revenue, potentially leading to job losses and business closures. This could include venues within an immediate vicinity i.e. a high street or town centre but especially in locations that border the boundary of the SoLP, where customers can easily travel to nearby localities without MUP. • Displacement of drinking: Rather than reducing alcohol consumption, a local MUP may simply shift drinking to neighbouring areas or encourage bulk buying outside the area, undermining the aims of the policy. • Lack of evidence for localised effectiveness: While some studies have shown potential benefits of national MUP policies at a national level, there is little evidence to support the effectiveness of MUP when implemented at a local level. • Administrative burden: Implementing and enforcing a local MUP would create additional bureaucratic pressures on both the Council and local businesses. <p>Instead of pursuing a local MUP, we encourage the Council to consider alternative measures to address alcohol-related harm, such as:</p>		<p>problems associated with that premises are in breach of the licensing objectives, a responsible authority or interested party may bring a review. Following the review, the Licensing Committee may impose a condition in relation to the pricing of alcohol, in order to uphold the licensing objectives.</p> <p>There are local and national concerns about the potential for drunkenness and disorder by discounting the cost of alcoholic drinks and or other sales promotions which may encourage people to consume larger quantities of alcohol. The mandatory conditions brought in to force in April 2010, may address the issue of irresponsible drinks promotions in on licence premises where it is likely to adversely affect the licensing objectives. However, the Council is also aware of the impact of the availability of cheap alcohol sold through off licence premises, particularly products consumed by binge drinkers, problem and underage drinkers. The Licensing Authority will expect applicants to demonstrate in their operating schedule how the pricing of alcohol products on sale in their premises will not negatively impact on the licensing objectives.</p> <p>Comments received from the BBPA have been noted.</p>
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SOLP and CIA Consultation Responses

Appendix 1

		<ul style="list-style-type: none"> • Supporting targeted education and awareness programs • Utilising existing licensing laws • Working with local businesses and stakeholders to promote responsible drinking initiative <p>As highlighted earlier, our comments on localised MUP do not seek to downplay our members commitment to tackling the harmful use of alcohol. For example, brewers are leading the way in investing in new low-alcohol and alcohol-free variants, providing greater consumer choice for those seeking these products and supporting public health goals.</p> <p>BBPA 23rd August 2024</p>			<p>The draft policy clearly reflects the national guidance. There is no mandatory minimum unit price adopted but retailers are encouraged to look at pricing to promote the licencing objectives and reduce the levels of associated alcohol related harm.</p>

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Appendix 2
Draft
Statement of Licensing
Policy 2025 - 2030
(February 2025)

Licensing Act 2003 - Statement of Licensing Policy 2024-2029

Section	Contents	Page no
	Introduction	
1	Main Principles of the Licensing Policy	4
	The Purpose of the Policy	6
	Consultation	6
	Integrating Strategies and Avoiding Duplication	7
	Working Together	8
2	Licensing and Alcohol Related Issues in Middlesbrough	8
	Profile of Middlesbrough	8
	Profile of Licensed Premises in Middlesbrough	10
3	The Licensing Process	12
	Making an Application	13
	Decision Making	14
	Making Representations	15
	Public Health	15
	Conditions	16
	Appeals	17
	Members of the Council	17
	Applications for Community Premises	18
4	The Licensing Objectives and Management	18
5	The Prevention of Crime and Disorder	19
6	Public Safety	33
7	Prevention of Public Nuisance	35
8	Protection of Children from Harm	37
9	General Policies	44
	Irresponsible Drinks Promotions, Sales and Pricing	44
	Promoting Responsible Retailing	44
	Pricing of Alcohol	45
	Alcohol Delivery Services	45
	Petrol Stations	46
	Events Organised by External Promoters	46
	Takeaway Food Premises	46
	Pavement Cafes and External Areas	47
	Novel Psychoactive Substances (NPS)	48
	Drinking up time	49
10	Cumulative Impact Policies	50
	CIP Area 1 On Licence Premises	51
	CIP Area 2 Off Licence Premises	52
11	Licensing Enforcement and Reviews	53
	Reviews	54
	Appeals against the Decisions of the Licensing	56
	Fees	57

Appendices		
Appendix 1	List of Consultees	58
Appendix 2	Summary of alcohol related issues and local approach	60
Appendix 3	Glossary of Terms	69
Appendix 4	Table of Delegations	74
Appendix 5	Guidance for the Protection of Young People under 18	76

Introduction

This Policy supports the Council's aim to position Middlesbrough's town centre as the primary retail, leisure and commercial centre of the Tees Valley, attracting visitors locally and farther afield, with a 24-hour economy and where people want to live, work and enjoy leisure.

The Council proposes to deliver policies in relation to the Licensing Act, promoting the licensing objectives, together with widening the choice and appeal of licensed premises, the development of culture and the protection of local residents.

This Policy recognises the huge contribution of licensed premises e.g. pubs/bars, restaurants, cinemas and theatres towards our evening economy. For these businesses to prosper, we aim to create an environment which is attractive to all customers, that licensed premises are safe and well run and that they add to both the local economy and vibrancy of the Town.

1.0 Main principles of the licensing policy

1.1 The Licensing Act 2003 (the Act) gives Middlesbrough Council responsibility for the grant and rejection of applications in relation to the sale of alcohol, the provision of entertainment and the provision of late-night refreshment. The Council is referred to as the Licensing Authority throughout this policy.

1.2 The purpose of this policy is to promote the four Licensing Objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm

These are known as the "Licensing Objectives". The Licensing Authority must have regard to these licensing objectives in carrying out its licensing functions under the Act.

1.3 The Licensing Authority must have regard to the Revised Guidance issued under section 182 of the Licensing Act 2003 (herein referred to as the Guidance) in the development of this Policy. If the Licensing Authority considers it appropriate to depart from the revised guidance, it will give justified reasons for doing so. It may also make exceptions to its own policy, where appropriate to do so in order to promote the licensing objectives and will give reasons for doing so. It will always consider the circumstances of each application. The Guidance can be found at:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

1.4 This policy relates to the regulation of licensable activities defined in the Act and temporary events permitted within the terms of the Act. The licensable activities are:

- The sale by retail of alcohol.

- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.
- The provision of late-night refreshment (hot food and drink at any time between 11.00pm and 5.00am for consumption on or off the premises), and
- The provision of entertainment listed below (known as “regulated entertainment”) to the public, to club members or with a view to profit:
 - Film exhibitions
 - Performances of a play
 - Certain indoor sporting events
 - A boxing or wrestling entertainment
 - Certain performances of live music
 - Playing of recorded music
 - Certain performances of dance

Legislation has been introduced in recent years to deregulate certain types of entertainment licensing and applicants are advised to refer to the Licensing Team, or to the Guidance.

1.5 The authorisations considered by this Policy which are required to carry out the above licensable activities are as follows:

- The issuing of personal licences for individuals to authorise the retail sale of alcohol (a “Personal Licence”).
- The issuing of premises licenses for the retail sale of alcohol, the provision of regulated entertainment or late-night refreshment (a “Premises Licence”).
- The issuing of a club premises certificates for the supply of alcohol or the provision of regulated entertainment at certain clubs (a “Club Premises Certificate”).
- The authorisation of certain licensable activities on a temporary basis (a “Temporary Event Notice”).

The policy seeks to provide clarity and guidance on the approach adopted by the Licensing Authority and on those matters that will normally be taken into account, when making decisions on licensing applications. (Note: each application will be examined on an individual basis and according to the circumstances and merits of each individual case.)

1.6 **The purpose of this Policy is:**

- To inform residents and businesses of the parameters within which the Authority will make decisions, and how their needs will be considered.
- To reinforce and remind elected Members of the Licensing Committee and any Sub-Committee the boundaries and power of the Licensing Authority and to provide them with parameters within which they should make their decisions. The Committee should be able to test the application against criteria set out in the

policy and if it is appropriate to do so, add conditions to those set out in the Operating Schedule.

- To support decisions made by the Licensing Authority when these decisions are challenged in a Court of Law.

The Licensing Act requires every Licensing Authority to prepare and publish a licensing policy and to review it every five years. More frequent reviews may be undertaken, subject to full consultation and subsequent publication.

1.7 Consultation

In accordance with this Act, prior to the publication of this Policy, the Council has consulted with:

- Chief Officer of Police
- Fire and Rescue Authority
- Local Health Board
- Public Health

representatives of licence holders (including premises, personal licences and club premises certificates), persons and bodies representative of local businesses, persons and bodies representative of local residents

The Licensing Authority has consulted widely and given due consideration to the views of all those who responded to the consultation process. There are many organisations and people who have a stake in the leisure industry, including providers, customers, residents, statutory bodies, all of whom may have views and concerns which require consideration as part of the licensing function and promotion of the licensing objectives. The Licensing Authority also consulted with those responsible for its local strategies on crime prevention, planning, transport, culture, tourism and economic development. Appendix 1 provides details of the organisations and persons consulted in the process of determining this statement of policy.

- 1.8 The Licensing Authority, when publishing or revising this policy statement, will seek to achieve proper integration with policies affecting local crime prevention, community safety, planning, transport, tourism and consult widely.

This policy replaces the statement of Licensing Policy adopted by Middlesbrough Council in January 2017.

In adopting this Licensing Policy, the Licensing Authority recognises that residents need to live and work in a safe and healthy environment. Also, that it is important licensed premises are safe and well run and that they add to both the local economy and vibrancy of the Town. The Licensing Authority's aim is to facilitate well managed premises and to support licence holders displaying sensitivity to the impact of their premises on local residents.

- 1.9 The Licensing Authority wishes to encourage the provision of a wide range of diverse entertainment activities within Middlesbrough and to promote live music, dance, theatre,

circus and street arts etc. for the wider cultural benefit of the town centre and communities.

The Licensing Authority will not take into consideration, in its decision making, whether there is a need or demand for a particular type of licensed premises. The commercial demand for another pub, restaurant or hotel is a matter for the planning authority and the market, and it is not considered to be a matter for the Licensing Authority.

This Licensing Policy considers other shared Council priorities and plans, and key ambitions in terms of national, regional and local priorities.

All applications are considered on their individual merits and this Policy does not seek to undermine the right of any applicant, or any person making representations where they are permitted to do so under the Act.

The Licensing Authority will only depart from the Policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the Licensing Objectives.

In the development of this Policy the Licensing Authority has had regard to the provisions of relevant legislation including the Human Rights Act and Equality Act 2010.

The policy recognises the Equalities Act 2010, as amended by the Race Relations (Amendment) Act 2000, this places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. The Licensing Authority, in determining applications, will have regard to this legislation to avoid any possible indirect discriminatory impact on particular ethnic groups.

1.10 Integrating strategies and avoiding duplication

There are many stakeholders involved, directly or indirectly, in the promotion of all the Licensing Objectives. Many of their strategies may include a link to the licensing function and the Licensing Authority will, wherever appropriate, work with partners to ensure proper integration of local issues and strategies into this Policy.

The Licensing Authority recognises the need to avoid as far as possible duplication with other regulatory regimes and it will avoid, where possible, attaching conditions that are duplicitous.

As well as requiring consideration and approval of the Licensing Authority, changes to how a premises is used or changes to the opening hours of a premises may also require planning approval, which is dealt with via separate legislation and by the Council's Development Control function. Licence holders and others should not assume that the granting of a licence is also a grant of planning permission, which may also be required for them to operate as intended. Early contact should, therefore, be made with the Local Planning Authority via the Council's website to discuss their proposals.

Whilst having regard to the Planning regime, the Licensing Authority recognises that there should be a clear separation of the Planning and Licensing regimes. Licensing applications should not be a re-run of the Planning application process. The granting of a

licence under the Licensing Act does not relieve the applicant of the need to apply for Planning Permission or Building Regulation approval, where appropriate.

1.11 Working together

There are many examples of best practice and opportunities where the licensed trade can work together with the Licensing Authority and other regulatory agencies such as the Police to improve the standard and management of licensed premises, tackle specific issues and improve the night-time economy. The Licensing Authority encourages partnership working and participation in schemes such as:

- Pubwatch
- “Best Bar None” initiative
- Mentoring schemes
- Child Protection Schemes
- Trade forums, e.g. on and off licence forum, area forums
- Training
- Publicity and Communication

2.0 Licensing and alcohol related issues in Middlesbrough

2.1 Profile of Middlesbrough

Middlesbrough sits at the heart of the Teesside/Tees Valley conurbation with an economy that is largely service based. The Town Centre is the sub regional shopping centre for the Tees Valley. The town has a culturally diverse population with the highest concentration of ethnic minorities in the North East.

Middlesbrough has a population of approximately 141,000, of which in excess of 55,000 are in the age groupings of 16-44. However, it serves a much larger, regional population in terms of the provision of leisure facilities. It is a cultural centre with a Championship Football Club, annual Mela and Christmas festivities programme, and attracts various other high profile cultural events throughout the year. Considerable investment has and is being made in Middlesbrough Town Centre:

- major investments in the retail and leisure offer - Baker/Bedford Street, Holiday Inn Express and Middlesbrough Town Hall.
- redevelopment of Captain Cook Shopping Centre to introduce leisure and evening entertainment, with the introduction of new food and beverage offers, proposals to offer an enhanced family-friendly offer, along with ancillary licensed premises. This will also include investment in the public realm, facades of the units, and the bus station.
- the Council has been successful in significant government contribution via the Future High Street Fund (£14.1m) and the Towns Fund, all of which has the town centre as the priority area.

- the expansion of the education sector - Teesside University and Middlesbrough College.
- further development of the Boho Zone and Middlehaven which has seen the rapid expansion of the digital sector which will see an additional 60,000 sq ft of premium office space targeted at the digital sector. The wider Boho/Middlehaven area will develop from a former industrial brownfield site to a thriving mixed-use community consisting of over 500 high quality urban houses, further premium office developments that will bring new employment opportunities to the town, a new 1000+ space secondary school, an urban farm and leisure developments that are complimentary to the Town Centre. There will also be investment in the key heritage assets: Old Town Hall and Captain Cook Pub to bring them back into a commercial use safeguarding their future for generations to come and allowing people to engage with the town's heritage, and
- the investment in arts and culture (Mima and the Tees Transporter Bridge Experience) have helped to create a growing confidence in Middlesbrough.

2.2 Middlesbrough Town Centre Strategy outlined the ambition for the future of the Town Centre over the following ten years within the context of the wider Tees Valley City Region. The strategy recognised the improvements that have been made to the town and the challenges that it faces. The aspiration is now for Middlesbrough to ensure that it continues to develop and expand to ensure there is a critical mass of economic, social, educational and cultural activity befitting of a successful 21st century urban centre.

The Council's aim is to position Middlesbrough town centre as a place where:

- It can strengthen its claim to being the primary retail, leisure and commercial centre of the
- Tees Valley
- It can address the major imbalance between demand and oversupply of retail via Council
- intervention to reduce retail space and repurpose to provide a viable future
- It has the ability to consolidate and grow a diverse mix of commercial and leisure activity
- Its commercial and visitor appeal is developed both locally and farther afield
- It has a 24-hour economy where people want to live, work and enjoy leisure
- It has a market which demonstrates a progressive, commercial mind set which actively
- meets the requirements of business and can respond swiftly and with flexibility to emerging
- opportunities.

2.3 It is recognised that there is a need to develop and diversify Middlesbrough as a cultural and leisure hub. To achieve this, a series of reviews and area-specific action and delivery plans are currently being programmed.

In developing this Licensing Policy, the Licensing Authority proposes to deliver policies in relation to the Licensing Act, particularly around the promotion of the licensing objectives, widening the choice and appeal of licensed premises, the development of culture and the protection of local residents. It aims to give priority to the development of

the range of entertainment and cultural activity on offer, and the age group attached to them, whilst also considering the health impact of alcohol. The Licensing Authority wishes to discourage drunkenness, and to encourage the provision of premises which serve alcohol for people to enjoy responsibly in diverse environments, to be able to order food by table service, and to have the choice of a range of entertainment, in place of the open bar space which caters for high volume vertical drinking establishments.

This Policy recognises the huge contribution of licensed premises e.g. pubs/bars, restaurants, cinemas and theatres in our evening economy. For these businesses to prosper, we aim to create an environment which is attractive to all customers.

2.4 Whilst it is estimated that the production, distribution and sale of alcohol may contribute as much as £65 million to the local economy, the costs of policing, accident and emergency services and street cleaning will be well over £50 million. Customer's negative perception of the town centre may deter them from visiting it, particularly if crimes, disorder and nuisance are not effectively dealt with. This policy aims to promote and encourage the development and growth of well-managed premises, and to give very clear messages to poorly managed premises which do not support the licensing objectives.

2.5 Profile of licensed premises in Middlesbrough

Table 1

The structure and types of licensed premises in Middlesbrough in June 2006, 2010, 2015 and 2023 are shown in the table below:

Type of Licensed Premises	No of Premises - 2006	No of Premises – 2010	No of Premises – 2015	No of Premises – 2023
Church Hall	6	8	8	8
Club	33	36	28	26
Community Centre	13	13	14	13
Educational Establishment	8	7	7	6
Hotel / Guest House	7	8	7	10
Off Licences	124 (94 in 2005)	125	141	144
Open Spaces	2	2	2	3
Other	16	17	17	22
Public House / Nightclub	125	108	109	126
Restaurant	39	41	46	58
Late Night Refreshment	92	98	99	100
Total	465	463	478	516

Table 2

The following table shows the terminal hour for licensed premises in Middlesbrough.

Terminal Hour	Number of Licensed Premises
Up to 11pm	242
Up to midnight	127

Up to 1am	58
Up to 2am	31
Up to 3am	26
Up to 4am	15
Up to 5am	8
Beyond 5am	1
24 hours	8

Table 3

The following table shows the distribution of licensed premises across the wards of Middlesbrough.

Ward	Number of Licensed Premises
Acklam	16
Ayresome	13
Berwick Hills & Pallister Park	18
Brambles Farm & Thorntree	16
Central	212
Coulby Newham	16
Hemlington	7
Kader	7
Ladgate	11
Linthorpe	20
Longlands & Beechwood	18
Marton East	9
Marton West	3
Newport	44
North Ormesby	24
Nunthorpe	6
Park	44
Park End & Beckfields	22
Stainton & Thornton	5
Trimdon	5

2.6 There are 76 (including restaurants) on-licensed premises located in the town centre area.

Between January 2017 to July 2023, the Licensing Authority has carried out 480 inspections of licensed premises to check compliance with the Licensing Act. In general, officers have found high levels of compliance with premises licence conditions, with only minor issues of non-compliance.

In some, cases it has been necessary for review proceedings to be instigated, applications to be refused or prosecutions taken where premises have not complied with the law or supported the licensing objectives. The Licensing Authority have used the legislation to good effect to ensure premises are operating within the law. In the period Jan 2017 – July 2023:

- 13 review applications were referred to the Licensing Committee resulting in 8 licence revocations, 4 suspension and 1 licence where additional conditions were added.
- 12 applications for premises licences/variations have been referred to the Licensing Committee of which 5 were refused.
- 3 cautions have been issued for the offence of breach of licence conditions.

3.0 The licensing process

3.1 Making an application and the decision-making process

It is the Licensing Authority's policy to provide an efficient and cost-effective service to all parties involved in the licensing process.

Applicants for premises licences should be aware of the Licensing Authority's and the responsible authorities' expectations in relation to the promotion of the licensing objectives. They will expect applicants to demonstrate their knowledge of the local area when setting down the steps they propose to take to promote the licensing objectives.

This policy seeks to provide advice to applicants about the approach they should take in making their applications and the view the Licensing Authority is likely to take on certain key issues where representations have been made.

Applicants should assess what issues, if any, need to be included within their operating schedule to address the licensing objectives.

3.2 Licensed premises vary considerably in terms of the offer made, size, occupancy, location, clientele etc. Venues may offer alcohol, regulated entertainment or late-night refreshment or any combination of these activities. Therefore, there is no definitive list of control measures that should be considered or introduced by all premises. The Licensing Authority will expect applicants to assess their application according to the activities they provide and the individual risks of each of the premises' activities.

Applicants should note that, whilst there is no obligation to meet the control measures contained within this Policy, it is more likely that responsible authorities and other parties will make representations if they do not.

If any application is lawfully made and no relevant representations are received, then the Licensing Authority must grant the application. Only if relevant representations are made, will the Licensing Authority's discretion be engaged.

3.3 Making an application

The procedures and documentation required for the various applications is set down in the Act. Further advice on how to make an application can be found on the Council's

website or on request from the Licensing Authority. A Glossary of Terms can be found at Appendix 3 to assist with applications.

Applicants should also have regard to government guidance issued under Section 182 of the Licensing Act 2003

Applicants are strongly advised to consult with officers from the Licensing Team before preparing and submitting their applications for licences and other authorisations.

Any application not properly made will be returned to the applicant and the timescales contained in the Act will not begin until a properly made application is received.

As mentioned at paragraph 1.10, separate permissions may be required in instances where either the hours of use, or the use of the premises are intended to be changed, and confirmation as to whether planning permission is required for such changes should be sought from the Local Planning Authority at the earliest possible point. Contact details are available on the Council's website.

- 3.4 The Licensing Authority is involved in a wide range of licensing decisions and functions, and these are carried out by the Licensing Committee, Licensing Sub-Committees or officers of the Local Authority in accordance with an approved scheme of delegation. Appendix 4 sets out how the Licensing Authority intends to delegate its various licensing functions.

With the exception of the approval and review of this Policy, decisions on licensing matters will be taken by a duly authorised Licensing Sub-Committee (3 councillors) or by one or more officers acting under delegated authority. The scheme of delegations is without prejudice to officers who may refer an application to a Sub-Committee, or a Sub-Committee to Full Committee, if it is considered appropriate to the circumstances of any particular case.

The Committee and Sub-Committees will determine each case on its merits. Blanket or standard conditions (other than mandatory conditions) will not be imposed under the Act. Conditions will not be attached to licences unless they have been either volunteered by the applicant or are determined by the Licensing Authority as appropriate following a licensing hearing. Although the Licensing Authority is required to have regard to the Guidance it may, if it considers it appropriate, deviate from the guidance where there are justifiable reasons.

3.5 The decision-making process

Where no relevant representations are received, providing the application has been correctly made and advertised (as required by the Act), the Licensing Authority must grant the application in line with the proposed operating schedule. The only conditions that can be imposed are the mandatory conditions and those conditions that are consistent with the operating schedule.

Apart from the mandatory conditions, there is no discretion under The Act to impose any other condition in cases where no relevant representations are received.

- 3.6 Where relevant representations are made the application will be determined by a Sub-Committee and this determination will take place at a hearing. The Sub-Committee in

such cases has full discretion to take such steps as it considers appropriate to promote the licensing objectives. These steps may include:

- Grant the licence subject to the operating schedule modified to such extent as the Sub-Committee considers necessary for the promotion of the licensing objectives, and subject to the relevant mandatory conditions
- Exclude from the scope of the licence any of the licensable activities to which the application relates
- To refuse to specify a person in the licence as the premises supervisor
- Reject the application.

In exercising its discretion, the Licensing Sub-Committee will have regard (amongst other things) to this Licensing Policy and to the Guidance.

3.7 If all parties state in writing that they consider a hearing can be dispensed with then the Sub-Committee has a discretion (which cannot lawfully be delegated to officers) to dispense with a hearing. In deciding whether or not to dispense with a hearing the Sub-Committee is exercising a licensing function. As such it is required to have regard to any relevant guidance as well as to this policy and it must act with a view to promoting the licensing objectives.

3.8 It does not follow from the above that an application that complies with the policy will necessarily be granted or that an application that does not comply with it will necessarily be refused. Where there have been relevant representations, the Licensing Authority will always consider the merits of the case and act within the statutory constraints.

3.9 Making representations

As well as Responsible Authorities, any individual, body or business are also entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. (See Section 11, Licensing Enforcement and Reviews)

Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the Licensing Authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious.

Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the Licensing Authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament, or a local ward or parish Councillor who can all act in such a capacity.

3.10 Representations must be submitted to the Licensing Authority within the prescribed period of time, as advertised in the application. The Licensing Authority will send copies of all representations to the applicant as part of the notification of hearing process. The

Licensing Authority recommends that Responsible Authorities also send a copy of any representation to the applicant at the same time it is made to the Licensing Authority.

Anonymous representations will not be accepted by the Licensing Authority. The Licensing Authority cannot withhold details of the person making the representation, unless there are exceptional circumstances. Any papers produced for a Licensing Committee hearing will include copies of representations and these are published on the Council's website. This means that names, addresses and contact details will be made public. Those making a representation should be aware that they will be invited to attend in person to a hearing should the licence application have to be determined by the Council's Licensing Sub-Committee. The representations will also be included in the papers presented to the committee and therefore will pass into the public domain. It is therefore possible that details of representations may be picked up by the press.

Further information on making a representation can be obtained at the following link.

<https://www.gov.uk/beer-licensing>

3.11 Public Health

The Licensing Authority recognises there is no Public Health licensing objective and therefore is limited in its ability to conduct its licensing function to promote public health. The licensing function can only be carried out to promote the four licensing objectives as set out by the Licensing Act 2003. Nevertheless, the Licensing Authority recognises the potential impact of alcohol on the public health of the residents of Middlesbrough. This can have a big impact on the National Health Service and medical providers locally. Public Health are a Responsible Authority under the Licensing Act 2003 and can make representations on licence applications as well as calling for reviews on premises that undermine the licensing objectives.

The Secretary of State's Guidance states that health bodies can make representations based on any of the four licensing objectives. The Licensing Authority considers data:

- Around hospital admissions due to alcohol consumption,**
- That shows a correlation between anti-social behaviour and excessive alcohol consumption in different localities,**
- That references violence related to alcohol or the night-time economy in general,**
- That links high alcohol consumption to a particular area, and**
- That undermines the physical, moral and psychological safety and welfare of children and vulnerable persons, to all be relevant to the promotion of the licensing objectives.**

Any or all this evidence could provide grounds for Public Health in their role as a Responsible Authority to make a representation on the basis of any of the licensing objectives. Although public health is not a licensing objective, the Licensing Authority believe that this Statement of Licensing Policy needs to be

placed in context with the alcohol-related harms that are apparent in Middlesbrough. The Licensing Authority takes the issue of public health extremely seriously and would expect applicants and licence holders to familiarise themselves with any local issues that may be detrimental to the public health of people living in, working in and visiting Middlesbrough.

3.12 Conditions

All applications for new licences or for variations of existing ones should be supported by an operating schedule. The schedule should specify (among other things) the steps the applicant proposes to promote each licensing objective.

Where no relevant representations are received, providing the application has been correctly made and advertised (as required by the Act), the Licensing Authority must grant the application in line with the proposed operating schedule. The only conditions that can be imposed are the mandatory conditions and those conditions that are consistent with the operating schedule.

Apart from the mandatory conditions there is no discretion under The Act to impose any other condition in cases where no relevant representations are received.

3.13 Any conditions attached to licences following relevant representations will focus on matters within the control of the premises licence holder or club management committees. They will be used to ensure the premises operate in such a manner to uphold the licensing objectives. They will address matters which have a direct impact on those living, working or engaged in normal activities in the vicinity.

Conditions will not be used as a means of attempting to attach responsibility to premises licence holders or club management committees for matters outside their reasonable control, such as anti- social behaviour once away from the premises or licensable activity, unless information to the contrary is available to the licensing authority.

Conditions on premises licences and club certificates are determined by:

- The measures put forward on the operating schedule
- Mandatory conditions within the Act
- Measures decided at a hearing by the Licensing Sub-Committee

3.14 Appeals

Any aggrieved party e.g. Applicant, Responsible Authority, Other Person may appeal any decision of the Licensing Committee to the Magistrates' Court.

3.15 Members of the Council

The Licensing Authority recognises that Councillors play an important role in the local community. The Licensing Authority will notify the Ward Councillor and Community Councils of any applications within their ward giving them the opportunity to make representations.

If specifically asked to do so, Councillors may make representations in writing and speak at the hearing on behalf of any other person such as a local resident or business. They can

also make representations in their own right if they have concerns about premises. They may also apply for a review of a licence/certificate.

- 3.16 Residents or businesses may wish to contact their local Councillor in respect of a licence/certificate application. Details of Councillors are published on the Council's website. When a resident or business seeks the assistance of a Councillor, it is useful if they can provide evidence that a particular premise is causing a problem or is likely to do so. It is also helpful for any resident or business making a representation to send a copy to the relevant Councillor.
- 3.17 Councillors may attend hearings of Licensing Sub-Committees considering applications and speak on behalf of local residents and businesses, in the following circumstances:
- They have made a personal representation
 - They have made a representation on behalf of local residents or business
 - They have been nominated by a person making a relevant representation who cannot attend the hearing or prefers to be represented at the hearing

3.18 Applications for community premises

Persons in control of premises such as church or chapel halls, village or parish halls, community halls and buildings of a similar nature may find the permitted annual number of Temporary Event Notices too restrictive. They should consider whether applying for a Premises Licence would be more beneficial, in the event that premises such as this do make an application for a Premises Licence they may, at the same time, make an application for the disapplication of the mandatory condition relating to Designated Premises Supervisors.

The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls) Order 2009 created an exemption for the requirement for a Designated Premises Supervisor for community premises, who may make application to the Licensing Authority to apply the alternative mandatory condition to their licence.

The alternative Mandatory Condition is that every supply of alcohol under the Premises Licence must be made or authorized by the Management Committee.

- 3.19 Where there is doubt as to whether a premise is a community premise, the Licensing Authority will consider each case on its merits, with primary consideration being given as to how the premise is predominantly used.

The fact that a school or private hall is made available for hire by the community would not in itself be sufficient to qualify the premises as "community premises". Though this may be provision of a service to the community, the Licensing Authority will consider whether halls used largely for private hire by individuals or private entities are genuinely by their nature "community premises". The statutory test is directed at the nature of the premises themselves, as reflected in their predominant use and not only at the usefulness of the premises for members of the community for private purposes.

- 3.20 The Licensing Authority expects the management committee to be a formally constituted, transparent and accountable body. The committee should provide sufficient oversight of the premises to minimise any risk to the licensing objectives. This could include management committees, executive committees and boards of trustees. The application form requires the

applicants to provide the names of the management committee's key officers e.g. the Chair, Secretary, Treasurer.

4.0 The licensing objectives and management standards

4.1 The Act requires that the Licensing Authority carries out its various licensing functions so as to promote the following four Licensing Objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each Objective is of equal importance. Throughout the decision-making processes, the promotion of the four objectives will be of paramount consideration at all times.

4.2 Licensing law is the key means of control, and it is an important part of a partnership approach to the management of **licensed premises operating in the day and night time economy**. The Licensing Authority will work in partnership with, amongst others, the Police and other Responsible Authorities, local businesses, local people and neighbouring local authorities in pursuit of the promotion of the Licensing Objectives.

The Policy does not seek to regulate matters which are provided for in other legislation e.g. Planning, Environmental Health, Health and Safety issues etc.

Throughout this Policy the wording will refer to applicants for licences. However, it should be noted that the principles set out within this Policy apply equally to new applications, applications for variations and consideration of any request to review a licence.

4.3 The following section is subdivided according to the four licensing objectives. It includes management standards, policies and procedures which may be included within operating schedules to demonstrate upholding the licensing objectives. Any such measure should be considered according to the:

- type
- size
- location
- hours
- characteristics, and
- activities taken place

Applicants are encouraged to read all four sections as there is clearly overlap between some of the information included.

5.0 The prevention of crime and disorder

5.1 Public space protection orders

The Council supports the use of Public Space Protection Orders as a tool to prevent alcohol related crime and disorder in the streets. The Council expects premises that operate in areas where Public Space Protection Orders have been implemented to have measures in place to ensure that their customers do not contribute to alcohol related anti-social behaviour.

Consumption of alcohol by street drinkers or people who are drunk can cause anti-social behaviour, disorder and be a nuisance to visitors, businesses, and residents. Licence holders can play an important part in minimising this by restricting street drinkers' access to alcohol such as:

- **Avoiding *stocking low-cost high strength alcohol such as white ciders and high strength lagers***
- **Restricting the sale of strong beer and cider above 6.5% ABV**
- **Preventing the sale of single cans or bottles of beer and cider**
- **Ensuring all staff are aware of their responsibilities under the Licensing Act 2003 not to serve alcohol to a person who is drunk**
- **Not offering irresponsible drinks promotions as outlined in the section above**
- **Keeping and using a refusals registers or refusals button on the electronic point of sale and ensuring this is completed each time a sale is refused to a person who is drunk. The log should show the date, time, description of customer, name of staff member who refused the sale and the reason it was refused. This should be made available to the Police or authorised Council officers on request and should be regularly reviewed to identify trends and patterns**
- **Taking part in community safety initiatives with Cleveland Police and sharing intelligence**
- **Ensuring that the premises operates in conjunction with any Public Space Protection Order**

5.2 Licensed premises, especially those offering late night /early morning entertainment, alcohol and refreshment may sometimes, if not properly managed, be able to become a source of crime and disorder and public nuisance problems.

The Licensing Authority will expect an applicant to be responsible for minimising the impact of crime, disorder and antisocial behaviour by their patrons both on and within the immediate vicinity of their premises. This includes locations such as pavement, beer garden or in an area used by smokers.

5.3 The Licensing Authority expects all applicants to demonstrate in their Operating Schedules that suitable and sufficient measures, ranging from the design and layout of the premises, through to the daily operation of the business, have been identified and will be implemented and maintained with the intention of preventing crime and disorder.

There are many steps that an applicant can take to prevent crime and disorder. The Licensing Authority will look to Police as the main source of advice on these matters, and in accordance with the Guidance, police views on matters of crime and disorder will be given considerable weight.

Prior to addressing this objective in the operating schedule, the applicant may wish to seek the views of the Police on appropriate measures to be implemented. Any proposals should take into account the size, type, location, and proposed hours and activities taking place at the premises. The Licensing Authority expects applicants to consider, amongst other things, the following:

5.4 On-Licence Premises

The provision of good quality, colour, digital CCTV. This can act both as a deterrent and as a useful tool in detecting crime and disorder. Access to CCTV should be readily available for viewing by Police and other Responsible Authorities and staff should be trained in its use. Footage should normally be retained for 31 days (or lesser period as agreed with the Police) and be capable of producing evidential quality footage in disc format for use in court. Consideration should also be given as to the location of CCTV cameras to ensure full coverage both inside the premises and external areas, particularly those covering entrances and exits to the premises.

Effective Queue Management. This can be achieved by the use of barriers with supervision by door supervisors. This can help maintain order from those patrons seeking to gain entry to the premises and assist door supervisors in identifying underage customers and those who may be unfit through drink or drugs.

Employment of licensed door supervisors and other appropriately trained staff. This ensures the promotion of the licensing objectives and to ensure all staff are trained in venue specific policies.

Metal detection and search facilities. The use of metal detectors and a policy of random searching of customers can act as a deterrent to patrons seeking to enter premises with weapons and drugs. Where possible, procedures should be in place to allow for female door supervisors to carry out searches of female customers.

Proof of Age Schemes. Whilst there is a mandatory requirement for a proof of age scheme to be operated, national schemes such as Challenge 21/25 have proved a success in preventing access to alcohol for under 18's.

Use of PubWatch Radio System/Ring Round Phone Systems. This can prove to be a useful tool, particularly for premises within the Town Centre and allows for instant communication between managers of licensed premises and the police and other licensed venues.

Regular glass collection and the use of shatter resistant/plastic glasses and bottles which can reduce the risk of crime and disorder and contribute to the public safety licensing objective. The use of plastic glasses and bottles may be appropriate as a permanent measure depending on style and nature of the venue or may be appropriate occasionally for specific high-risk events or after a certain time.

Security Patrols which can act as a deterrent and help identify hotspot areas within the premises.

Regular documented checks of toilet areas or the provision of a toilet attendant which can help deter and identify drug use within the premises.

A clear and effective Dispersal Policy. This should include a winding down period, information on access to taxi services and for larger venues, the gradual dispersal of customers by door supervisors. Such measures can reduce the risk of crime and disorder and contribute to the promotion of other licensing objectives.

Installation of non-retrievable bottles bins at exits and door supervisors which can ensure that customers do not leave the premises with glasses and bottles and can significantly reduce the risk of crime and disorder and promote public safety within and in the vicinity of licensed premises.

5.5 Drink and needle spiking

Drink spiking is when someone puts drugs or alcohol into a person's drink without their knowledge or consent. It can include putting alcohol into a non- alcoholic drink, adding extra alcohol to an alcoholic drink or slipping prescription or illegal drugs (such as tranquillisers, amphetamines or GHB—also called liquid ecstasy) into an alcoholic or non-alcoholic drink. It can be difficult to tell whether a drink has been spiked, as substances used for spiking usually have no taste, odour, or colour.

Needle spiking (sometimes referred to as injection spiking) is where someone surreptitiously injects, with a hypodermic needle, (or other form of administration e.g. combi-pen) a victim with a substance.

Spiking is a crime - Spiking of any kind, whether it be by adding to a person's drink or an injection is an offence under section 24 of the offences against the person act 1861 (administer poison or other noxious substance with the intent to injure, aggrieve or annoy a person).

Charity Stamp Out Spiking estimates 97% of people do not report spiking incidents to the police. Spiking can lead to secondary offences being committed - most commonly sexual offences when the victim is female, and theft when the victim is male.

Recommended actions for licensed premises – The Council understands that many licensed premises work incredibly hard to ensure that their customers can enjoy a night out safely and deter perpetrators. Nevertheless, we also consider that more could and should be done to prevent and report spiking incidents. We recommend that licence holders consider the production of a drugs (including Spiking) protocol or policy for their premises, which may include for example:

- Education provided to staff to spot the signs of both potential vulnerable victims and those who are potentially suffering the effects of spiking**
- Refusing entry to anyone who is showing signs of drug use and contacting the emergency services when appropriate**
- Ensuring that staff are trained in drug awareness, so they know how to recognise the effects of drug use and know when medical attention is required**
- Provide staff with awareness of forensic handling of evidence (securing any glasses and drinks used by potential victims and/or suspects) and securing other evidence, such as CCTV**
- Consideration of offering anti drink spiking products to customers**
- Reporting suspected or actual spiking incidents to the police immediately**
- Regularly check CCTV to ensure it is in good working order and reliable.**

- Promote campaigns - particularly #Spikeaware through visual, well-placed posters and other literature within their premises with a clear zero tolerance approach
- Consider purchasing preventative tools, to highlight commitment to prevent incidents of drink spiking. For example – bottle top protectors, purchase and application of screening kits can be used to test drinks for key substances
- Review policies to ensure a safeguarding approach is taken in respect of all incidents related to spiking and embed a culture of “believe, reassure and request assistance” for those making reports
- Ensure people in the premises know how and where to report suspected spiking and unwanted sexual harassment
- Consider having a “safe zone” where potential vulnerable victims can be looked after by staff until alternative help or transport home can be provided
- Reporting of incidents to the police and working with local licensing teams to further help support reducing spiking risks. Supporting and protecting the victim It is important to remember the victim is a potential crime scene. Whilst the victim’s safety and security must be the primary consideration, thought should always be given to potential available evidence.

Key points to consider include:

- Injuries or puncture wounds as these areas may hold evidential forensic *opportunities*. Where possible avoid contact with these areas of the victim’s body and consider if the area can be protected by the victim’s clothing, prevent the victim washing or cleaning these areas if possible.
- Consensual contact areas – as above, if the likely perpetrator has been in contact with victim prior to the spiking, prevent washing or cleaning of these areas. (These are likely to be areas of exposed skin such as the face neck or hands.)
- Drink – if the victim is still in possession of their drink, keep it secure. Consider placing it in an unused, clean container (e.g. a sealable sandwich bag). Place the bag containing the glass in a secure location and prevent it from spilling. Where possible, wear latex gloves and handle the glass by the least obvious areas (e.g. the very bottom of the glass), this will assist in preventing contamination or loss of evidence.
- Where possible ask the victim to provide a urine specimen in a suitable sample pot.
- Do not ask the victim questions about the perpetrator. If a member of staff believes they can identify the perpetrator, make sure they tell the police at the time. Wherever possible, one member of staff should deal with the victim to ensure continuity of evidence and reassurance for the victim.
Perpetrator The perpetrator / Suspect Remember, every contact leaves a trace, therefore the perpetrator may have forensic evidence from the victim on their person and may still be in possession of articles used to spike the victim. If you believe you know who the perpetrator is and they are still in

the premises/area, do not confront them, but make sure the police are aware when you call.

- If you can identify the perpetrator; Consider securing any glass/bottle they may have used. (Only do this if the glass/bottle is no longer in the possession of the potential perpetrator.) As with the victim's glass, secure this in an unused, clean bag (a sealable sandwich bag is ideal). Do not mix the victim's and suspect's glasses, place them in separate bags. A different person should deal with each glass, and they should not come into contact with each other during the process.
 - Secure CCTV of the perpetrator entering/leaving the premises and any footage of the perpetrator and victim together within the premises.
 - Consider how the perpetrator has paid for entry or drinks. Is this via a credit/debit card? If so, can you identify times of payments made.
- National resources: Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003. Middlesbrough Council's Statement of Licensing Policy, British Beer & Pub Association, Drugs & Pubs: A guide to keeping a drug free pub.

Even in the absence of a specific protocol or policy on spiking, all licensed premises should ensure all reports of spiking are acted upon and that all incidents of alleged spiking are recorded and reported to the police. It is important and helpful for the prevention and detection of spiking incidents if personnel at licensed premises can:

- Obtain full details of the affected person reporting the incident, including a description of what they are wearing as officers will want to track them on CCTV
- Provide as detailed a description of the suspected perpetrator as possible, if known, including clothing
- Provide an approximate time of the incident and the location within the premises where they believe it occurred
- Secure the drinking vessel(s) that is suspected as containing the 'drug' so this can be tested later
- Seize any drinking vessel that the suspect may have been using
- Ensure the health and safety of the customer, which could be by calling emergency services, ensuring they are with trusted friends who will look after them, offering assistance if needed, and providing a safe space for the customer
- Ensure appropriate training is provided to relevant members of staff
- Review searching procedures and amend as necessary, as well as reviewing how often toilets are inspected, where victims of spiking may be found
- Premises should also review the functionality of any CCTV and ensure it is not obscured
- Consider providing information (such as posters) regarding drink spiking in the premises

- Consider if it would be useful to provide anti-spiking bottle stoppers and protective drink covers. It may also be helpful to see if drug testing kits have been made available in your area by the police or council.

The Council also recommends that licence holders and authorised clubs take into consideration the Home Office report understanding and tackling spiking – published 19th December 2023 link below.

The Council will consider placing additional conditions on licences to safeguard patrons against spiking, noting that conditions placed on licences need to be both proportionate and enforceable. We will also use our powers to impose conditions or revoke premises licenses, where venues do not take sufficient measures to protect and provide support to customers in spiking incidents.

[Report: Understanding and tackling spiking \(accessible\) - GOV.UK](#)

5.6 Violence against women and girls

The Licensing Authority are committed to ensuring Middlesbrough is a safe and welcoming place for everyone, regardless of their gender, ethnicity, sexuality, beliefs or background.

This Policy aims to ensure that vulnerability and women's safety is an important consideration in decision-making in licensing matters. The Licensing Authority will ensure that guidance is sought from relevant authorities on the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence.

Operators are strongly encouraged to develop a Safeguarding and Vulnerability policy for their business and ensure that sufficient measures are in place to protect and provide support to customers.

'Resident and visitor safety, especially the safety of those using the night-time economy, is an important factor that the Council, applicants, and licence holders must take into consideration. Violence against women and girls is an unacceptable, preventable issue which blights the lives of millions. Crimes of violence against women and girls are many and varied. They include rape and other sexual offences, stalking, domestic abuse, 'honour-based' abuse (including female genital mutilation and forced marriage and 'honour' killings), 'revenge porn' and 'upskirting', as well as many others. While different types of violence against women and girls have their own distinct causes and impacts on victims and survivors, what these crimes share is that they disproportionately affect women and girls.

These crimes are deeply harmful, not only because of the profound effect they can have on victims, survivors and their loved ones, but also because of the impact they can have on wider society, impacting on the freedom and equality we all should value and enjoy. These impacts can include day-to-day decision making, but also extend to the social and economic costs to the economy, society, and taxpayer. We know that the devastating impact of these crimes can include the loss of life, the destruction of homes, futures, and lives. Everyone in modern Britain should have the freedom to succeed and everyone deserves the right to public

safety and protection under the law. This is as true for women and girls as it is for anyone else.

Policy paper Tackling violence against women and girls' strategy Updated 18 November 2021 Home Office guidance.

Definition of Sexual Harassment - The definition of sexual harassment was created with a range of experts on the subject. The defining characteristics are that it is unwanted, persistent, and of a sexual nature. List of unacceptable behaviours are:

- Unwelcome sexual gestures or innuendos
- Groping, pinching, or smacking someone's body.
- Exposing yourself to someone
- Entering the toilet that does not best accommodate your gender.
- Derogatory comments based on someone's age, gender, race, orientation, or ability.

Examples of unacceptable behaviour include (but are not limited to):

- Unwelcome comments with a sexual overtone
- Unwelcome and/or irrelevant questions about your personal life (including sex, romance, and sexual orientation)
- Someone exposing their sexual organs to you without consent • Someone groping, pinching, or touching your body without consent

Procedures and policies for how to handle perpetrators of sexual harassment should be included in the operating schedule/conditions. These will of course differ from premises to premises but ensure that they reflect a zero-tolerance attitude towards harassment and discrimination.

Licence holders should ensure that there are clear guidelines on how to handle complaints made by targets of sexual harassment, a positive response involves believing them, responding sympathetically, and taking the incident seriously. Negative responses are characterised by not believing them or suggesting that the incident was their fault.

Guidelines and procedures should establish consequences for perpetrators of sexual harassment that reflect zero tolerance of those behaviours. These can range from removal from the premises to a ban from the premises for an extended period.

Example of a model policy for licensed premises to adopt.

- Premises shall enforce a strict Zero Tolerance policy to sexual harassment and discrimination
- The policy shall enforce zero tolerance to the following behaviours e.g. Unwelcome sexual gestures or innuendos
 - Groping, pinching, or smacking someone's body Exposing yourself to someone

- Entering the toilet that does not best accommodate your gender
- Derogatory comments based on someone's age, gender, race, orientation, or ability
- The policy is for all patrons and staff at the premises.

Training

- Management will ensure that all staff are trained and briefed adequately on the policy
- All casual staff shall receive a briefing on the policy and its operations during staff training
- Security shall be briefed and trained on the policy.

Reporting an incident

- When a customer needs to report an incident, they may do so by speaking to any member of security or staff.
- The staff or security who received the report shall pass it on to a manager or supervisor
- When a staff member needs to report an incident, they will pass it on to a manager or supervisor
- Reports of victims will be taken seriously, as well as the reports of others observing the incident (staff or other visitors) depending on the context of the situation.
- Reports will be dealt with in a manner that reflects zero tolerance of sexual harassment.

Dealing with a report / enforcement

- All perpetrators will be removed from the main space of the premises for discussion
- The manager or supervisor will, in consultation with others, decide if the perpetrator has violated the zero-tolerance policy
- If the policy has been violated, the perpetrator will be dealt with in a manner that correlates with zero tolerance of harassment.
- This should at minimum involve the perpetrator's presence no longer being allowed in the premises on the day of the offence.
- Visitors who break the policy on more than one occasion shall be dealt with in a more severe manner, including longer-term bans from the premises.

In addition, The Ask for Angela initiative aims to ensure that anyone who is feeling vulnerable or unsafe is able to get discreet support. This could be on a night out, on a date or meeting friends. The initiative works by training staff in vulnerability management and what to do when someone 'Asks for Angela'. The Council expects that when a trained member of staff hears the code-phrase they should understand that the person is in need of support and will be able to respond in an appropriate, discreet way. This could be offering them an alternative way out of the

venue, calling them a taxi or in a more serious situation, altering venue security and/or the Police. More information can be found here:

[Ask for Angela - Violence Reduction Alliance](#)

5.7 Counter Terrorism

The Terrorism (Protection of Premises) Bill, or Martyn's Law, is pending UK wide legislation that will place a requirement on those responsible for certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.

Martyn's Law, if enacted will apply to anyone responsible for publicly accessible locations used for purposes such as entertainment and leisure, retail, food and drink, museums and galleries, sports grounds, public areas of local and central Government buildings (e.g., town halls), visitor attractions, temporary events, Places of Worship, health, and education. Many of these locations will have the benefit of a premises licence.

The government have indicated that publicly accessible locations with a capacity of more than one hundred people will need to undertake simple yet effective activities to improve protective security and preparedness. Those activities will include completing free training, raising awareness and cascading information to staff. As well as completing a preparedness plan. Publicly accessible locations with a capacity greater than eight hundred people will also be required to produce a risk assessment and security plan, considered to a 'reasonably practicable' standard.

If this Bill is enacted, it will become primary legislation that must be complied with whether a premises has a licence or not.

Although no date has yet been set for the introduction of the legislation advance information, guidance and news about training resources can be found at: • [counter terrorism pages on GOV.UK](#) • [Protect UK website](#)

Local Counter Terrorism measures

The local approach to Counter Terrorism is as follows:

Deliver and promote the Protect strategy focusing on the priorities within, to reduce the threat from Terrorism in licensed premises, ensuring licensed premises are adequately prepared for and equipped to respond in the event of a terrorist incident.

The licensing authority continues to provide free ACT (Action Counters Terrorism) Awareness training courses both E-Learning and in person (upon request*) delivered for licensed premises for venue operators, Designated Premises Supervisors, and those in managerial positions.

We encourage licensed premises to incorporate the freely accessible ACT E-learning and the SCan for All eLearning resources as part of wider staff training packages. We also encourage licensed premises owners to make use of the

information and guidance available on the Protect UK platform including use of the Protect UK App.

The licensing authority also expects that steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:

- The current terrorist threat level
- What that level means in relation to the possibility of an attack.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack.
- All persons responsible for security are briefed at every event about the current threat level and risk of terrorist attack.
- All public-facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly so that investigations can be made, and action taken, if appropriate.
- All public facing staff know the appropriate actions to take in the event of an incident which may include, but is not limited to, a marauding terrorist attack, unattended/suspicious items, vehicle borne attack. Advice and guidance available on Protect UK.

Requests for in-person training can be submitted via email to communitysafety@middlesbrough.gov.uk .

Act Awareness and SCan for All eLearning resources can also be requested from communitysafety@middlesbrough.gov.uk

5.8 There are a number of areas where effective Policies and Procedures are essential to a well-managed licensed premises and demonstrate that management are committed to the promotion of the licensing objectives. These include: -

- Regular, documented and on-going staff training addressing alcohol sales, drunkenness, underage sales, proxy sales, crime prevention, thefts, disorder and conflict management.
- Maintenance of Incident Logs for recording incidents of crime and disorder and a Refusal Register
- **Drugs Policy, where applicable, should be implemented by the premises licence holder in consultation with Cleveland Police.**
- Procedures for assessing risk associated with special events
- Participation in the Middlesbrough Pub Watch Scheme, Middlesbrough Council
- Licensing Forums, Best Bar None and any other relevant schemes
- Policy to deal with the disposal of weapons
- Policy to promote the duty of care for dealing with patrons suffering adversely from the effects of alcohol/drugs and victims of disorder
- Anti-theft strategy
- Regular Security reviews and Policy to address issues of public security e.g. Anti-terrorism measures
- Lost Property Procedure

5.9 Off-Licence Premises

There has been a trend towards more alcohol being purchased from shops and consumed at home and less being purchased and consumed in traditional pubs, restaurants and night clubs than used to be the case in the past. This change has the potential to create specific problems and undermine the licensing objectives, which have been evidenced in some areas of the town. These include easier access to alcohol by children, thefts from off licence premises, increased incidence of street drinking, and increases in anti-social behaviour, crime and disorder and public nuisance. The availability of alcohol at cheaper prices through sales from off licence premises has supported the growing practice of “pre-loading” - people consuming alcohol before going out to an on licensed premises.

5.10 There are a number of ways in which Licensees can operate their premises to uphold the licensing objective of preventing crime and disorder and thereby addressing these concerns. Any proposals should take into account the size, type, location, and proposed hours at the premises. The Licensing Authority expects applicants to consider, amongst other things, the following:

- The location of alcohol stock. This should be detailed on a plan and located away from entry/exit points where it can be easily stolen, interfere with customer flow and, in larger premises, away from checkouts. The location of products which are considered high risk for dependent or underage drinkers. These should be displayed in a secure location or behind the counter.
- The provision of good quality, colour, digital CCTV can act both as a deterrent and as a useful tool in detecting crime and disorder. Access to CCTV should be readily available for viewing by Police and other Responsible Authorities and staff should be trained in its use. Footage should normally be retained for 31 days (or lesser period as agreed with the Police) and be capable of producing evidential quality footage in disc format for use in court. Consideration should also be given as to the location of CCTV cameras to ensure full coverage both inside the premises and external areas, particularly those covering entrances and exits to the premises.
- Considering the **non-sale** of certain alcohol products such as super-strength beer, lagers, ciders or **perry products** of 6.5% ABV (alcohol by volume) or above.
- Banning the sale of single cans or bottles of beer or cider.
- **Consideration of restricting the sales area at any one time for the sale, exposure or display of alcohol.** (No more than (x)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol) This is dependent on the size and nature of the business, e.g. alcohol sales in premises such as post offices, newsagents.

5.11 There are a number of areas where effective Policies and Procedures are essential to a well-managed licensed premises and demonstrate that management are committed to the promotion of the licensing objectives. These include: -

- Regular, documented and on-going staff training addressing alcohol sales, drunkenness, underage sales, proxy sales, crime prevention, thefts, disorder and conflict management.
- Maintenance of Incident Logs for recording incidents of crime and disorder and a Refusal Register

- Participation in Middlesbrough Council Licensing Forums and any other relevant schemes
- Anti-theft strategy and Regular Security reviews

5.12 Designated Premises Supervisor

Any premises where alcohol is sold under a premises licence must have a designated premises supervisor (DPS). The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made or authorised by a person who holds a personal licence (or must be made or authorised by the management committee in the case of community premises).

The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times.

5.13 The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The Authority expects that this will be in excess of 50% of a 7-day week, and at the following times:

- Between 22:00 hours and closing time, when the premises is one that regularly opens after midnight for both regulated entertainment and the sale or supply of alcohol for consumption on the premises.
- At times where there is a substantial increase in customers i.e. for televised major sporting events, Christmas/New Year and other Public/Bank Holidays, any other special events.

The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

5.14 Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises' licence.

5.15 Authorisation by Personal Licence Holders.

The Licensing Authority will encourage personal licence holders to authorise members of staff to make sales of alcohol. The Licensing Authority strongly recommends this authorisation should be in writing in accordance with the Guidance issued under the Licensing Act 2003.

Whilst the DPS or personal licence holder may authorise other individuals to sell alcohol in their absence, they are responsible for any sales that may be made. Therefore, clear instructions and procedures must be in place. This would assist personal licence holders in demonstrating due diligence should enforcement issues arise and would protect employees if they themselves were challenged in respect of their authority to sell alcohol.

5.16 Door Supervisors

Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives, they will need to be licensed by the SIA as a supervisor/manager.

The numbers of licensed door supervisors, both male and female, required at any premises will be dependent upon the nature of the activities licensed and the characteristics and capacity of the establishment and hours of trading.

6.0 Public safety

6.1 The Act covers a wide range of premises that require licensing. Each premises presents a mixture of risks, with many common to most premises, and others unique to specific operations.

It is essential that applicants understand these risks, that they are managed, that the premises are constructed or adapted and operated in such a way to safeguard the occupants. The Licensing Authority considers that when carrying out a risk assessment of the premises the applicant should also include the immediate vicinity.

6.2 It is expected that applicants will have addressed the requirements of the Health and Safety at Work Act, Fire Safety legislation and any appropriate technical standards. Applicants are advised to seek advice on such matters from the Council's Health and Safety Service, Health and Safety Executive, Cleveland Police and Cleveland Fire and Rescue Service.

6.3 The Licensing Authority will expect the operating schedule to detail how the premises will be maintained and managed to ensure public safety is maintained at all times. Risk assessments should be carried out and recorded to ensure that all reasonably foreseeable hazards are reduced or managed.

6.4 Consideration should be given to the following to ensure the safety of the public:

- First Aid Provision
- Public security
- Event control
- Polycarbonate Glass
- Fire Safety
- Electrical safety
- Building safety
- Transport
- Drink driving issues
- Provision of cooler, "Quiet" areas for customers
- Use of special effects such as pyrotechnics, smoke machines, lasers
- Special events such as foam parties, "silent" nights.

The use of special effects may require approval by the Fire Authority or Police and their advice should be sought prior to an event taking place.

6.5 The risk assessment should also determine the safe capacity of the premises. Consideration should be given to the following factors when establishing the safe capacity:

- the design and layout of the premises
- the location, availability and size of exits including emergency exits
- the nature of the premises or event
- the nature of the licensable activity being provided
- the provision or removal of such items as temporary structures, such as stage, or furniture
- the number of staff available to supervise customers both ordinarily and in the event of an emergency
- the age of the customers
 - the attendance by customers with disabilities, or whose first language is not English
 - availability of suitable and sufficient sanitary accommodation nature and provision of facilities for ventilation
 - the nature, layout, position and construction of dance floors and the segregation of dance floors from other areas
 - the provision of an adequate and appropriate supply of first aid equipment and materials and personnel.

The Licensing Authority will only impose a maximum number of people that can attend premises or an event where there is a clear and justifiable need in respect of that particular premises or event. Any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular the Council's Building Control Section, Environmental Health Section and the Cleveland Fire and Rescue Service before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

6.6 Toughened/Safety Glass Policy

Licensed venues that provide the sale or supply of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

6.7 Drugs/Knives/Weapons

The Licensing Authority will expect licensees to take all reasonable steps to prevent the presence of drugs on licensed premises and to take appropriate steps to prevent drugs changing hands within the premises in order to prevent tragedies as a result of drug misuse.

6.8 The Licensing Authority also expects that premises licence holders will also **take a zero-tolerance** approach to prevent the presence of knives and other weapons on their premises and that a log be kept of all drugs, knife and weapon incidents. The Licensing Authority expects procedures to be in place for the detection of knives/weapons and

drugs such as search procedures, toilet checks, metal detectors (see Crime and Disorder Section). Licence holders should also consider arranging training for their staff in relation to these matters.

7.0 Prevention of public nuisance

- 7.1 Many parts of this section are directly relevant to the Licensing Objective on the Prevention of Crime and Disorder and should be cross-referenced accordingly.
- 7.2 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

Public Nuisance is not narrowly defined in the Licensing Act 2003 and can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting a whole community.

The concerns relate, amongst other things, to noise nuisance resulting from music, human voices, ventilation equipment and vehicles, as well as light pollution, noxious smells and litter.

- 7.3 It should be noted that licensing law is not the primary mechanism for the general control of nuisance and anti-social behavior by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the licensee. The Licensing Authority considers that any conditions attached to the licence will seek to control the behavior of customers within the direct management of the licence holder. This includes reducing the impact of the behavior of customers entering or leaving the premises on people living or working near the premises. The Licensing Authority considers that patrons who are using external smoking shelters or areas that are there as a direct result of the licensed premises and is within the control of the licensee.

7.4 Location and Impact of Activity

In predominately residential areas the Licensing Authority will normally expect licensable activities to cease at 11pm, with premises to close no later than 11.30pm.

Hours of 12am and beyond will be more favorably considered for premises located:

- In predominantly commercial areas, such as the Town Centre (subject to the application of the cumulative impact policy); and
- Where there is a high level of accessibility to public transport services; and
- Where there is an appropriate amount of car parking, readily accessible to the premises; and
- Where the operating schedule demonstrates that the applicant has taken appropriate steps to comply with the licensing objective of preventing public nuisance, and which minimizes the impact of licensable activities on those living and working in the area.

- 7.5 The Licensing Authority will expect applicants to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained, with the intention of preventing public nuisance relevant to the individual style, location and characteristics of the premises and events.

- 7.6 Where applicants are completing operating schedules the Licensing Authority encourages them to have regard to whether any proposals may have a disproportionate impact in residential areas or near other sensitive premises such as nursing homes, old people's accommodation, hospitals, schools or places of worship.
- 7.7 It is recommended that applicants consult with Environmental Health Officers prior to submitting applications for advice on measures that may need to be incorporated into an operating schedule. This may include, but is not limited to: -
- Whether noise control measures such as noise limiting devices, acoustic curtains, speaker mounts, double glazing are required.
 - Whether doors and windows can be kept closed whilst entertainment is taking place or after a particular time
 - A Dispersal Policy for patrons at the end of the evening, including signs being placed at exits to buildings encouraging patrons to be quiet until they leave the area, and to respect the rights of residents
 - The size, location and hours permitted for the use of outdoor drinking areas
 - The size and location of smoking areas which may encourage patrons to use external areas more extensively than for just smoking and returning to the inside of the premises
 - The display of contact details or a direct telephone link to a private hire/taxi firm
 - Provision of bins for cigarette litter
 - End of trading cleaning/clearing up procedures, in particular cigarette litter, empty glasses/bottles and other waste around the vicinity of the premises.
 - Effective waste collection arrangements to ensure that waste collections are not made at times which are likely to cause disturbance to nearby residents and businesses.
- 7.8 If relevant representations are made by Environmental Health or by local residents, the Council will consider whether issues relating to public nuisance can be effectively dealt with by the imposition of conditions to regulate activity and the behaviour of patrons on or in the vicinity of the premises. Any conditions attached will not seek to manage behavior of patrons once they are beyond the direct management of the licence holder but, they may seek to reduce the impact of their behaviour on people living or working near the premises.
- 7.9 The Council recognises that it is necessary to balance the rights of local residents, businesses and others with those wishing to provide licensable activities and of those who wish to use such facilities.

However, ultimately, if it is necessary for the promotion of this licensing objective, where conditions do not adequately address the issues, an application may be refused or the hours sought by the applicant reduced.

7.10 Takeaways and fast-food outlets

The Licensing Authority expects takeaways and late-night refreshment premises to take reasonable steps in clearing litter from outside their premises and along the pavement in either direction as necessary, whilst the premises are open and at the end of the working day. These premises should maintain clean, dirt or grease free frontages. Such premises should also provide notices advising patrons of the location of bins and that they should use the bins provided.

8.0 Protection of children from harm

8.1 The Licensing Act 2003 encourages a family friendly culture around alcohol and other licensable activities, and this must be achieved in such a way that child protection and safeguarding issues are not compromised. The Licensing Authority in carrying out its functions under the Licensing Act has a legal obligation to promote the protection of children from harm. The Licensing Authority also considers that Licence Holders have responsibility to ensure so far as possible that children and young people are protected from harm at their premises. While the Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from harm and the effects of alcohol on parenting.

This licensing objective should be considered in relation to the safeguarding of children and young people in its widest sense. The protection of children from harm requires children and young people to be protected from physical, psychological and moral harm. This includes the issues of the risk of child sex exploitation, vulnerability and anti-social behaviour around a licensed premises. In many licensed premises such as hot food takeaways, restaurants, sports venues and off licences young people can enter without an adult, in some licensed premises young people can be employed and these factors and risks should be a considered in any application in order to ensure they are protected from any harm.

Child Sexual Exploitation.

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

There are a number of criminal offences associated with Child Sexual Exploitation (CSE) which could have damaging consequences for a hospitality business, including a possibility of prosecution, action being taken against a premises licence and reputational and/or financial damage.

It is the responsibility of premises licence holders and their managers to make sure that suitable control measures are in place at licensed premises for the protection of children from harm. This is a legal requirement under the Licensing Act 2003 and there are legal implications if licensed premises do not have safeguards in place or fail to act if sexual exploitation of children occurs, or is believed to have occurred, on the premises.

Hotels and hostels play an important role in protecting children from harm. These premises may sell alcohol either in a bar, restaurant, at an event on the premises or in rooms, either via room service or mini bar. Therefore, sufficient procedures and suitable training must be provided to staff on age restricted sales. These venues often have children staying at their premises who are accompanied by an adult. The licence holder and staff have an important part to play in safeguarding children

and young people. Hotels are often used as a place to exploit and abuse victims of child sexual exploitation. The Police have powers to demand guest information in connection with child exploitation.

- **All children must be safeguarded from harm and exploitation whatever their:
Race, religion, first language or ethnicity.**
- **Gender or sexuality.**
- **Age, Health, ill-health or disability.**
- **Location or placement (e.g. living alone in a hostel or residential unit, with family or a foster family; as a tourist in a hotel, etc.).**
- **Criminal or offensive behaviour, wealth or lack of it.**
- **Political or immigration status**

To play a positive role in preventing child sex exploitation and to ensure businesses are not vulnerable to being associated with child sexual exploitation applicants are expected to work with the authority and applicants should therefore refer to this section of the Licensing Policy.

8.2 Awareness raising, training and competency on safeguarding and child protection matters.

The Licensing Authority consider that a licence holder is responsible for ensuring that their staff are fully aware of their responsibilities regarding protecting and safeguarding children who use their licensed premises. The level of awareness and knowledge required will depend on the type of licensed premises, the level of engagement with young people and the risk associated with the premises.

A licence holder may ensure his awareness of safeguarding issues by:

Identifying and managing any risks at their premises by considering if young people have access to the premises and what is the purpose of that access,

Ensuring that staff are aware who and where to report concerns or suspicions

Provide awareness training to all members of staff on a six monthly or quarterly basis on safeguarding issues which may include:

- Being alert to the possibility of child abuse and neglect.
- Recognising suspicious, abusive or potentially abusive event or set of circumstances.
- Knowing who to raise concerns with – which staff member in the premises
- Being competent in taking the appropriate immediate or emergency action and
- Knowing how to make a referral to the appropriate organisation and/or the Police. (Contact details are: The First Contact Team tel no: 01642 726004 (office hours) or 08702402994 (out of hours) or by [email: firstcontact@middlesbrough.gcsx.gov.uk](mailto:firstcontact@middlesbrough.gcsx.gov.uk))

8.3 Applicants/licence holders should be familiar with guidance and information on

safeguarding matters. Procedures and information are available at the Local Safeguarding Children Boards' website: www.teescpp.org.uk. A checklist is available which can be used to guide licensed premises on the operation of their business to

reduce the risk of child vulnerability and safeguarding concerns arising in their premises. The Licensing Authority encourages applicants and premises licence holder to regularly review their procedures and processes in relation to protecting children from harm. (see also paragraph 8.6) In some cases the Licensing Authority may consider that a written children and young people's risk assessment is carried out and this will be dependent on the risk associated with a premises. The risk will be considered on a case-by-case basis and will be determined by such factors as the type of premises, types of events held, local intelligence and any operational issue which may have arisen.

- 8.4 The Act makes it an offence for any child under the age of 16 who is not accompanied by an adult from being present:
- At any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
 - Between the hours of midnight and 05:00 hours on restaurant premises or other premises that supply alcohol for consumption on the premises
- 8.5 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises where it is necessary to prevent physical, moral or psychological harm. The Licensing Authority will expect applicants/licence holders to consider the potential risks of safeguarding or child protection issues associated with their premises and to indicate in their operating schedule how they intend to operate their business to uphold this objective.
- 8.6 Licensing Authorities and Responsible Authorities expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises. Conditions relating to the protection of children from harm can include:
- 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 (below 18).
 - 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.

Additional controls

- 8.7 The Licensing Authority may consider additional controls to be necessary in the following premises:
- Where there have been convictions for serving alcohol to minors
 - Where there is evidence of under-age drinking in the vicinity of the premises
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided.
 - Where the type of premises may present increased risk to the health and wellbeing of young people

Age verification schemes

- 8.8 The Licensing Authority will work closely with the Police and the Council's Trading Standards service to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16- and 17-year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over.
- 8.9 It is mandatory for premises which supply or sell alcohol to have an age verification scheme in place. However, the Licensing Authority expects applicants to operate a Challenge 21/25 scheme and when this is included in an operating schedule, appropriate weight will be given when the Licensing Authority determines the licence application.

The currently accepted verification for proof of age is a passport, a photo card driving licence or an accredited proof of age scheme bearing either a holographic mark or ultraviolet feature.

8.10 Guidance for door staff when checking ID.

(Please refer to Home Office "False ID Guidance", 2012 for more information) The fraudulent use of ID and fake ID allow young people to access licensed premises and make themselves vulnerable to the effects of the consumption of alcohol. The Licensing Authority recognise the importance of door staff at the front line of tackling the issue of false ID. Therefore, it is essential that they understand how to identify false ID and deal with it appropriately.

Consideration should be given to the use of SCANNET or similar devices which is used to detect false identification by those that seek unlawful entry to a licensed premises.

Whilst only certain categories of person (for example, a police officer) have legal powers to seize false ID, any member of staff presented with false ID may ask for it to be handed over. It is proposed that the following procedure should be followed in a licensed premises in relation to checking ID:

- Check the photograph. The area in which door staff operate should be well lit, or they should otherwise be provided with light sources to ensure that they can check ID sufficiently.
- Ask questions to carry out further checks on:
 - their date of birth
 - their post code
 - their age
 - their star sign, or
 - ask for another form of ID, e.g. student card,

When ID is found to be false:

- if an individual fails to hand over the false ID when requested, the Police may be called to investigate the possible commission of an offence relating to the use of the false ID.
- doorstaff should fill out the incident book to record when the ID came into their possession and that the details of the incident are not lost between shifts.
- A description of the person using the ID, and the time of the incident may also be useful to the police.
- The ID should be stored and locked away in a secure place until the Police are ready to collect it or a manager takes it to the police station with 72 hours of confiscation.

Signs placed at the entrances to premises can deter young people who intend to use false. An example of wording for these signs is below:

“These premises operate a Challenge 25 policy. You may be asked to show ID if you appear to be under 25. If the ID that you present is suspected to be false or belonging to someone else, you may be refused entry to these premises and you may be asked to hand over the ID so that it can be given to the police. If you fail to do so, the police may be called. Gaining entry to these premises using fake ID or ID that doesn’t belong to you may be a criminal offence.”

Underage and mixed age events

8.11 The Licensing Authority is aware of young persons’ vulnerability to alcohol. Events which are aimed at children under the age of 18 years on licensed premises often provide an incentive for children to consume alcohol off the premises (“pre-loading) or to “smuggle” alcohol into the premises during the event. Mixed age events also carry similar risks, with the additional consideration of proxy sales and the relevant management required. Such events are not supported by the Licensing Authority unless the applicant can demonstrate that appropriate policies and procedures are in place to ensure that the licensing objective will be upheld.

8.12 The Licensing Authority, Middlesbrough Police and the Local Authority Children’s Service support the application of a “Good Practice Guide” for events catering for under-18’s and for mixed events of under and over 18’s. This Guide is highly recommended by the Licensing Authority and should be adhered to by licence holders and event organisers. This document is attached as Appendix 5.8.13

8.13 Advertising

The Licensing Authority commends the use of the ‘Portman Group’ Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises and that they are targeted at persons only over 18 years of age.

Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel’s decisions are published online. If a product’s packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with.

We would encourage retailers to sign up to and abide by Retailer Alert Bulletins. The Secretary of State's Statutory Guidance under the Licensing Act 2003 states that licensing authorities should, in the exercise of their licensing functions consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group's Retailer Alert Bulletins.

Premises Licence Holders should also give consideration to **their pricing of soft drinks** pricing so as not to discourage consumption of soft drinks.

In licensed premises where the primary use is for children's activities i.e. soft play/bowling, the advertising of alcohol should be restricted to the licensed areas where alcohol sales are made.

8.14 Licensed premises and their local environment supervision of children on licensed premises

Where entertainment requiring a licence is specifically presented for children, the Licensing Authority will normally expect the presence of at least one member of staff from the licensed premises for every 50 children present to ensure their safety and protection from harm and to control their access and egress from the premises. The Licensing Authority will require those caring for or supervising children to have undergone an appropriate Criminal Record check with the Disclosure and Barring Service.

- 8.15 With regard to this Licensing Objective, the Licensing Authority considers Middlesbrough Council Children's Service to be the competent authority for matters relating to the protection of children from harm.

Applicants are advised to seek advice from the Responsible Authority for the Protection of Children and incorporate any recommendations in their Operating Schedule before submitting their applications.

8.16 Adult entertainment (including nudity and stage hypnotism)

Applicants for premises licences or club premises certificates under the Licensing Act 2003, must state in the application whether any adult entertainment may be provided which may give rise to concern in respect of children. If such entertainment is to be provided the Licensing Authority will expect the applicant to have given particular consideration to the promotion of the licensing objectives in relation to the protection of children from harm.

- 8.17 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual/adult content after 8.00pm. The Licensing Authority expects applicants to be clear in their operating schedules about the activities and times at which the events will take place and to determine when it is appropriate for children to enter the premises. In relation to sexual entertainment, the applicant should also consider the proximity of their premises to schools and youth clubs and that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

9.0 General policies

The policies detailed below have a generic impact on upholding several of the licensing objectives.

9.1 Irresponsible drinks promotions, sales and pricing

There is a relationship between the pricing of alcoholic beverages, the consumption of alcoholic drinks and resultant issues associated with crime and disorder. When alcoholic drinks are offered and sold at low prices e.g. at or below cost prices from both 'on' and off'-trade premises, alcohol consumption can increase leading to adverse effects on all of the four licensing objectives.

Cheap and readily available alcohol can contribute significantly to antisocial behaviour, drunkenness, disorder and other criminal behaviours that can blight areas, damage communities and place people at risk of harm.

Central Government has a major role to play in dealing with alcohol pricing and its availability nationwide and Middlesbrough Council support action at a national level. At a local level, the Licensing Authority through this policy sets out its own role and responsibilities in relation to influencing and where appropriate, controlling the sale, promotion and availability of alcohol.

9.2 Promoting responsible retailing

The Licensing Authority's aim is to support and encourage responsibility in the sale, supply and consumption of alcohol within the borough. The Licensing Authority does not intend to impose general or blanket conditions across all licences.

However, where evidence exists that the licensing objectives are being compromised or are likely to be adversely affected in an area, consideration may be given to the imposition of appropriate licensing controls on specific premises e.g. alcoholic drinks promotions and other sales techniques to deal with localised problems. For example, controls could include evidenced based and tailored restrictions for specific premises on the sale of particular alcoholic drinks, as part of a number of control measures designed to deal effectively with any specific and identifiable problems.

9.3 Pricing of Alcohol

The Licensing Authority will encourage all licensed premises to apply a minimum unit price of **65p** to all alcoholic products sold under their Premises licence. (The unit pricing will be reviewed in line with national Guidance.)

9.4 Where the premises are found to be selling alcohol below this price, and problems associated with that premises are in breach of the licensing objectives, a responsible authority or interested party may bring a review. Following the review, the Licensing Committee may impose a condition in relation to the pricing of alcohol, in order to uphold the licensing objectives.

9.5 There are local and national concerns about the potential for drunkenness and disorder by discounting the cost of alcoholic drinks and or other sales promotions which may encourage people to consume larger quantities of alcohol. The mandatory conditions brought in to force in April 2010, may address the issue of irresponsible drinks

promotions in on licence premises where it is likely to adversely affect the licensing objectives. However, the Council is also aware of the impact of the availability of cheap alcohol sold through off licence premises, particularly products consumed by binge drinkers, problem and underage drinkers. The Licensing Authority will expect applicants to demonstrate in their operating schedule how the pricing of alcohol products on sale in their premises will not negatively impact on the licensing objectives.

9.6 Alcohol deliveries

The Licensing Authority considers there are particular risks associated with delivery services for alcohol.

An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures, they intend to implement to ensure that:

- The person they are selling alcohol to is at least 18 years of age. The alcohol is delivered to a person who is at least 18 years of age.
- A clear document trail of the order process from order, dispatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer.
- The time the alcohol is sold and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.
- **Age verification procedures are implemented at both point of sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery.**
- **Retailers should ensure that delivery staff, including third party delivery services, have been given appropriate training in procedures relating to requesting and identifying proof of age and implement these procedures as standard.**

9.7 Petrol stations

Under Section 176 of the Licensing Act 2003, no premises licence, club premises certificate or temporary event notice has effect to authorise the sale by retail or supply of alcohol on or from excluded premises. "Excluded premises" means a motorway or trunk road service area or premises used primarily as a garage or which form part of premises which are primarily so used.

9.8 The Licensing Authority will require information from the applicant regarding the primary use of the premises prior to the hearing. Trading figures can be used to determine the issue of primary use. If a premises licence is granted, the premises licence holder must ensure that alcohol is not sold or supplied at any time when the premises are used primarily as a garage.

9.9 Events organised by external promoters

Premises Licence holders, DPSs and Personal Licence holders remain responsible for activities taking place on premises when events organised by external promoters take place. In addition, the Licensing Authority will expect premises licence holders to have in place written agreements to ensure that when hiring out venues to promoters, the responsibility for the management of the premises is clear. The Promoter and its employees or agents shall comply in all respects with all conditions, requirements and regulations of the Local Authority, Licensing Authority, Police Authority and Fire Authority.

9.10 Takeaway food premises

The Licensing Authority considers that it will normally be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).

9.11 It is recognised that takeaway premises open late at night can be associated with disorder. They may be frequented by persons under the influence of alcohol having left, or in some cases being ejected from, late night venues. There are many steps that an applicant can take to prevent crime and disorder.

It is also recognised that takeaway premises can be a focal point for young people to meet, and sometimes for predatory activity by adults.

9.12 The applicant may wish to seek the views of the Police and Children’s Services on appropriate measures to be included in their operating schedule. Any proposals should take into account the size, type, location, and proposed hours and activities taking place at the premise. The Licensing Authority expects applicants to consider, amongst other things, the following:

Written policies for dealing with disorder and nuisance including the provision of Incident logs for recording incidents of crime and disorder.

The provision of good quality, colour, digital CCTV. Access to CCTV should be readily available for viewing by Police and other Responsible Authorities and staff should be trained in its use. Footage should normally be retained for 31 days (or lesser period as agreed with the Police) and be capable of producing evidential quality footage in disc format for use in court. Consideration should also be given as to the location of CCTV cameras to ensure full coverage both inside the premises and external areas, particularly those covering entrances and exits to the premises.

- Regular, documented and on-going staff training addressing the prevention of crime and disorder, antisocial behaviour, drunkenness, conflict management, and safeguarding and child sexual exploitation.
- Imposing a terminal hour when unaccompanied children (U18’s) are permitted on the premises (e.g. 11pm)
- Signs at exits to encourage customer to be quiet until they leave the area, and to respect the rights of residents.

9.13 Operators of takeaway premises (including mobile units) must have suitable arrangements in place for the containment and disposal of their waste in accordance with the Environmental Protection Act 1990 and subsidiary regulations. Operators of premises where food or drink is provided in disposable containers for consumption elsewhere than on the premises are expected to consider the potential for litter near their premises and take steps to actively reduce the amount of litter generated from their premises. Applicants are also asked to consider the type of packaging container, whether it is always necessary and whether it can be sourced from sustainable materials.

Operators of takeaways should have in place end of trading cleaning/clearing up procedures, in particular for litter, empty food containers and other waste around the vicinity of the premises.

Where the Licensing Authority considers it appropriate and necessary, it may impose conditions on a premises licence to require the operators of premises serving customers with hot food or drink to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter from its customers. It may require the proprietor to service those litter bins as part of their own waste management arrangements.

9.14 Pavement cafes and external areas

The provision of tables and chairs outside premises can enhance the attractiveness of a venue. The implementation of the smokefree legislation and impact of Covid 19, where legislative changes by Government made it easier for licensees to provide outside spaces for licensable activities, has resulted in an increase in the number of outdoor seating/smoking areas for customers. However, regard should be had to ensure that the use of such areas will not cause nuisance to the occupiers of other premises in the vicinity.

Specific guidance for the operation of pavement cafes is available from the Council's website, or on request from the Licensing Authority.

Very often external seating areas are provided as the designated location for smokers. If the area is provided for smoking, the licensee is expected to provide ash trays or wall mounted cigarette bins for patrons so as to minimise litter.

Licensees should also be aware of the possibility of breakages of drinking glasses and glass bottles in outside areas. Consideration should therefore be given to the use of toughened or 'plastic' drinking vessels and other management controls to avoid or lessen the likelihood of broken glass in these areas.

The Licensing Authority has a number of concerns with respect to the development of external areas to licensed premises and will consider imposing conditions to improve the management of the outside area or prohibiting or restricting access.

9.15 External areas used for smoking

Where there is no provision for a designated smoking area, customers may start to use the external areas of the premises, entrances and doorways for smoking. Some of these locations may be considered to be enclosed spaces, and if they do not comply with smokefree legislation premises licence holders are expected to take appropriate action to address this with their customers. Some of these "unofficial" locations may also have an impact on local residents in relation to noise disturbance.

Ideally, a designated, compliant location for smoking should be identified. Consideration should be given to the following:

- Prohibiting alcohol from being consumed in these areas
- Locating smokers' area away from noise sensitive premises
- Effective management of these locations to discourage prolonged periods of time spent by customers
- Effective cleaning and refuse storage arrangements should be in place to prevent the build of smoking refuse. End of trading clean up arrangements should also be in place.

9.16 Novel psychoactive substances (Nps)

Novel psychoactive substances (NPS) (previously known as legal highs) mimic the effects of illegal drugs (like cocaine, cannabis and ecstasy) while being designed to evade controls. There is evidence that such NPS products can cause harms, particularly if taken in combination with alcohol.

The Licensing Authority will at the time of any licensing application or during any review proceedings consider whether conditions are appropriate to prevent the sale of such products alongside the sale of alcohol at both on and off licensed premises in order to promote the licensing objectives of the prevention of crime and disorder, public safety and the protection of children from harm.

9.17 Drinking up time

The traditional 'drinking up time' for on licensed premises was not carried over into the Licensing Act 2003. However, in order to reduce the impact on the surrounding area and to assist with the gradual dispersal of customers, applicants will normally be expected to include a 30-minute drinking up time into their operating schedule.

9.18 Boxing (including MMA and other Combat Sports) Need to retype this content below and get rid of grey background

To ensure the safety of fighters and crowds attending the event and to reduce the risk of crime and disorder the Premises Licence Holder must ensure an Event Management Plan is submitted by the Event Organiser.

The Plan must set out (but is not limited to):

- Security Arrangements, including the use of SIA Registered Door Supervisors
- the measures that will be in place to ensure the safety and welfare of competitors; including medical facilities and qualified staff provision
- fighter details
- how fighters will be matched
- layout of the venue
- competition rules
- referee details including qualifications.

Premises Licence holders should notify Cleveland Police of boxing events to be held on their premises. We would expect premises licence holders to notify the Police at least 28 days in advance of such events.

Bare Knuckle Boxing

Bare knuckle boxing can be considered as 'boxing or wrestling entertainment' under the Licensing Act 2003. Professional boxing in the UK is licensed by the British Boxing Board of Control (BBBC). The BBBC does not condone or support bare knuckle boxing. In addition, the degree of violence and the likelihood of serious injury to the boxers are factors for a licensing authority to consider in assessing an application to carry out bare knuckle boxing. Also relevant are the licensing objectives in relation to preventing disorder and public nuisance. The crowds at boxing events have generally been considered more of a threat to these objectives than performances of other martial arts

(such as judo). For these reasons a policy decision has been made in order to promote the four licensing objectives under the licensable activity of boxing:

- No bare-knuckle boxing event will be permitted.
- No bare-knuckle combined fighting sport will be permitted.
- No event advertised or promoted as bare-knuckle boxing or bare-knuckle fighting will be permitted.

Bare knuckle boxing will be defined as:

- boxing without the use of gloves, and
- boxing with hand wraps only.

10.0 Cumulative impact policies (CIP)

10.1 Introduction

“Cumulative impact” means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its licensing policy statement. Cumulative impact policies (CIP) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late-night refreshment. This includes late-night fast-food outlets which are not licensed to sell alcohol.

10.2 A Licensing Authority may consider a Cumulative Impact Policy where they are satisfied that there is evidence that the high density of licensed premises in one area is having a detrimental effect on one or more of the licensing objectives. This can include serious problems with disorder and nuisance. Problems can occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport. Licensing authorities can also consider whether the late-night refreshment premises or off licences in an area contribute to these problems and may choose to include them in their cumulative impact policy.

10.3 In order to adopt a Cumulative Impact Policy a Licensing Authority must first carry out a Cumulative Impact Assessment (CIA) to determine whether there is sufficient evidence. The assessment must be reviewed every three years from the date it came into force. In Middlesbrough the assessment relates to the areas shown within the policy as a Cumulative Impact Policy Areas 1 & 2. This assessment applies to all grants and material variations of premises licences and club premises certificates. The Cumulative Impact Assessment is available on the Council website [\(to insert weblink\)](#).

10.4 In forming its Cumulative Impact Policy the Licensing Authority has considered the evidence contained in the Cumulative Impact Assessment which includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots.
- statistics on local anti-social behaviour offences.
- health-related statistics such as alcohol-related emergency attendances and hospital admissions.

- evidence obtained through local consultation

The Licensing Authority has also considered trends in licensing applications since the review of the last Policy and the implementation of the new licensing regime in 2005.

- 10.5 Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application. Applications for premises located in the Area 1 CIP which do not impact negatively on the licensing objectives will be considered and applicants are encouraged to discuss their proposals at their formative stage with the Licensing Authority and Responsible Authorities.
- 10.6 A Cumulative Impact Policy does not relieve responsible authorities (or any other persons) of the need to make a relevant representation, which should refer to the reasons, information and evidence presented to the Licensing Authority when it developed its Statement of Licensing Policy, before a Licensing Authority may lawfully consider giving effect to its special policy. If there are no representations, the Licensing Authority will grant the application in terms which are consistent with their operating schedule.
- 10.7 Middlesbrough's Cumulative Impact Policies will be reviewed every 3 years, in line with statutory requirements, by carrying out a Cumulative Impact Assessment to assess whether they are needed or if those which are contained in the Statement of Licensing Policy should be amended.
- 10.8 **The Council makes it clear in this policy that cumulative impact, in the absence of a specific 'special' policy, can still be raised in relevant representations and could form the basis for legitimate questions by members of the Licensing Sub-Committee. i.e. the absence of a special policy does not prevent the issue of cumulative impact being properly raised, considered and acted upon in the interests of promoting the licensing objectives.**

10.9 Middlesbrough cumulative impact policies

10.10 Area 1 Cumulative impact policy

Having considered the evidence in the Cumulative Impact Assessment at Appendix 6 the Licensing Authority consider that the Area 1 Cumulative Impact Policy, for the town centre area should be in place as the density, number and type of licensed premises within this area are negatively impacting on crime and disorder, resulting in the high proportion of crime and anti-social behavior arising inside, outside or in close proximity to licensed premises. The Council is satisfied that there is good evidence that crime and disorder or nuisance are occurring in this location and are caused by the customers of the licensed premises, and that the cumulative impact of licensed premises in this location is evident.

- 10.11 The Area 1 CIP applies to a designated area of the town centre. The town centre area for the purposes of this policy is the area of land bound by Southfield Road, Woodlands Road, Victoria Road, Linthorpe Road, Princes Road, Diamond Road, Hartington Road, Wilson Street, Bridge Street West and Marton Road. This is shown in the map below:



In this area applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol on the premises or club premises certificates
- material variations to existing on licence premises or club premises certificates
- applications for new premises, seeking to provide a licence for hot food between 11pm and 5am where the food is purchased to take away from the premises and variation to extend the hours of such sales

10.12 When the Licensing Act was first introduced in 2005, there was a predominance of large, vertical drinking, late night premises which were contributing to the crime and disorder issues in location of the Area 1 CIP. Since this time there has been some considerable changes in the location of the night- time economy hubs and the types of licensed premises in the town. Since the last review of the Statement of Licensing Policy licensing applications which have been considered not to have a negative impact on the licensing objectives have been granted in the Area 1 CIP. This can be evidenced by the development of the Baker/Bedford Street area where licences for a number of smaller licensed bars, restaurants and cafes with an earlier closing time have been granted.

10.13 **Area 2 Cumulative impact policy 2 –Off licence premises**

The Cumulative Impact Assessment shows that the wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Berwick Hills and Pallister and Brambles and Thorntree have the highest level of crime and antisocial behaviour, the highest number of off licence premises and alcohol attributable hospital admissions.

10.14 The Licensing Authority considers that the density of off licence premises in these wards is having a negative impact on crime and disorder. Whilst maintaining public health is not a licensing objective, many of the hospital admissions arise from alcohol related crime and disorder.

10.15 The Area 2 Cumulative Impact Policy applies to the wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Berwick Hills and Pallister and Brambles and Thorntree. These wards are shown in the map below:

Applications in these wards for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol off the premises
- material variations to existing off licence premises.

10.16 The Licensing Authority considers that all applications will be considered on an individual basis and applications for off licences, or material variations to existing off licensed applications, which will not add to the cumulative impact will be granted.

10.17 It is noted that there is overlap between the areas covered by Area 1 Cumulative Impact Policy 1 in relation to on licence premises and late- night refreshment and Area 2 Cumulative Impact Policy 2 in relation to off licence premises.

11.0 Licensing enforcement and reviews

11.1 It is essential that licensed premises are managed, maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the Act. To ensure that premises are being operated in accordance with their licence conditions and promoting the licensing objectives, appropriate monitoring visits will be made at licensed premises. Visits to licensed premises will be determined by:

- Risk. Priority will be given to higher risk premises
- Any history of poor compliance
- Intelligence
- Complaints

11.2 Where the Licensing Authority receives complaints regarding licensed premises, complainants will be advised, where appropriate, to raise their complaint directly with the licensee in order to resolve the matter. However, the Licensing Authority, recognises that it is not always possible or practical for the public to raise complaints directly with the licensed premises. Officers will assess the complaint and determine the best approach to address any concerns.

Officers will also investigate complaints and allegations of unlicensed activities and ensure that relevant conditions are complied with. They will work closely with Cleveland Police and other responsible authorities to ensure compliance with licensing legislation.

The Licensing Authority will act in accordance with the Public Protection Enforcement Policy and in accordance with the Regulators' Compliance Code.

11.3 Reviews

The Licensing Act provides a process for reviewing premises licences and club premises certificates where problems associated with premises undermine the licensing objectives. Any person or organisation considering a review of a premises licence should seek advice from the Licensing Authority. Guidance in relation to the review procedure is available on the Council's website, using the following link -

<http://www.middlesbrough.gov.uk/CHttpHandler.ashx?id=3002&p=0>

Link does not work – need to contact digital team

- 11.4 At any stage during the life of a premises licence or a club premises certificate, an application for a review can be made to the Licensing Authority by any responsible authority, elected Member or any other person. If an application for a review is considered to be frivolous, vexatious or repetitious or where an application for a review is considered not relevant to the licensing objectives, the Licensing Authority will reject it.
- 11.5 Frivolous representations would concern minor issues which the Licensing Authority could not reasonably be required to take any action to remedy. Representations may be considered vexatious if they appear to be intended to cause aggravation or annoyance without reasonable cause.
- 11.6 The proceedings for reviewing premises licences and club premises certificates represent a key protection for the community from the negative impact of licensed premises. Local residents can request that their licensing authority review a premises licence where activities at licensed premises are undermining one or more of the licensing objectives.
- 11.7 Prior to requesting a review of a licence, the following action should be considered, as appropriate:
- Talking to those who manage the premises to let them know about the problem and give them the opportunity to address the issues,
 - Asking the licensing department at your council to talk to those who manage the premises on your behalf, or
 - Talking to the relevant “responsible authority” (e.g. local authority exercising environmental health functions in relation to noise nuisance, or the police in relation to crime and disorder) about the problem.
- 11.8 On receipt of a relevant and correctly made application to review a licence, The licensing authority will advertise the fact that a request for review of the licence has been received and allow a period of 28 days for other persons to make representations to it (such representations can be for or against the activities at the premises in question).

The Licensing Authority will arrange a hearing within the prescribed timescales. The Licensing Authority can consider one, or several of the following steps to promote the licensing objectives:

- modification of conditions, and/or,
 - exclusion of licensable activities, and/or
 - removal of the designated premises supervisor,
 - suspension of the licence/certificate for up to 3 months, or
 - the revocation of the licence/certificate.
- 11.9 After the period for making representations has expired, the Licensing Authority will hold a hearing to consider the request unless the request for review has been withdrawn. The request will in most cases be considered by the Licensing Sub-Committee who will hear representations from all parties involved.

11.10 The Licensing Authority will invite you to attend the hearing and give the applicant for the review the opportunity to address the Licensing Sub-Committee in support of the request for review. They must then give the authority at least 5 working days' notice (prior to the start of the hearing), advising:

- If they will attend the hearing in person,
- Whether they will be represented by someone else (e.g. councillor / MP /lawyer / residents' association representative / friend),
- If they think that a hearing is unnecessary (if, for example, the parties have come to an agreement before the formal hearing), or
- They may also request permission for another person to attend the hearing, and must advise the licensing authority how that person may be able to assist the authority in relation to the request for review

11.11 Once the Sub- Committee has listened to and considered all views and evidence, it must decide what (if any) action is appropriate to promote the licensing objectives. Actions can include:

- No action,
- Modifying the conditions of the licence (change, add or remove conditions – including operating hours),
- Excluding a licensable activity from the licence,
- Removing the designated premises supervisor,
- Suspend the licence for a period (not exceeding 3 months), and
- Revoke the licence.

11.12 The Licensing Authority will not expect a premises licence to be reviewed more than once within any 12-month period on similar grounds, except in exceptional circumstances or where it arises following a Closure Order.

11.13 Appeals against the decisions of the licensing authority

11.14 There is a right of appeal for all parties concerned with the request for review (i.e. the applicant for the review, the premises licence holder or any other person who made relevant representations in relation to the application). This means that they can appeal to the magistrates' court if they are not happy with the decision of the licensing authority.

11.15 If there is an appeal against a Licensing Authority's decision, and you are unsuccessful, the magistrates' court can award costs against the appellant if it sees fit. This would mean that they would have to pay other parties' legal costs as well as your own. However, the Magistrates' Association and the Justices' Clerks Society has advised that awarding costs for a licensing appeal should be an **exception** and not a rule, and any resident with reasonable grounds for appeal should not be penalised.

11.16 If the licence holder appeals against the Licensing Authority's decision, the appeal will be heard by the magistrates' court. The Licensing Authority will be the respondent to the appeal and may call the person who brought the review (and any other person or

responsible authority) as a witness in support of its case. The decision of the Licensing Authority in relation to the review will be suspended until the appeal is determined.

11.17 An application to appeal the decision must be made within 21 days of the notice of decision.

11.18 In hearing an appeal against the Licensing Authority's decision, the court will have regard to this policy and the guidance issued under Section 182 of the Licensing Act 2003. However, the court would be entitled to depart from both of these documents if it considers it justified so to do.

11.19 In respect of personal licences, appeals must be made to the Magistrates' Court in the area where the licence was issued. Appeals in relation to all other authorisations must be made to the Magistrates' Court where the premises or event is situated.

11.20 **Fees**

The Act requires the Licensing Authority to suspend a premises licence or club premises certificate if the holder fails to pay the annual licence fee in accordance with the invoice. Where the licence/certificate holder fails to pay the annual fee when due the Licensing Authority will notify the licence/certificate holder in writing specifying the date on which the suspension takes effect. This date will be 7 days after the day the Licensing Authority has given the licence/certificate holder such notice.

The Licensing Authority will work with Cleveland Police and appropriate action will be taken where premises continues trading whilst suspended. Where the licence/certificate holder has paid the annual fee the Licensing Authority will lift the suspension and inform Cleveland Police accordingly.

Chief Constable, Cleveland Police
Chief Constable, British Transport Police
Chief Fire Officer
CAMRA
Licensing Solicitors & Consultants
Arriva Ltd
The Gazette
Arts Council England
Association of Convenience Stores
Cinema Exhibitors Association
Workingmen's Clubs and Institute Union Limited
James Cook University Hospital
Federation of Licensed Victuallers Association
Citizens Advice Bureau
Institute of Licensing (Executive Officer)
British Beer and Pub Association
British Board of Film Classification
British Institute of Innkeeping
British Retail Consortium
The Northern Echo
Portman Group
Association of Licensed Multiple Retailers
Local Government Association
Local Safeguarding Children's Board
Community Safety Partnership
Town Centre Strategic Partnership
Police and Crime Commissioner
North East Ambulance Service
Integrated Care Board
Middlesbrough PubWatch
Community Councils
Local MPs
SIA Security Companies

Premise Licence Holders

Mayor and Ward Councillors

Hackney Carriage Association

Private Hire Operators

Responsible Authorities

Middlesbrough Council Services

Chief Executive

A copy of this policy has been placed on Middlesbrough Council's web- site at:

www.middlesbrough.gov.uk

Appendix 2 - Alcohol related Issues in Middlesbrough

In determining this policy, it is the view of the Licensing Authority that it is necessary to consider wider issues and how the policy may impact on them. Such issues are always

considered within the context of the licensing objectives. In 2013, Health became a responsible authority under the Licensing Act, and although there is no public health licensing objective within the Act, local health data can be considered in relation to upholding the four existing licensing objectives.

Alcohol is more available and accessible than ever before and it is for this reason that the Licensing Authority consider the importance of their role to ensure it is retailed and sold responsibly, from well managed premises and within the remit of the licensing objectives.

Most alcohol is consumed sensibly and without risk to health, however, the misuse of alcohol is a significant national and local public health challenge. It affects thousands of individuals, families, and communities across the country. The following statistics demonstrate the national picture in relation to the impact of alcohol:

National statistics on alcohol

- More than 80 people die every day in the UK because of alcohol-related causes
- In the UK since 1987 alcohol has become 74% more affordable.
- UK household expenditure on alcohol has almost doubled to £20.0 billion in 2018, from £10.4 billion in 1987
- Alcohol misuse costs England approximately £21bn per year in healthcare, crime and lost productivity costs More than 9 million people in England drink more than the recommended daily limits
- It is estimated that 2.6 million children in the UK are living with parents who are drinking hazardously
- Men and women aged 55 to 64 usually drink over 14 units in a week with 38% being men and 19% of women.

Alcohol and health

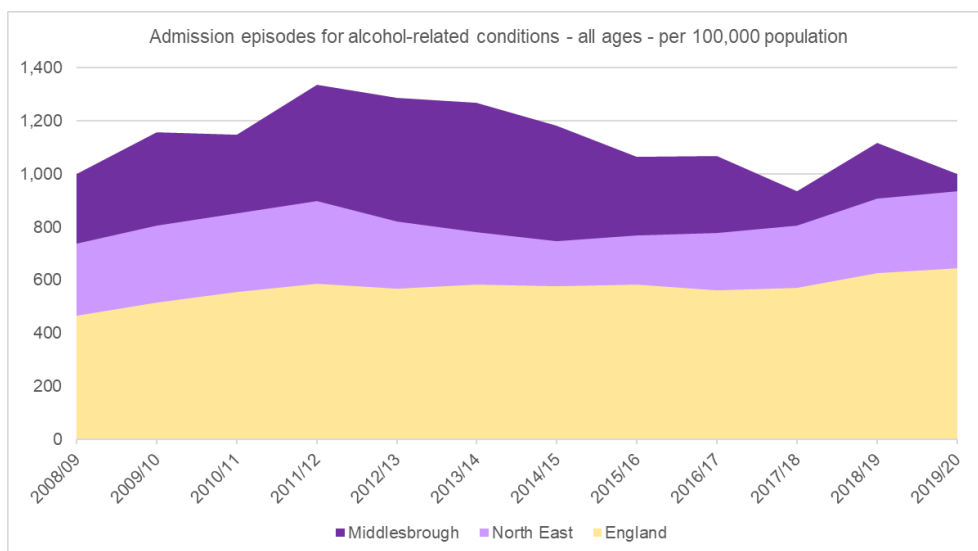
Alcohol is a causal factor in more than 60 medical conditions.

- Alcohol is a causal factor in more than 60 medical conditions, including: mouth, throat, stomach, liver and breast cancers; high blood pressure, cirrhosis of the liver; and depression
- In England in 2018/19, there were 1.26 million hospital admissions related to alcohol consumption (7.4% of all hospital admissions), 8% higher than the previous year. In the same period there were 358,000 admissions where the main reason was due to alcohol, 19% higher than ten years previously
- In the UK in 2018, alcohol-specific death rates were highest among 60–64-year-old females and 55–59-year-old males
- In 2018, the alcohol-specific death rate in the UK for males was 16.4 per 100,000 and 7.6 per 100,000 for females
- Alcohol-specific deaths made up 9.6% of all deaths in the 40-44 age group in the UK in 2018
- In the UK in 2018, the alcohol-specific mortality rate of men in the most disadvantaged socio-economic class was 3.9 times higher than for men in the least disadvantaged class, while for women the figure was 3.3 times higher

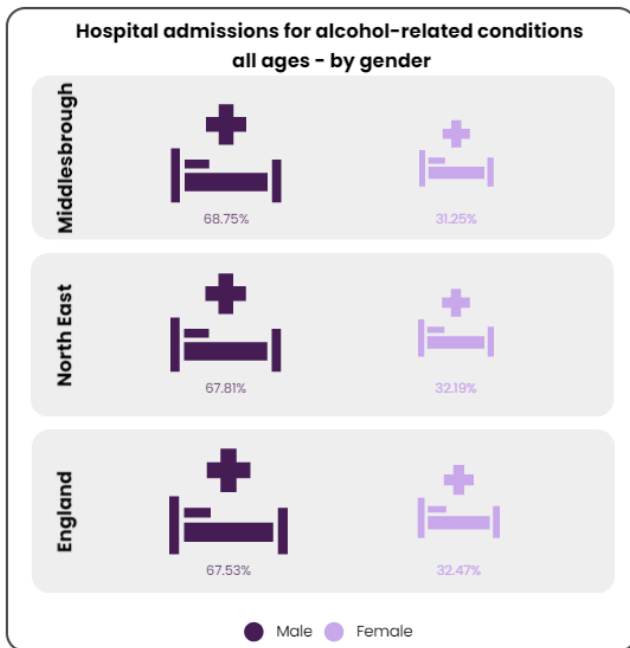
- In England and Wales, 63% of all deaths relating to the misuse of alcohol in 2016 were caused by alcohol liver disease
- The alcohol-related mortality rate in England in 2018 was 46.5/100,000, equivalent to 24,720 deaths
- In England in 2018, there were over 314,000 potential years of life lost related to alcohol consumption, the highest level since 2011
- Hospital admissions due to alcoholic liver disease in England have increased by 61% in the last 10 years
- The rate of older people over the age of 65 admitted to hospitals in England for alcohol-related conditions has risen by 14% since 2008/09, while the rate of alcohol-specific admissions for under-18s fell by 54% between 2008/09 and 2015/16

Alcohol related conditions

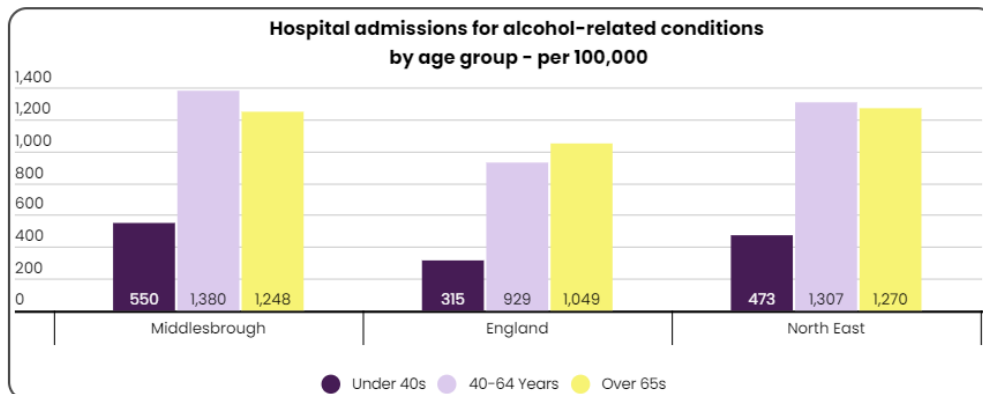
In 2019/20 Middlesbrough had a rate of 1,001 per 100,000 population in admissions for alcohol-related conditions, this was higher than the north east with 936 per 100,000 and England with 644 per 100,000. Middlesbrough has seen a changeable rate year on year in this measure, since 2008/09 however the most recent period matched the beginning rate of 1,000 per 100,000. This trend has not been seen in comparators, who have both overall seen an increase.



In 2019/20 the proportion of admissions for alcohol-related conditions was significantly higher for males than females, accounting for 68.75% in Middlesbrough, 67.81% in the north east and 67.53% in England.

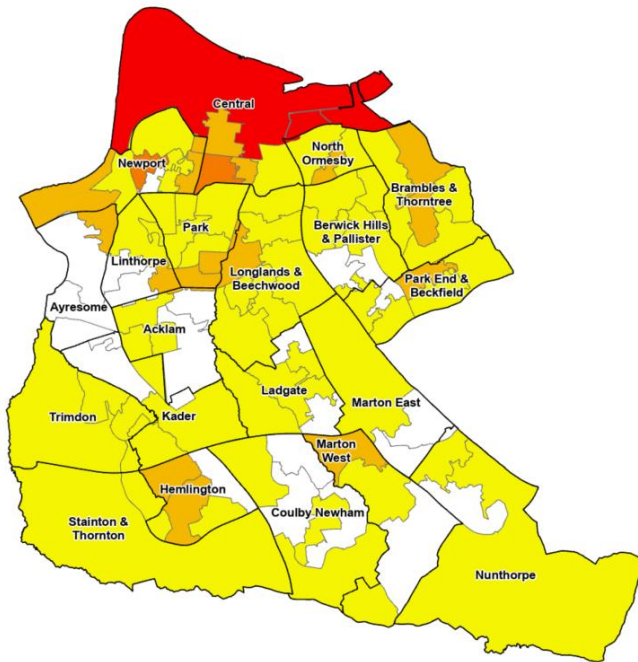


In 2018/19 the highest proportion of hospital admissions for alcohol-related conditions were in those aged 40-64 years in Middlesbrough with a rate of 1,380 per 100,000 population, this was higher than both the north east (1,307) and England with 929 per 100,000. The second highest proportion were in those aged 65 and over, this trend was also seen in England and the north east. Lastly those aged Under 40 years had a rate of 550 per 100,000 in Middlesbrough, 315 in England and 473 in the north east.



In conclusion, people in Middlesbrough are more likely to be admitted to hospital as a result of an alcohol-related condition than their regional and national counterparts, with men in the town more like than females and this is in line with their regional and national counterparts.

The map below illustrates the numbers of admissions to hospital from each ward area in Middlesbrough. Central ward had the highest number of admissions both in 2018/19.



The reasons for such attendances from each area are listed below.

	2018/19	2019/20	2020/21
Punch with fist	49.14%	52.75%	43.02%
Blow from blunt object [specify]	13.79%	12.40%	10.85%
Kick with foot	9.05%	6.32%	6.01%
Stabbed / cut with knife	6.03%	5.50%	8.14%
Stabbed / cut with other sharp object [specify]	6.03%	4.21%	2.71%
Blunt force / pushed	5.60%	11.35%	19.96%
Stabbed / cut with glass / bottle	3.45%	1.87%	1.94%
Injury from mammal - other [specify]	2.59%	0.58%	1.74%
Crushing injury	1.72%	2.11%	1.36%

Punch with fist accounts for the highest proportion of mechanism of injuries, with over 40% in all years. This is followed by Blow from blunt object, at much lower rates of between 10 and 14 percent, however the trend has been going downwards.

Stabbed/cut with knife and stabbed/cut with other sharp object jointly account for around another 12 percent per year.

Blunt force/pushed has seen an increase over these periods, making it the second highest in 2020/21

The Road/Pavement consistently accounts for the highest proportion of locations, with Living room being the second highest. It is suspected that the increase in the living room location in 2020/21 may be as a result of stay at home orders during the COVID-19 pandemic

	2018/19	2019/20	2020/21
Road / pavement	33.62%	37.78%	40.70%
Living room	29.31%	25.73%	35.27%
Workplace	7.33%	9.71%	6.59%
Recreational area	6.47%	4.91%	1.55%
Educational establishment	6.03%	4.44%	4.07%
Licensed premises e.g. bar cafe club	5.60%	1.52%	0.00%
Hallway	2.16%	0.58%	1.16%
Public building	2.16%	2.92%	0.78%
Kitchen	1.72%	1.75%	1.36%
Medical / clinical area	1.72%	0.70%	0.78%
Bedroom	1.29%	2.81%	2.13%
Garden	1.29%	1.64%	3.29%

Middlesbrough's Safe Haven

Middlesbrough has one of the highest binge drinking rates in the UK - the Balance 'Are we kidding ourselves' report, published in March 2019 advised that around 550,000 North East adults are drinking above the recommended guidelines of no more than 14 units a week. Over one in four NE adults (26%) are drinking above the Chief Medical Officer's low risk guidelines of 14 units a week compared to one in five (20%) across the UK.

Middlesbrough Safe haven alleviates problems such as potentially vulnerable/ intoxicated people in the town centre, substance-related crime, high rates of alcohol related hospital attendances and admissions and demand for emergency services.

The Safe Haven project has been part of the EDARA (Evaluating the Diversion of Alcohol-Related Attendances) study carried out by Sheffield University looking at Alcohol Intoxication Management Services (AIMS) effectiveness, cost-effectiveness, efficiency and acceptability to patients and staff in their goal of diverting and managing alcohol-related attendances. Early findings showed that:

- 63.7% of patients who were screened would have either called emergency services or attended A+E had Safe Haven not been there.
- 85% preferred to be treated at the centre rather than A+E.
- 31.8% of people would have felt unsafe if Safe Haven was not there.

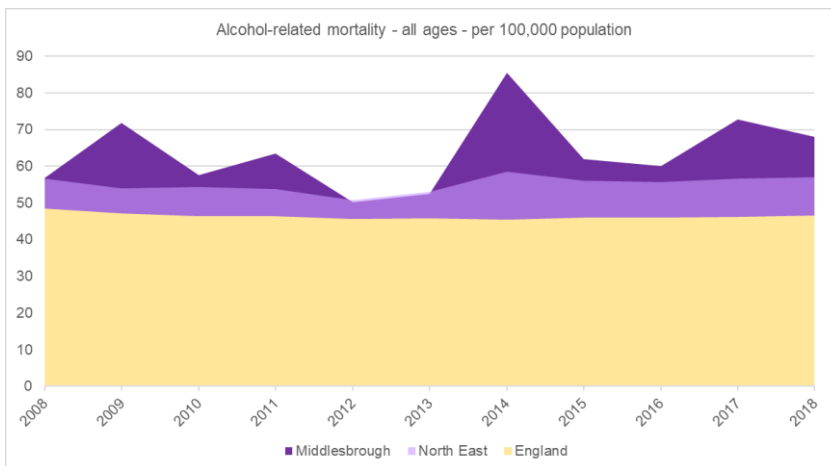
From April 2018 – March 2020 Middlesbrough Safe Haven supported 1532 people. Presenting issues ranged from falls related injury, head injury, laceration, intoxication and substance misuse. Intoxication only was the largest presenting issue recorded at 1010 people. Interventions undertaken by Middlesbrough Safe haven were as follows:

- Monitoring Patient Need 1197
- Minor Clinical Attention 263
- Urgent Clinical Attention 35
- Refused Treatment 32

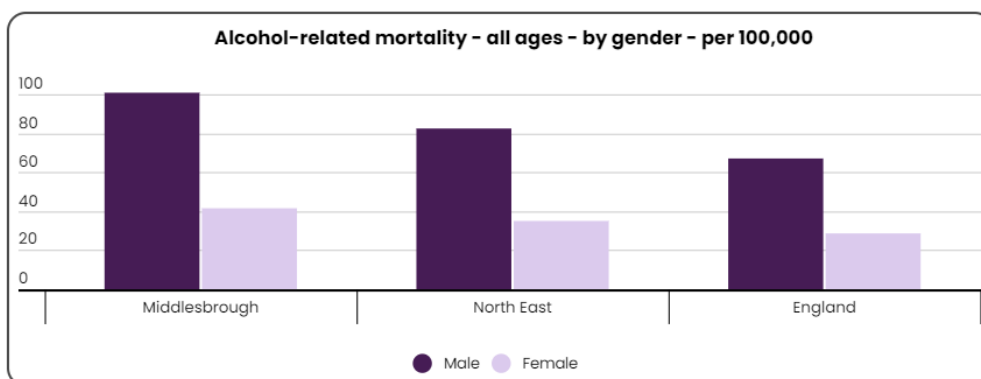
39 people were discharged to A&E for further treatment and 1155 people were given Information and Brief Advice (IBA) around safe drinking and minimising risks. 17 ambulances were cancelled due to the treatment provided at the Safe Haven.

Alcohol related mortality

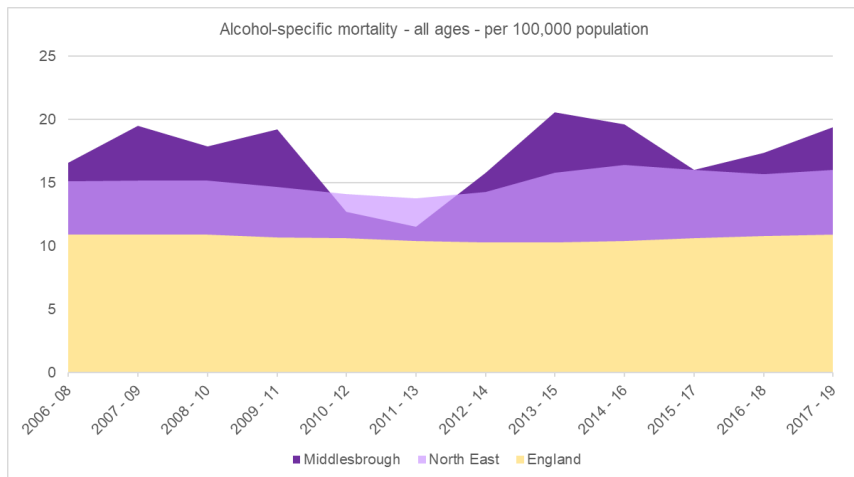
In 2018 Middlesbrough had a rate of 68.1 per 100,000 population in alcohol-related mortality, this was higher than the regional rate of 57.1 and the national rate of 46.5. This measure has seen large fluctuations in Middlesbrough, the highest peak being 85.5 per 100,000 in 2014, significantly higher than the north east 58.8 and England's 45.5 per 100,000. Comparators have seen some fluctuations of this rate also, though theirs far lower and marginal changes year on year.



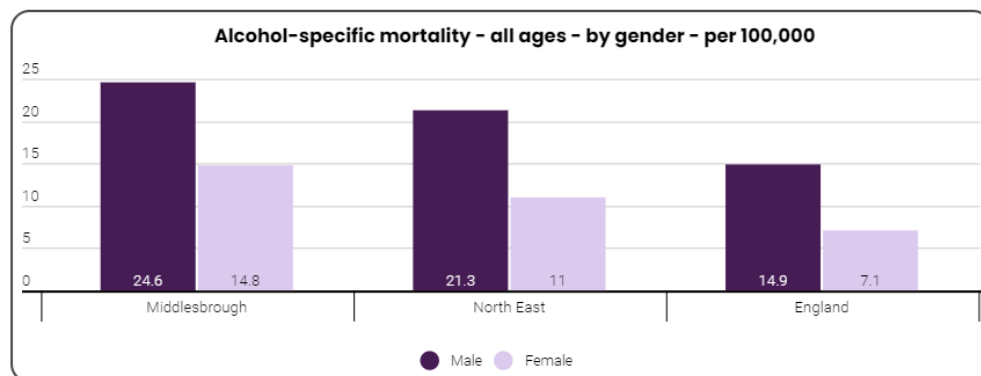
In 2018 the rate of alcohol-related mortality was over double in males at 101 per 100,000 population in Middlesbrough, this trend was also seen in the north east (82.6) and England (67.2).



Middlesbrough had a rate of 19.4 per 100,000 population in alcohol-specific mortality, this was higher than both the regional rate of 16 and the national rate of 10.9 per 100,000 in 2017-19. Middlesbrough has seen an increase in this rate since 2006-08, from 16.6 per 100,000 and this trend was not seen nationally, whilst the rate in the north east grew slightly over the period from 15.1 per 100,000.



In 2017-19 the rate of alcohol-specific mortality was significantly higher in males than in females, with a rate of 24.6 versus 14.8 per 100,000 in Middlesbrough. This trend was also seen in the north east 21.3 versus 11, and England 14.9 versus 7.1 per 100,000 population.



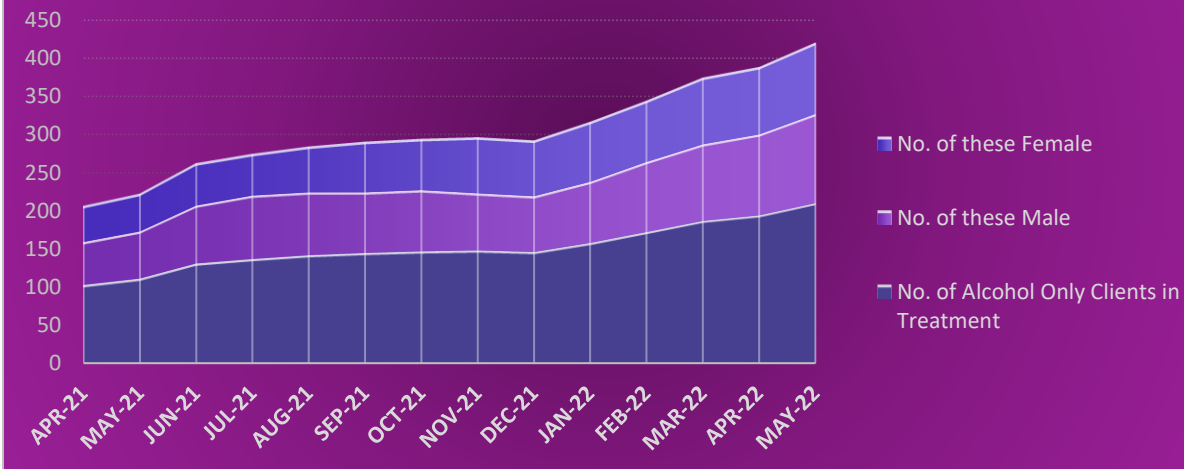
In conclusion, people in Middlesbrough are more likely to die of alcohol-related or specific reasons than their national and regional counterparts, with men in the town more likely to die as a result of alcohol than females.

Local alcohol profile for Middlesbrough

The LAPE (Local Alcohol Profiles for England) figures illustrate the extent to which alcohol related harm differs across the country and enable Middlesbrough to compare itself with other local authority areas. There are 22 Indicators split into mortality, admissions and crime and the tables are produced which shows the Middlesbrough, North East and England rates. It ranks how Middlesbrough performs against other LAs in England. On every indicator Middlesbrough performs worse when compared to England average & the North East for the majority.

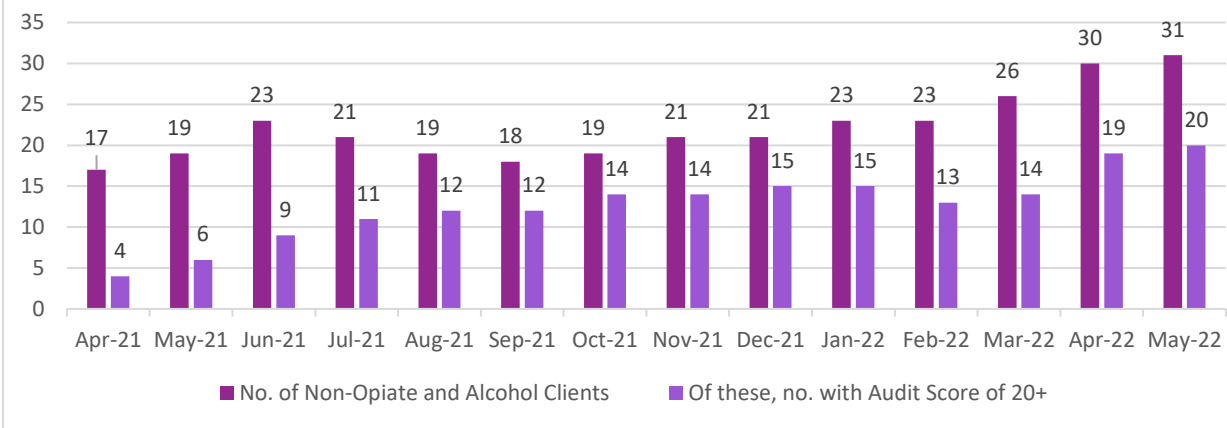
Middlesbrough – Data on those in alcohol treatment

No. of Alcohol Only clients in treatment between March 2021 - May 22



The number of Alcohol Only clients in Middlesbrough in April 21 was 103 with 54% of these being male and 46% female. In Dec 21 this was equal quantities. This caseload has now increased to 210 clients which is a 35% increase, with the ratio of male and female clients being similar to that in 2021.

No. of Non-Opiate and Alcohol Clients in relation to No. of those with Alcohol Audit of 20+



In April 21 there was 17 Alcohol and Non-Opiate clients in Middlesbrough, with only 4 of these having an Alcohol Audit score of 20+, which equates to 24%. In May 22, this has now increased, both in terms of the number of Non-Opiate and Alcohol clients and of those, with an Alcohol Audit score of 20+. This is now 65% of the caseload. More and more clients are coming into treatment with Alcohol related need

Appendix 3.

Glossary of Terms

Appeals – Appeals where the magistrates' court notified parties of its decision in the time period specified. This includes the number of appeals against application decision and separately appeals against the licence review decision.

Closure notice (premises licence) – Where a premises was prohibited from selling alcohol for not more than 48 hours following a notice under s.169A.

Club premises certificate – Authorising a qualifying club to carry out 'qualifying club activities' under the Licensing Act 2003. This includes time limited certificates.

Completed reviews – Reviews where the licensing authority notified parties of its decision in the time period specified. Excludes applications for a review that were withdrawn or did not go to a hearing. Includes completed reviews of premises licences, following an application for the review under s.51 of the Licensing Act 2003 or following an application for an expedited/summary review under s.53A (which is instigated by the police) and reviews following closure under s.161 (which would also be instigated by the police).

Cumulative impact area – Area that the licensing authority has identified in their licensing policy statement where there is a saturation of licensed premises and the 'cumulative impact' of any additional licensed premises could affect the licensing objectives. Further information on cumulative impact areas is available in the Amended Guidance issued under Section 182 of the Licensing Act 2003 on the Home Office website <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Designated premises supervisor (DPS) – an individual, who must hold a valid personal licence and must ordinarily be nominated in the application for a premises licence that includes a request for permission to sell alcohol.

Expedited/summary review – A chief officer of police can apply for an expedited/summary review of a premises licence because of serious crime and/or serious disorder under s.53A of the Licensing Act 2003.

Fee bands – In determining the amount of the licence fee for applications for new premises licences and club premises certificates, and full variations to licences or certificates, each premises falls into a band based on its non-domestic rateable value. All premises licences and club premises certificates have a fee band, regardless of whether they pay a fee or not. For 2011/12, the application fees associated with each band for a new licence or certificate are as follows: Band A (£100); Band B (£190); Band C (£315); Band D [no multiplier] (£450); Band D with multiplier (£900); Band E [no multiplier] (£635); Band E with multiplier (£1,905). The subsequent annual fees associated with each licence or certificate are as follows: Band A (£70); Band B (£180); Band C (£295); Band D [no multiplier] (£320); Band D with multiplier (£640); Band E [no multiplier] (£350); Band E with multiplier (£1,050).

Forfeited (personal licence) – Suspension following a court order under s.129 of the Licensing Act 2003 specified (and where that order has not been suspended, pending an appeal under s.129 (4) or 130 of the Act).

Hearing – Used in the context of applications for a premises licence or club premises certificate that go to a hearing for determining applications for a premises licence, for

provisional statements, to vary a premises licence, for club premises certificates, and to vary club premises certificates. The hearings figures in this release exclude applications for a change to DPS, transfer of premises licence, review, or cancellation of interim authority notices following police objections that went to a hearing.

Judicial review – includes only those where the High Court notified parties of its decision in the time period specified.

Lapsed (club certificate) – Where a club premises certificate has lapsed because it had effect for a limited period, but that period has since expired.

Lapsed (premises licence) – Where a premises licence has lapsed due to the death, incapacity, insolvency etc. of the licence holder, as set out under s.27 of the Licensing Act 2003. Excludes instances where a premises licence was in effect for a limited period, but the period has since expired (e.g. one-off events).

Late night refreshment – The provision of hot food or drink to the public, for consumption on or off the premises, between 11pm and 5am or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has access.

Licensing Act 2003 – see Section 1.

Licensing authority – The licensing authority is responsible for the licensing of alcohol, regulated entertainment and late-night refreshment.

Licensing authority area – The geographical area where a licensing authority exercises its functions under the Licensing Act 2003.

Local authority (LA) type – There are six main LA types which share similar characteristics such as size and therefore they hold similar licensing statistics: Unitary Authorities; Metropolitan Districts; District Authorities; Welsh Unitary Authorities; London Boroughs and Unspecified (Inner Temple and Middle Temple within Greater London).

LPA – Local Policing Area

Minor variation (to licence or certificate) – Applications made under s.41A or s.86A of the Licensing Act 2003 to make low risk changes to the terms of a licence or club premises certificate. The fee for a minor variation is £89.

Multiplier – Multipliers are applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises under the authorisation of a premises licence (fee bands D and E only).

Off-sales – The sale by retail of alcohol for consumption off the premises.

On-sales – The sale by retail of alcohol and the supply of alcohol (by clubs) for consumption on the premises.

Personal licence – Authorising an individual to supply or authorise the supply of alcohol in accordance with a premises licence under the Licensing Act 2003. The application fee for a personal licence is £37.

Premises licence – Authorising a premises to be used for the sale or supply of alcohol, the provision of regulated entertainment or the provision of late-night refreshment, under the Licensing Act 2003. This includes time-limited premises licences. A premises licence fee is based on its non-domestic rateable value. Application fees vary from £100 (Band A) to £1,905 (Band E with multiplier); annual fees vary from £70 to £1,050.

Qualifying club – A number of criteria must be met to be considered a qualifying club for a club premises certificate. They are:

- that under the rules of the club, persons may not be admitted to membership or be admitted as candidates for membership, to any of the privileges of membership without an interval of at least two days between their nomination for membership and their admission.
- that the club is established & conducted in good faith as a club.
- that the club has at least 25 members; and
- that alcohol is not supplied to members on the premises otherwise than by or on behalf of the club.

Region – Licensing authority data, presented as a supplementary table to this release, are also grouped into regions. Formerly covered by the Government Office Regions until they closed on 31 March 2011, there are nine regions in England: North East; North West; Yorkshire and the Humber; East Midlands; West Midlands; East of England; London; South East; South West. The Welsh licensing authorities are not regionalised in the tables.

Regulated entertainment - The provision of regulated entertainment means the commercial or public provision of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment:

- **The performance of a play**
- **An exhibition of a film**
- **An indoor sporting event**
- **Boxing or wrestling entertainment**
- **A performance of live music**
- **Any playing of recorded music**
- **A performance of dance**

Entertainment of a similar description to live music, recorded music, or dance. Schedule 1 of the Licensing Act 2003 contains further specific rules about where the definition of 'regulated entertainment' applies. These rules concern the intended audience and whether the regulated entertainment is for profit. Section 18 of the

Section 182 Guidance provides an overview of the circumstances in which entertainment is licensable and when it is exempt.

Revoked (personal licence) – If the holder of a personal licence is convicted of an offence during the application period for the licence, the licence may be revoked under s.124 of the Licensing Act 2003.

Surrender (of licence) – If the holder of a licence wishes to surrender it, it is done according to the provisions under section 28 (for a premises licence), section 81 (for a club certificate) and section 116 (for a personal licence).

Suspended by the court (premises licence) – A power under s.147 of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) to suspend a license for the sale or supply of alcohol, following an offence of persistently selling to underage children.

Suspended by the court (personal licence) – Suspension following a court order under s.129 of the Licensing Act 2003 specified (and where that order has not been suspended, pending an appeal under s.129 (4) or 130 of the Act).

Temporary event notice (TEN) – A notice under s.100 of the Licensing Act 2003, used to authorise relatively small-scale licensable activities, subject to certain criteria and limits. Includes only notices that have been correctly and properly given in the time period specified, i.e. exclude notices that were sent back because of mistakes on the form. This also includes notices that were subsequently withdrawn. The fee for a TEN is £21.

Variation (to premises licence) – Applications made under s.34 of the Licensing Act 2003 to change the terms of a premises licence, for example the opening hours, the licensable activities or the conditions.

Variation (to club premises certificate) – Applications made under

s.84 of the Licensing Act 2003 to change the terms of a club premises certificate, for example the qualifying club activities or the conditions. The fee for a variation of DPS is £23.

Types of licence

Premises licences - A premises licence can be used for the sale or supply of alcohol, the provision of regulated entertainment or the provision of late-night refreshment or any combination of these activities. Its use for retail sale of alcohol is for consumption on the premises, off the premises, or both on and off the premises.

Club premises certificates - A club premises certificate authorises a 'qualifying club' to carry out 'qualifying club activities. This includes time-limited certificates. A qualifying club is established and conducted in good faith as a club; has at least 25 members; and does not supply alcohol to members on the premises otherwise than by or on behalf of the club. These qualifying clubs (such as the Royal British Legion, working men's clubs, cricket clubs) are generally organisations where members join together for a particular social, sporting or political purpose and then the club purchases alcohol in bulk for its members.

Personal licences - The personal licence is separate from the licence which authorises the premises to be used for the supply of alcohol. Sales of alcohol may not be made under

a premises licence (other than a community premises that has successfully applied to remove this requirement) unless there is a Designated Premises Supervisor in respect of the premises (who must hold a personal licence); and every sale must be made or authorised by a personal licence holder.

24-hour alcohol licences - The possession of a 24-hour licence does not necessarily mean that the premises will choose to open for 24 hours. Prior to the 2003 Act, hotels were often authorised to sell alcohol to residents and their private guests only outside of permitted licensing hours

Appendix 4

Table of Delegations

Matter to be dealt with	Full Licensing Committee	Licensing Sub Committee	Officers
Application for Personal Licence		If Police objection	If no objection
Application for Personal licence with unspent convictions		All cases	
Application for Premises Licence/Club Premises Certificate		If relevant representation	If no relevant representation
Application for Provisional Statement		If relevant representation	If no relevant representation
Application to vary Premises Licence/Certificate		If relevant representation	If no relevant representation
Application to vary Designated Premises Supervisor		If Police objection	If no Police objection
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of Premises Licence		If Police Objection	All other cases
Applications for Interim Authorities		If Police objection	All other cases
Application to review Premises Licence/Certificate		All cases	
Decision on frivolous/vexatious/ Repetitive/irrelevant representation		If referred by Officer	All other cases
Police objection to Temporary Event Notice		All cases	
Decision to object when Council is consultee, not relevant authority		All cases	

Appendix 5.

Guidance for the protection of young people under 18 years of age who attend events at licensed premises

The Protection of Children from Harm is one of the four licensing objectives that underpin the Licensing Act 2003. As such any events aimed at attracting

attendance by young people under 18, even though alcohol may not be available at the event, could involve some risk.

Mixed age events (where alcohol is available for sale to persons over 18 and those under 18 may also be in attendance at the event) significantly increase this potential risk.

Clear management plans should be in place demonstrating how the licence holder intends to control and mitigate the potential harm to individuals under 18 years of age attending these events, irrespective of whether alcohol is available or not.

Whilst every event should be assessed on its own merits the Licensing Authority, Police and Local Authority Children's Service strongly recommend that a code of conduct/policy for these events is adopted to ensure that the four licensing objectives are complied with, in particular the Protection of Children from Harm. Measures expected to be considered include:

Under 18 Only Events

1. The Police Licensing Officer, Licensing Authority and Local Authority Children's Service is to be notified of any under 18 events at least 28 days in advance of the event. Such notification should be from the Premise Licence Holders or Designated Premise Supervisor, as they would be held accountable should the event undermine any of the licensing objectives.
2. The premises to be covered by good quality, colour, digital CCTV which meets the requirements and expectations of the Licensing Authority and Police. The equipment to record whilst the event is being held on the premise, all recordings to be retained for a minimum period of 31 days and to be made available upon request to the Police or Licensing Authority within a period of 7 days.
3. The operator to ensure that the premises have sufficient numbers of SIA registered security staff and ensuring that they are employed in the following minimum ratio: 2 for the first 100 customers, one of which being female, 2 for the second 100 customers and 1 for every 100 customers thereafter. At least one member of security staff being employed as a floorwalker and constantly monitoring patrons for evidence of alcohol or drugs and also protecting patrons from unwanted attention or harassment.
4. Ensure efficient entry and dispersal procedures are in place so that young people are not left in a vulnerable position outside of the premises.
5. Where there is normally a bar, ensuring that alcohol is not on display and is locked away.
6. Ensuring that there is at least 1 hour between the conclusion of the youth event and the venue opening for the commencement of any adult entertainment.

7. Searches on entry, to include all bags, to prevent alcohol and other illegal substances being brought onto the premises.
8. Where alcohol is seized from persons aged under 18, the details to be recorded in a register.
9. Any prior marketing of the event (internet, flyers, posters etc.) to make it clear that no alcohol will be sold to under 18's, nobody who appears to be drunk will be allowed admission to the event and searches will take place to ensure that no alcohol is brought into the venue. Permissible ages for attendance at the event to be printed in prominent writing on any tickets issued for the event.
10. Ensure a policy is in place for dealing with under 18's who appear to be under the influence of drugs or alcohol which incorporates the level of duty of care expected to be provided.
11. Toilet checks being carried out at regular intervals and records of such checks retained.
12. First aid provision to be available at the premises.
13. Ensure a policy is in place to prevent under aged persons leaving and returning to the premises in order to consume alcohol outside.
14. For events held on a Thursday, Friday or Saturday evening a terminal hour of no later than 11.00pm.
15. An area should be designated as a safe space, whereby ill or intoxicated persons, including minors, can be taken to a place of safety for medical treatment or in the case of minors until reunited with a parent, guardian or responsible adult.

Additional Measures expected to be considered for Mixed Age Events

1. All patrons to be given a secure wristband of different colours, differentiating over 18's from under 18's.
2. Only one alcoholic drink to be purchased at any one time by an individual aged over 18 years of age.
3. At least 2 SIA registered security staff acting as floorwalkers to constantly monitor patrons aged under 18 years of age for evidence of alcohol or drugs and also to protect patrons from unwanted attention or harassment and to be vigilant of adults accompanying young people to guard against exploitation,
4. Children under 16 years of age should not be permitted to attend the event unless accompanied by a responsible adult. Each responsible adult should not be responsible for more than 4 such children.
5. All drinks to be served in plastic or polycarbonate glasses.

It must be stressed that the above measures are not considered to be an exhaustive list, and licensees are encouraged to discuss the management of any such events in detail with the responsible authorities as part of their risk management process

DRAFT CUMULATIVE IMPACT ASSESSMENT AND POLICIES 2025-2028

February 2025

Appendix 3

Middlesbrough's cumulative impact assessment and policies

1.0 Legislative Framework

1.1 Under the Licensing Act 2003, responsibility for alcohol licensing in England and Wales rests with local authorities. This includes the issuing of premises licences and club premises certificates.

The Licensing Act 2003 has four licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

1.2 Section 5 of the Act requires a Licensing Authority to publish a statement of its licensing policy at least every five years. This policy must take into account any cumulative impact assessment (CIA) a Local Authority has published under section 5A of the Act before determining whether to introduce a Cumulative Impact Policy (CIP). The Licensing Authority must review a CIA within three years.

2.0 Introduction to cumulative impact assessment/cumulative impact policies

2.1. The aim of a CIP is to limit the growth of licensed premises where the promotion of the licensing objectives is being compromised. CIPs strengthen the ability of Local Authorities to control the availability of alcohol and to reduce alcohol-related crime and disorder. The Cumulative Impact Assessment provide the industry with greater clarity about how the CIPs are used and provide transparency over the evidence used to implement CIPs.

2.2. A CIP may be published by a Local Authority to help it to limit the number or type of applications granted in areas where there is evidence to show that the number or density of licensed premises in an area is having a cumulative impact which are leading to problems which are undermining the licensing objectives. This can include serious problems with disorder and nuisance.

2.3 When considering cumulative impact, the guidance under 182 of the Licensing Act 2003 suggests that Councils should consider a broad range of data sources including data held by Responsible Authorities such as Police and Environmental Health. Public Health data can also be relevant, although public health is not a licensing objectives.

2.4 CIPs did not have a statutory basis until 6 April 2018 when section 141 of the Policing and Crime Act 2017 came into force and amended the 2003 Act. Until that date, "cumulative impact" and cumulative impact policies (CIPs) were only described in Home Office guidance on the Licensing Act. The change in legislation requires that once a cumulative impact policy is introduced there is a statutory requirement to review the Cumulative Impact Assessment every 3 years.

2.5 Whilst the evidence underpinning the publication of a cumulative impact policy should generally be the basis for a decision to refuse an application or impose conditions, it does not change the way that decisions are made under the Licensing Act 2003. If no representations are received, the licensing authority must grant the application subject to terms that are consistent with the operating schedule submitted by the Applicant. If relevant representations are received, each decision still needs to be made on a case-by-case basis with a view to promoting the licensing objectives.

2.6 It is for the applicant to demonstrate, within their operating schedule, that **they will not be adding to the Cumulative Impact. Applications in areas covered by the CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.**

2.7 The Licensing Authority recognises that the cumulative impact policy is not absolute, and that any application will continue to be considered on its own merits. The Licensing Authority will give consideration to the contents of the applicants operating schedule, any relevant representations and whether the imposition of appropriate conditions would be effective in preventing problems.

2.8 **The council makes it clear in this policy that cumulative impact, in the absence of a specific 'special' policy, can still be raised in relevant representations and could form the basis for legitimate questions by members of the Licensing Sub-Committee. i.e. the absence of a special policy does not prevent the issue of cumulative impact being properly raised, considered and acted upon in the interests of promoting the licensing objectives.**

3.0 Cumulative Impact Policies in Middlesbrough

3.1. There are two Cumulative Impact policies in Middlesbrough that relate to two different geographical areas and the types of licensed premises affected. There are areas within Central and Newport wards where both policies apply.

3.2. Area 1 Cumulative impact policy.

The Area 1 CIP covers the area detailed in paragraph 4.2. In this designated area applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol on the premises or club premises certificates
- material variations to existing on licence premises or club premises certificates
- Applications for new premises, seeking to provide a licence for hot food between 11pm and 5am where the food is purchased to take away from the premises and variation to extend the hours of such sales.

3.3. This Area 1 Cumulative Impact Policy (CIP1) was introduced in the Council's first Licensing Policy implemented under the Licensing Act 2003 in 2005. It was amended as part of the 2011 policy review to cover late night refreshment premises and material

variations and as a result of this Cumulative Impact assessment there has been an amendment to the boundary.

3.4 Area 2 Cumulative impact policy.

The Area 2 CIP covers the area shown in paragraph 7.1 and comprises of the following wards:

- Central,
- Newport,
- Park,
- Longlands and Beechwood,
- North Ormesby.
- Park End and Beckfield.
- Brambles and Thorntree
- Berwick Hills and Pallister

In these designated wards applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol off the premises
- material variations to existing off licence premises

3.5. As part of the review of the Statement of Licensing Policy in 2016 the Licensing Authority introduced this Area 2 CIP for the wards of Central, Newport, Park, Longlands, and Beechwood, North Ormesby. As a result of this Area 2 Cumulative Impact Assessment the following wards have been added to the Area 2 CIP: Park End and Beckfield, Brambles and Thorntree and Berwick Hills and Pallister.

3.6. It is the view of the Licensing Authority that the Cumulative Impact Policies have helped shape the nighttime economy in Middlesbrough over recent years, to encourage the development of responsible licensed premises and those which do not negatively impact on the licensing objectives. Applications for premises which demonstrated no negative impact have been successful and it is considered that the Cumulative Impact Policies have encouraged a higher standard of premises, management, greater utilisation of a wide range of licence conditions and, in relation to the night time economy, a diversification in the type of premises with a different “offer”. This can be evidenced by the development of the Baker/Bedford Street area of the Town Centre, where a number of licensed bars, micro pubs, restaurants, and cafes have opened in recent years. In addition, the Captain Cook’s Square development offers a diverse range of entertainment for different audiences.

3.7. The Licensing Authority, in determining the need for the Cumulative Impact Policies, in order to promote the Licensing objectives, has had regard to the following:

- Evidence provided by Cleveland Police
- Evidence provided by Public Health
- Evidence provided by Responsible Authorities

- Consultation Responses (these will be included after the period of consultation on the CIP policies)

The evidence presented below summarises the data and presents the Assessment to support the Cumulative Impact Policies.

4.0. Evidence for the cumulative impact policies.

4.1. For the purposes of Cumulative Impact Assessment, the data from five years is presented (18/19, 19/20, 20/21, 21/22 22/23). The data comprises all Middlesbrough crimes and incidents (including antisocial behaviour) reported to Cleveland Police over this five-year period. All crime and antisocial behavior data has been used in addition to alcohol related crime and anti-social behavior to ensure accurate situational representation. There is a significant proportion of crimes and anti-social behaviour incidents recorded with an “unknown” status in relation to whether it is alcohol related. The impact of the covid pandemic should also be considered when looking at the data for 20/21. During this year on-licensed premises had restricted trading. It should also be noted that in March 2020 there was an uptick in the number of all ASB incidents due to inclusion of Covid-19 infractions.

4.2. Assessment for the area 1 Cumulative impact policy.

This CIP applies to a designated area of the town centre which is shown in the map below. (The town centre area for the purposes of this policy is the area of land bound by Southfield Road, Woodlands Road, Victoria Road, Linthorpe Road, Princes Road, Diamond Road, Hartington Road, Wilson Street, Bridge Street West, and Marton Road). The shaded area on the map below shows to Area 1 CIP. This is a relatively compact area of the town which includes parts of the Newport and Central and wards. It encompasses the main entertainment and leisure areas and the central nighttime economy.

Map showing the Area 1 CIP.



4.3. The Cumulative Impact Policy has been applied to this designated area due to the number, type and density of the premises selling alcohol for consumption on the premises

and the provision of late-night refreshment. The Licensing Authority is satisfied that there is good evidence that crime and disorder or nuisance occurring in this location is being caused by the customers of on license premises and late-night refreshment, and that the cumulative impact of off licensed premises in this location is evident.

When the Licensing Act was introduced in 2005, there had been a predominance of applications for large, vertical drinking, late night premises which were contributing to the crime and disorder issues in the designated town center locations. There have been some significant changes to the Town Centre Night -Time Economy since 2005.

4.4. Types of premises

Over the last 10-15 years there has been a reduction in the number of large “night club” style premises in the Area 1 CIP, however, there has been an increase in the number of “pub” type premises with extended hours.

There has been an increase in a smaller, “niche” type licensed premises – “micro” pubs or more specialist premises offering a range of seated entertainment and specialist alcoholic products.

4.5. Development of the night- time economy

Historically, and over the life of the Cumulative Impact Policy there has been positive developments in the structure and location of licensed premises in the town centre. In 2005, the Albert Road/Wilson Street locations were considered to be the night- time hubs. Since this time, several additional night-time hubs have developed:

- Southfield Road.
The development of the University campus, pedestrianisation of Southfield Road, and development of restaurants has led to this location becoming increasingly popular. Anecdotally, this area appears to attract an older clientele and is popular with the student population.
- Baker Street/Bedford Street
There has been a drive to develop a combination of micro pubs, cafes, and retail units as well as commercial and retail premises in this location. The applications for licensed premises in this location were not subject to representations as applicants demonstrated in their application that there would be no negative impact on the licensing objectives.
- Captain Cooks Square –
With the recent purchase of Captain Cooks Square by Middlesbrough Council the plan is to develop a leisure offer within this area incorporating a wider range of entertainment.

4.6. Table 1 shows the breakdown of the number of licensed premises located inside the Area 1 CIP since the introduction of the Licensing Act in 2005. It is evident that 34% of all takeaways and 44% of all pubs/clubs are concentrated in CIP Area 1.

Table 1 – Number of licensed premises in -Area 1 CIP.

Premises Type	Cumulative Impact Area 2005	Cumulative Impact Area 2015	Proposed New Cumulative Impact Area 2023	Total Premises in Middlesbrough (July 2023)	% of licensed premises in CIP Area 1
Restaurants	16	20	25	58	43.1%
Late Night Refreshment	24	27	36	100	36.0%
Hotels	2	3	4	10	40.0%
Pubs/Nightclubs	50	33	58	126	46%
Off Licences	18	18	14	144	9.7%

4.7. Nineteen new premises licenses have been granted in the Area 1 CIP throughout the five years of the 2017-2022 policy. These premises have been able to demonstrate, as required through the Cumulative Impact Policy application process, that they will not negatively impact on the licensing objectives. Licences have been issued to the following types of premises:

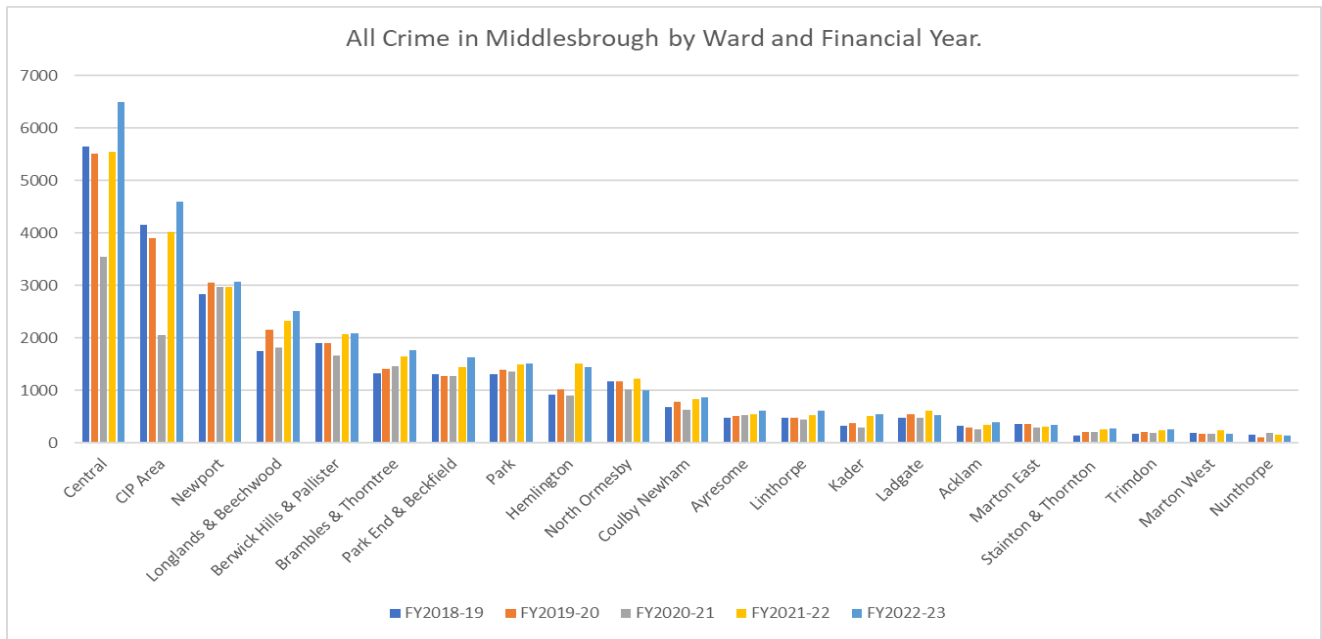
- Bowling alley
- E-gaming
- Micro pubs
- Restaurants
- Adventure Golf

4.8. During the period of the last Licensing Policy there has been the following changes in numbers of off sales premises in the Area 1 CIP:

- 6 premises licences in the Area 1 CIP were surrendered. These licences were for retail premises where the sale of alcohol was very much ancillary to the sale of other products, with low volumes of alcohol being sold, for example large town centre retailers such as BHS, Debenhams, Boots and TJ Hughes, a Florist and a small newsagent.
- Three off licence had new premises licence granted.
- One off licence premises licence was revoked.

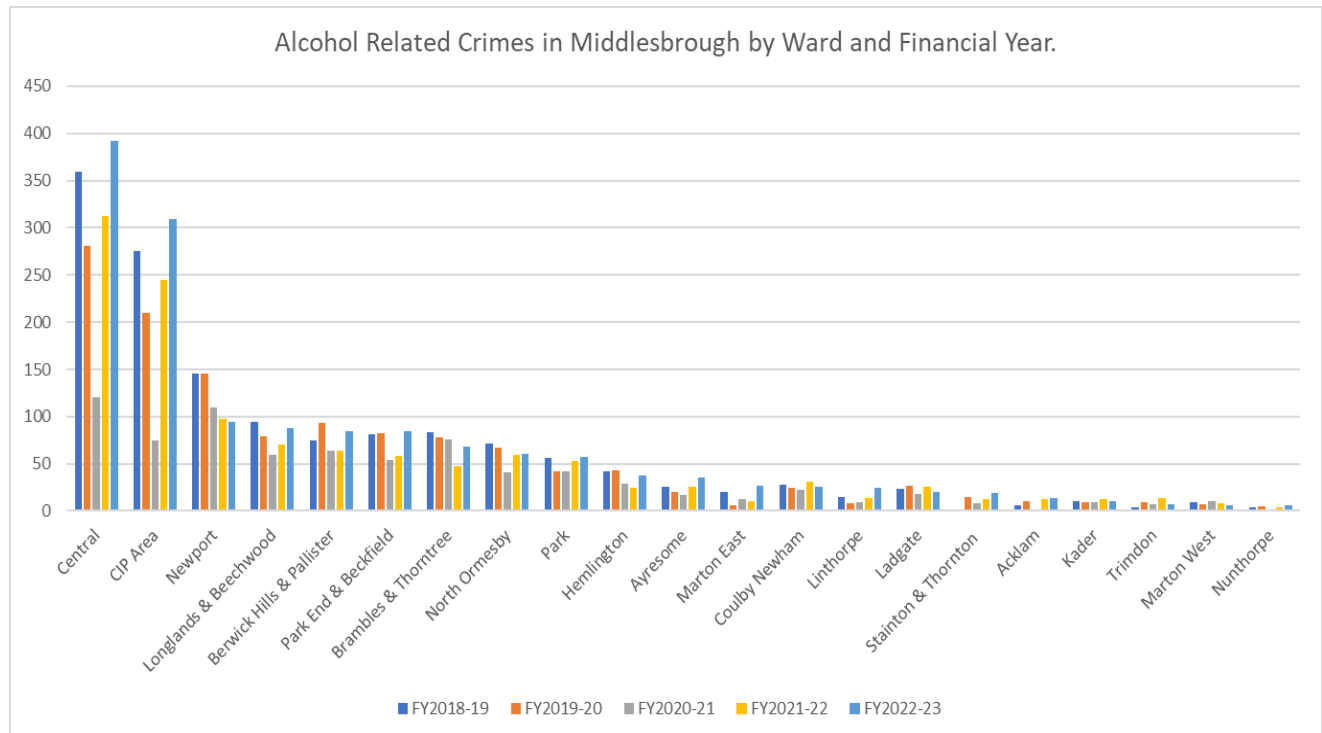
4.9. Graph 1 shows all incidents of crime recorded across Middlesbrough wards, and for the CIP Area 1 over a 5-year period (18/19, 19/20, 20/21, 21/22, and 22/23). In the relatively compact CIP area, which is comprised of the main town centre area of Central, and the immediate streets surrounding from the Newport ward 16% or more of all crime incidents were consistently recorded in this area across all 5 years.

Graph 1.



4.10. Graph 2 shows Middlesbrough wards and the CIP area with the reported number of alcohol related crimes. In 2022-23, 4.43% of all crimes were recorded as alcohol related (1163 offences), and 26.57% of these (309) were recorded in the CIP area.

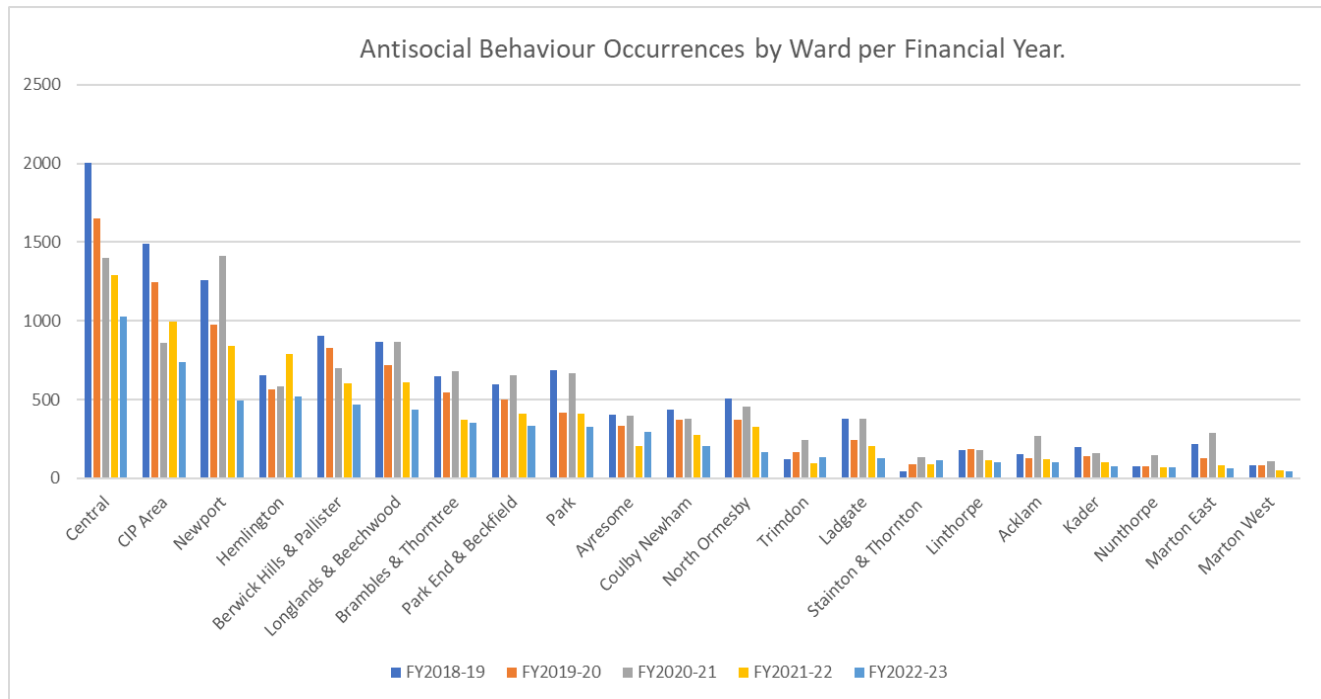
Graph 2.



4.11. Graph 3 shows the wards in Middlesbrough with the highest recorded levels of antisocial behaviour incidents. Whilst ASB across all of Middlesbrough has been on a

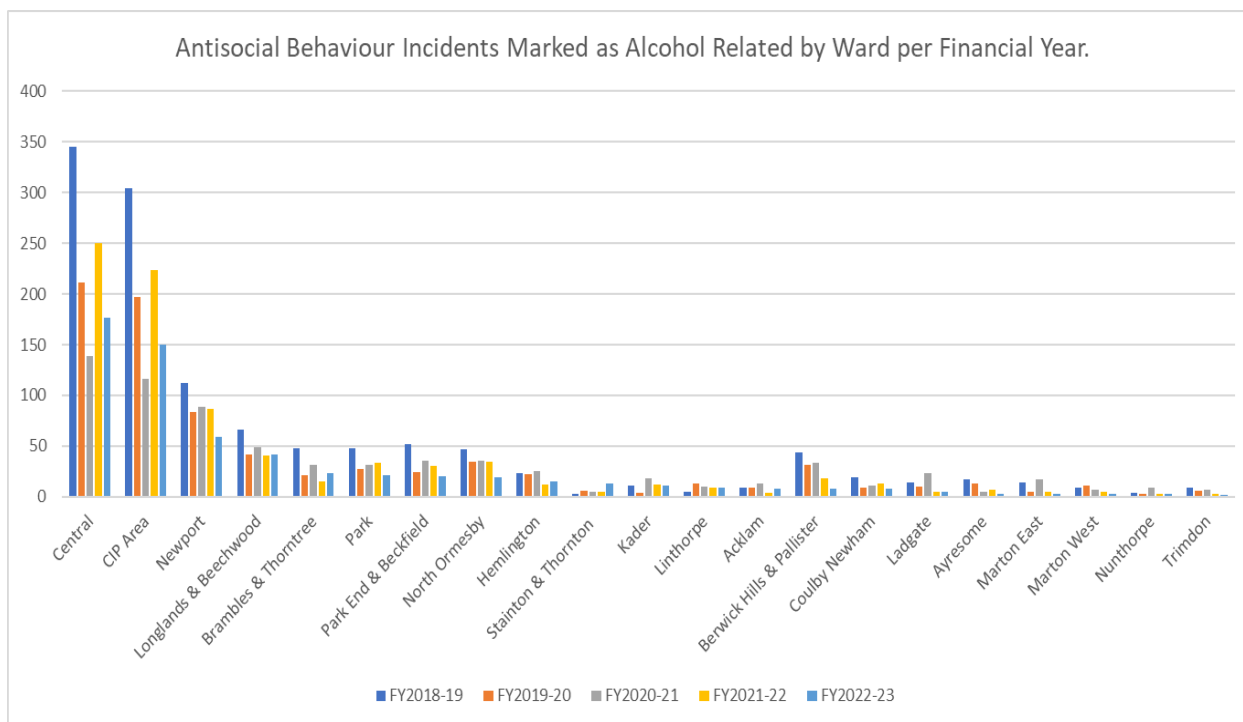
decreasing trend, the CIP area remains one of the most concentrated areas accounting for 13.6% of all ASB occurrences within 2022-23.

Graph 3.



4.12. Graph 4 shows the Middlesbrough wards and the CIP area with the reported number of alcohol related ASB incidents. In 2022-23, 8.31% of all ASB incidents were recorded as alcohol related (452 offences), and 33.19% of these (150) were recorded in the CIP area.

Graph 4.



4.13. Table 2 shows the streets in the Area 1 CIP (2022/2023) where the highest number of recorded crimes and ASB were reported, the top 10 remain somewhat similar when expanding to all of Middlesbrough as some streets cut through the CIP.

Crimes per Street	4331	75.34%	ASB per Street	740	75.68%
Ward	FY2022-23	% Incidents	Ward	FY2022-23	% Incidents
Linthorpe Road	956	22.07%	Linthorpe Road	115	15.54%
Albert Road	409	9.44%	Albert Road	86	11.62%
Corporation Road	408	9.42%	Corporation Road	63	8.51%
Wilson Street	263	6.07%	Borough Road	59	7.97%
Borough Road	225	5.20%	Middlesbrough Bus Station	36	4.86%
Captain Cook Square	222	5.13%	Marion Road	29	3.92%
Newport Road	153	3.53%	Central Mews	26	3.51%
Southfield Road	108	2.49%	Wilson Street	26	3.51%
Marion Road	85	1.96%	Junctions	25	3.38%
Cleveland Centre, Linthorpe Road	78	1.80%	Zetland Road	23	3.11%
Zetland Road	77	1.78%	Grange Road	15	2.03%
Grange Road	76	1.75%	Rutland Close	15	2.03%
Middlesbrough Bus Station	72	1.66%	Southfield Road	15	2.03%
Central Mews	71	1.64%	Westward Close	14	1.89%
Gilkes Street	60	1.39%	Boswell Street	13	1.76%

4.14. Table 3 shows a breakdown of the recorded public order offences and violence offences (with and without injury) crimes in CIP Area 1, with the most recent 5-year average provided.

Table 3.

Zones	Time Period	Public Order Offences	Violence With Injury	Violence Without Injury	All Crime
All MBC	2018-19	1514	1891	2688	22013
	2019-20	2179	1936	3072	23069
	2020-21	2180	1731	2901	19772
	2021-22	2894	2248	3602	25126
	2022-23	3130	2543	3707	26506
	5 Year	2379.4	2069.8	3194	23297.2
CIP Area	2018-19	268	394	394	4038
	2019-20	366	354	451	3736
	2020-21	202	168	218	1911
	2021-22	465	394	545	3699
	2022-23	594	499	579	4331
	5 Year	379	361.8	437.4	3543
Percentage in CIP Zone	5 Year	15.93%	17.48%	13.69%	15.21%

4.15. The tables below breakdown the incidents of All Crime and ASB (left) and Alcohol related Crime and ASB (right) that were marked as alcohol related by hour and day of the week, within the CIP Area 1 over the 5-year period.

Table 4. All Crime and ASB Incidents **Table 5. Alcohol Related Crime and ASB Incidents**

Time	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00 - 00:59	113	104	101	92	102	230	267	1009
01:00 - 00:59	87	78	98	77	114	206	281	941
02:00 - 02:59	70	60	88	68	89	241	303	919
03:00 - 03:59	58	46	68	72	99	193	252	788
04:00 - 04:59	21	26	33	34	54	85	127	380
05:00 - 05:59	19	23	16	23	32	59	55	227
06:00 - 06:59	17	21	19	15	15	24	32	143
07:00 - 07:59	15	23	16	23	24	28	23	152
08:00 - 08:59	37	48	70	53	46	33	22	309
09:00 - 09:59	99	91	88	97	94	58	36	563
10:00 - 10:59	84	111	97	118	109	88	67	674
11:00 - 11:59	133	137	157	127	137	113	90	894
12:00 - 12:59	148	156	153	156	168	184	107	1072
13:00 - 13:59	158	161	163	172	169	170	118	1111
14:00 - 14:59	157	203	187	204	203	216	142	1312
15:00 - 15:59	195	223	224	197	232	209	149	1429
16:00 - 16:59	208	208	192	182	202	212	136	1340
17:00 - 17:59	182	192	168	183	182	166	111	1184
18:00 - 18:59	137	99	123	141	134	150	107	891
19:00 - 19:59	141	118	123	135	161	132	132	942
20:00 - 20:59	117	138	117	117	141	164	111	905
21:00 - 21:59	105	121	109	110	145	150	113	853
22:00 - 22:59	97	111	122	97	121	171	97	816
23:00 - 23:59	101	86	91	115	152	219	103	867
Total	2499	2584	2623	2608	2925	3501	2981	19721

Time	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00 - 00:59	17	19	16	12	14	50	59	187
01:00 - 00:59	20	9	23	22	20	56	72	222
02:00 - 02:59	17	6	19	10	22	56	69	199
03:00 - 03:59	12	6	14	12	19	37	62	162
04:00 - 04:59	3	4	5	6	9	18	38	83
05:00 - 05:59	3	3	0	2	5	9	13	35
06:00 - 06:59	2	1	4	1	0	6	5	19
07:00 - 07:59	2	2	2	1	0	2	2	11
08:00 - 08:59	0	3	2	1	1	4	2	13
09:00 - 09:59	2	2	0	3	3	3	1	14
10:00 - 10:59	1	4	1	1	4	1	4	16
11:00 - 11:59	5	4	3	5	2	6	1	26
12:00 - 12:59	3	6	5	5	2	9	3	33
13:00 - 13:59	10	4	9	6	9	4	4	46
14:00 - 14:59	2	6	5	4	8	6	5	36
15:00 - 15:59	2	4	4	9	13	8	7	47
16:00 - 16:59	8	8	10	8	7	16	7	64
17:00 - 17:59	12	12	7	10	13	16	7	77
18:00 - 18:59	9	5	3	15	12	19	6	69
19:00 - 19:59	15	8	12	12	23	13	9	92
20:00 - 20:59	15	10	12	6	15	21	12	91
21:00 - 21:59	15	10	14	13	28	22	15	117
22:00 - 22:59	16	22	13	16	23	32	23	145
23:00 - 23:59	21	8	24	22	34	65	22	196
Total	212	166	207	202	286	479	448	2000

4.16. Table 4 shows that all crime and ASB within the CIP area is highly concentrated between 12:00-16:59hrs Monday to Saturday with a significant spike between 23:00-03:59hrs on a Saturday and Sunday.

In relation to the Alcohol Related Crime and Disorder incidents (Table 5) it becomes clear that between the hours of 23:00-03:59hrs the incidents are likely to be related to NTE activities as these are the only premises types open during these hours.

The incidents which are recorded in the early afternoon-evening are more likely to be related to other types of premises and crimes within the area e.g. retail crime, shop lifting, burglary.

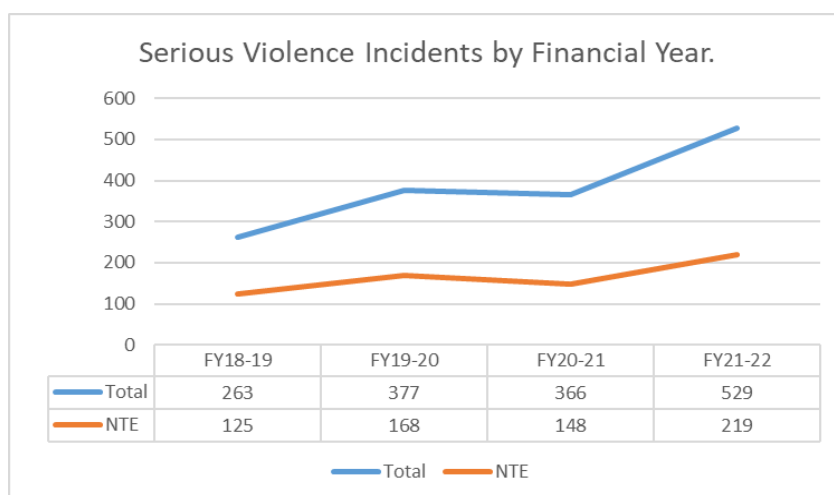
In addition, these tables show that the number of offences reduce after 4am which is the latest closing time for the majority late night venues. The incidents occurring late at night/early hours of the morning particularly on a Friday, Saturday and Sunday are likely to be arising from activities around licensed premises and the consumption of alcohol.

4.17. The hospital admission data provided in Table 7 (page 25) demonstrates that Central ward and Newport ward (areas of these wards form the Area 1 CIP) have the highest level of alcohol attributable admissions.

5.0. Serious Violent (SV) Crime Hotspots

5.1. The Middlesbrough Serious Violence Problem Profile 2023 identifies the night-time economy (NTE) as one of the biggest drivers behind a vast majority of the serious violence incidents in Middlesbrough. Night-time economy for the purposes of this report has been defined as the hours between 20:00-05:59 and domestic related incidents are not included. Whilst the number of serious violent crimes has been increasing overall, the NTE related incidents since FY18-19 have risen by 75.2%. Figure.9 shows the number of serious violence (SV) incidents over the NTE period for each financial year.

Figure 9.



Both the total SV incidents and NTE SV incidents have followed the same increasing trend over the last 3 years (with a decrease during the COVID pandemic).

5.2. Figure 10 shows the number of SV incidents reported during the NTE period broken down into hourly intervals over the last 4 years.

1hr Time Period	FY18-19	FY19-20	FY20-21	FY21-22
20:00-20:59	15	20	28	24
21:00-21:59	16	21	22	32
22:00-22:59	12	17	18	20
23:00-23:59	16	22	14	26
00:00-00:59	23	25	20	24
01:00-01:59	14	18	12	26
02:00-02:59	9	16	11	22
03:00-03:59	9	16	14	12
04:00-04:59	6	5	6	24
05:00-05:59	5	8	3	9
Total	125	168	148	219
Before 00:00	47.20%	47.62%	55.41%	46.58%
After 00:00	52.80%	52.38%	44.59%	53.42%

This shows the concentration of incidents at specific time periods and the trends. The percentage of serious violent incidents before and after midnight (including covid) remain consistent for the last 4 years, the most significant variation being in 20-21. However, there are some significant increases in the number of incidents and at specific time periods over the four years.

5.3. Wards affected by serious violence incidents.

Figure 11 shows the profile of SV incidents across the Middlesbrough wards over a four-year period and the variance between 21-22 and 20-21.

Serious Violence incidents during the night-time economy increased in 12 wards, remained the same in 5 wards, and decreased in 3.

Central ward has the highest level of serious violence, closely followed by Newport. Both these wards are where NTE activities are concentrated and where the Area 1 CIP is located.

Figure 11

Ward	FY18/19	FY19/20	FY20/21	FY21/22	VAR Between FY21-22 & FY20-21
Acklam	<5	<5	<5	<5	0
Ayresome	<5	<5	<5	<5	1
Berwick Hills & Pallister	13	8	8	7	-1
Brambles & Thorntree	<5	<5	9	7	-2
Central	38	55	29	68	39
Coulby Newham	<5	<5	6	6	0
Hemlington	<5	11	9	11	2
Kader	<5	<5	<5	<5	1
Ladgate	<5	<5	<5	6	6
Linthorpe	<5	<5	<5	<5	2
Longlands & Beechwood	12	15	13	18	5
Marton East	<5	<5	<5	<5	2
Marton West	<5	<5	<5	<5	0
Newport	26	40	46	52	6
North Ormesby	12	<5	7	11	4
Nunthorpe	<5	<5	<5	<5	0
Park	6	7	6	13	7
Park End & Beckfield	<5	8	7	8	1
Stainton & Thornton	<5	<5	<5	<5	0
Trimdon	<5	<5	<5	<5	-2
Total	125	168	148	219	86

Central Ward

In 21-22 there were 68 incidents of serious violence in Central ward. The number of incidents has been steadily increasing (excluding the Covid year 20/21). The number of incidents in 21-22 is 78.9% higher than 18-19

Newport Ward

In 21-22 there were 52 incidents of serious violent in Newport ward. The number of incidents has been steadily increasing over the four-year period. The number of incidents in 21-22 increased a 100% than those in 18-19 (26 reports).

Longlands and Beechwood ward.

In Longlands & Beechwood the levels of SV have remained relatively lower and consistent across the last 3 years, however in 21-22 the numbers increased to the highest levels observed.

Park ward.

Park ward has also seen similar increases with relatively consistently low levels for three years and a 116% increase in 21-22.

5.4. Types of serious violence in the NTE₂

Figure 12 shows the types of serious violence that has occurred within the NTE over the last 4 years, with the variance shown between 21-22 and 20-21.

Offence	FY18-19	FY19-20	FY20-21	FY21-22	VAR Between FY21-22 & FY20-21
Wounding with intent to do GBH	18	34	46	64	18
Inflicting GBH without intent	37	40	27	39	12
Robbery Personal	28	27	25	35	10
Assault occasioning ABH	14	27	20	19	-1
Arson Endangering Life	7	11	8	22	14
Aggravated Burglary Residential	7	13	11	10	-1
Robbery Business	<5	7	<5	<5	3
Assault with Injury on an Emergency worker	<5	<5	<5	6	4
Assault with intent to rob - Personal	<5	<5	<5	<5	3
Attempted Murder	<5	<5	<5	<5	1
False Impirsonment	<5	<5	<5	<5	1
Murder	<5	<5	<5	<5	2
Assault With Injury on a Constable	<5	<5	<5	<5	1
Kidnapping	<5	<5	<5	<5	2
Causing Serious injury by Dangerous driving	<5	<5	<5	<5	1
Adminstering poison with intent to injure or annoy	<5	<5	<5	<5	5
Aggravated Burglary Business &/or Commercial	<5	<5	<5	<5	0
Sec 20 Assault with inury on a constable	<5	<5	<5	<5	-1
Threats to Kill	<5	<5	<5	<5	-1
Manslaughter	<5	<5	<5	<5	-1
Person in charge allowing dog to be dangerous	<5	<5	<5	<5	0
Theft from the person	<5	<5	<5	<5	0
Hijacking	<5	<5	<5	<5	-1
Total	125	168	148	219	71

The top five categories of offences remain the same across the last 4 years with some changes in the rankings per financial year.

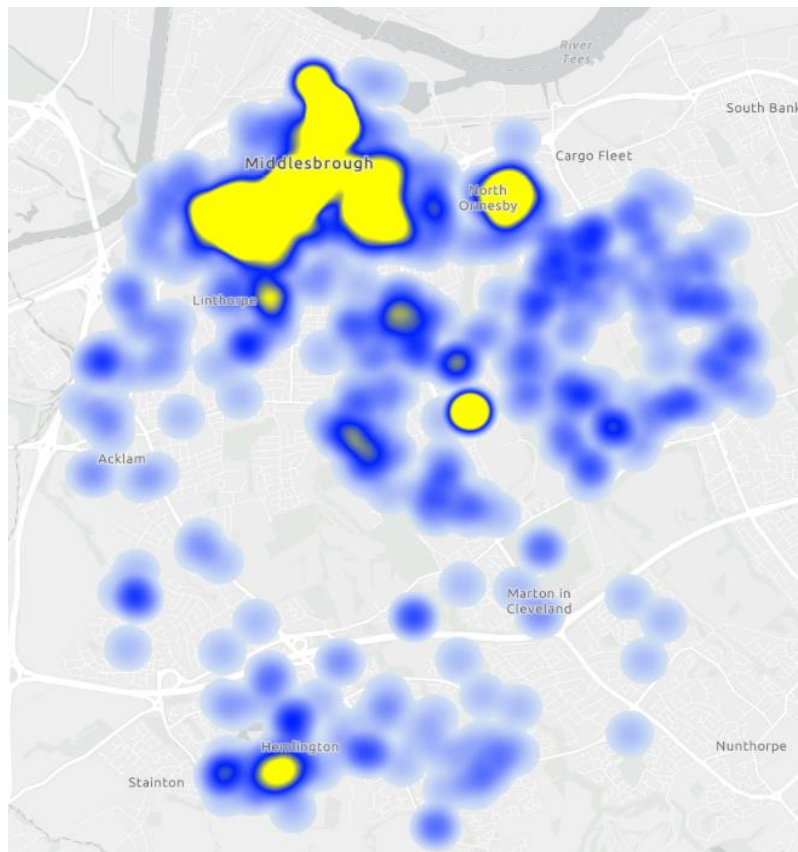
In the above figure offences are sorted in descending order based on FY21-22.

The following concerns are noted:

- The most prevalent crime type was “Wounding with intent to do GBH”, there were 64 recorded incidents which is an increase in 18 from 20-21.
- There was an additional 12 “Inflicting GBH without intent” in 21-22 and the 39 incidents is consistent with the number of incidents in 19-20 and 18-19.
- “Robbery Personal”, the number of offences decreased to 25 reports in 20-21 and then rose to 35 in 21-22 which is higher than in 19-20 and 18-19.
- In the category “Arson endangering life” the highest number of incidents was recorded in FY21-22, which is significantly higher than numbers in the previous years.

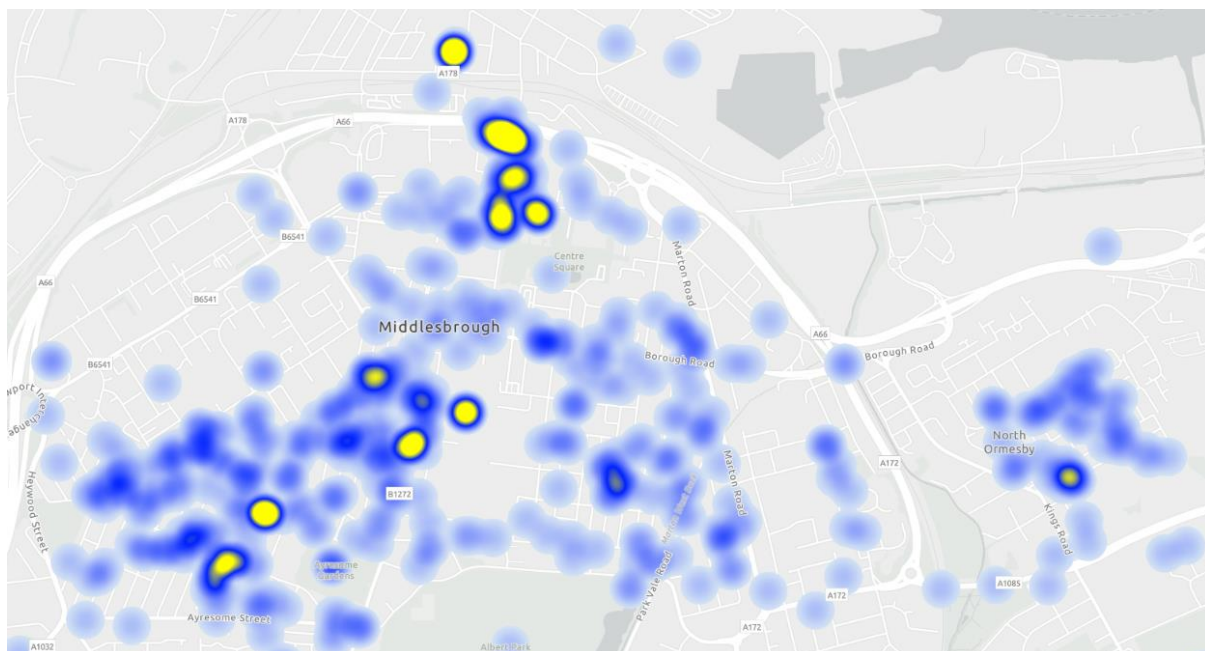
5.5. Figure.13 shows a heat map of NTE SV incidents over the four-year period 18-19 to 21-22. Further analysis was carried out to identify where the NTE SV is centred during the NTE period.

Figure 13.



5.6. Figure 14 focuses on the areas which have the most NTE premises and shows the concentration and spread of SV incidents in these wards which helps to determine the local issues. The areas focused on figure.14 are the Central and Newport wards which attract the most footfall during the NTE period and have the highest numbers of licensed premises.

Figure 14.



5.7. In Central ward the main hot spots areas of NTE SV incidents are in and around Corporation Road, Albert Road, and Linthorpe Road where most of the NTE business are located.

The clustering in other residential areas such as Park Vale Road, Victoria Road, Roscoe Street, and Park Lane may be linked to other illegal activities.

The hotspot in North Ormesby is around Beaumont Road, and Thornton Street, where there are several takeaway premises in this area and there are known issues during the NTE period.

In Newport the areas of concern around Parliament Road, Meath Street, Outram Street, and Costa Street relate to a wide range of factors which not linked to the night-time economy activity.

5.8. In 2023 Cleveland Unit for the Reduction of Violence (CURV) commissioned Crest Advisory to produce “Problem profile: Defining and understanding violence in the night- time economy in Cleveland.”

The aim of the problem profile is to:

- Create a shared definition of the night-time economy, identifying the types of violence that occur, where and when they occur, and who is most affected.
- Identify the greatest risks that need to be reduced to improve NTE activity.
- Develop a baseline understanding of perceptions of fear and safety.
- Develop a baseline understanding of the harm caused and economic impact of NTE violence.
- Create a more rounded picture of NTE activity through sustainable data sharing across partners.

It is intended to be used to inform further commissioning and support the development of targeted interventions aimed at reducing serious violence related to the night-time economy. The problem profile has been used to inform the Cumulative Impact Assessment, in particular the boundary change for the Area 1 CIP.

6.0. Middlesbrough’s Safe Haven.

6.1. Middlesbrough Safe Haven operates within the Area 1 CIP. It is a night-time support service which aims to alleviate the problems associated with potentially vulnerable/ intoxicated people in the town centre, substance-related crime, high rates of alcohol related hospital attendances and admissions and demand for emergency services. Due to the high density of licensed premises in the town centre the Safe Haven service was introduced to divert the demand on local hospital services, to early identify potential anti-social behaviour and disorder issues and provide a presence with the night-time economy.

6.2. During the period April 2018 – March 2020 Middlesbrough Safe Haven supported 1532 people. Presenting issues ranged from falls related injury, head injury, laceration, intoxication, and substance misuse. Intoxication only was the largest presenting issue

recorded at 1010 people. Interventions undertaken by Middlesbrough Safe Haven were as follows:

- Monitoring Patient Need 1197
- Minor Clinical Attention 263
- Urgent Clinical Attention 35
- Refused Treatment 32

39 people were discharged to A&E for further treatment and 1155 people were given Information and Brief Advice (IBA) around safe drinking and minimising risks. 17 ambulances were cancelled due to the treatment provided at the Safe Haven.

7.0. Summary and conclusion.

7.1. The licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. The Licensing Authority consider that the Area 1 Cumulative Impact Policy is necessary as the density, number and type of licensed premises within this area are negatively impacting on crime and disorder, resulting in the high proportion of crime and anti-social behaviour. The Council is satisfied that there is good evidence that crime and disorder or nuisance are occurring in this location and are caused by the customers of the licensed premises, and that the cumulative impact of licensed premises in this location is evident.

8.0 Assessment for Area 2 Cumulative impact policy.

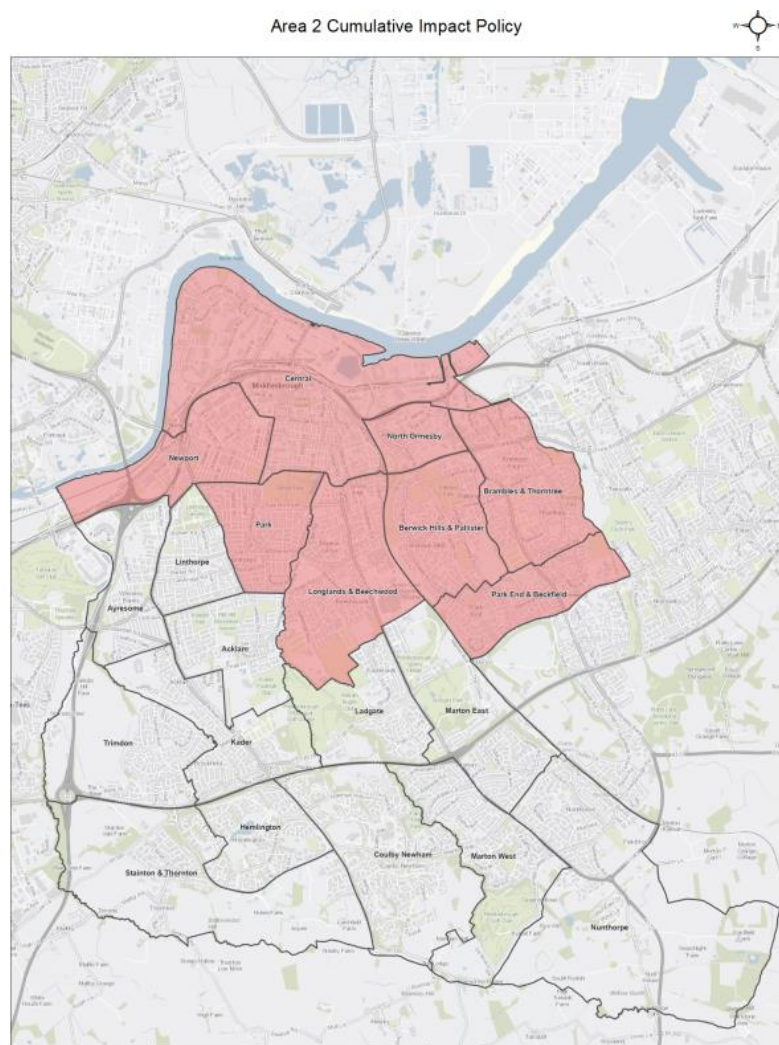
8.1. The Licensing Authority consider that a Cumulative Impact Policy in relation to off licence premises should be applied to the designated area covering the following eight wards:

- Central,
- Newport,
- Park,
- Longlands and Beechwood,
- North Ormesby.
- Park End and Beckfield.
- Brambles and Thorntree
- Berwick Hills and Pallister

In 2022-23 these 8 wards accounted for:

- 76.6% of all Crime and disorder
- 79.9% of all alcohol related crime and disorder
- 66.2% of all antisocial behaviour
- 81.6% of all alcohol related antisocial behaviour across Middlesbrough.

The map below shows the wards designated for Area 2 CIP.



8.2. In these designated ward areas applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol off the premises
- Material variations to existing off licence premises.

8.3. The Cumulative Impact Policy has been applied to these designated ward areas due to the number, type and density of the premises selling alcohol for consumption off the premises. The Licensing Authority is satisfied that there is good evidence that crime and disorder or nuisance occurring in this location is being caused by the customers of off licence premises, and that the cumulative impact of off licensed premises in this location is evident.

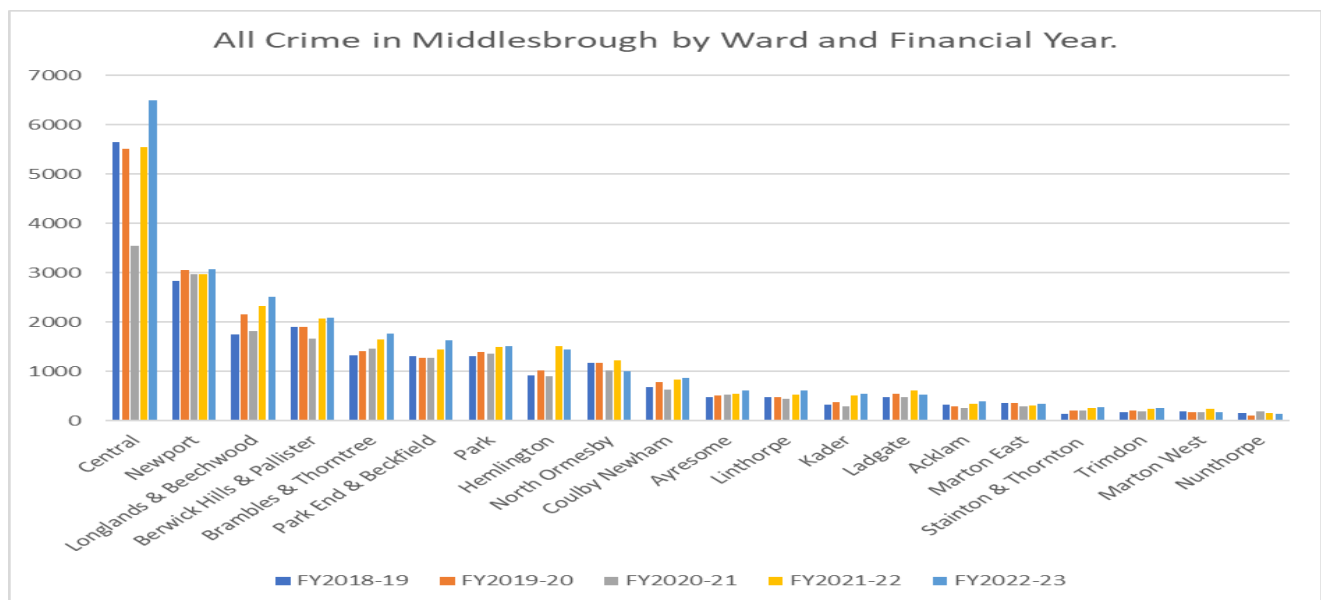
8.4. The introduction of the Licensing Act in 2005 resulted in a significant increase in off licence premises in Middlesbrough as a whole. In 2005 there were 94 off licence premises, in November 2015 there were 141, in November 2021 there were 138* and in July 2023 there were 144. It is evident that small retail premises, with a very different primary retail offer, e.g. Post Offices and newsagents have extended their remit to selling alcohol.

8.5. 71% of all off licence premises are located in the eight wards in the Area 2 CIP. Alcohol sold from off licences can be considerably cheaper than on licence sales. Survey work carried out in Middlesbrough 2015/16 found that alcohol was being sold as cheaply as 13p/unit. A more recent survey completed in 2021/22 shows a slight increase in the cost of the cheapest alcohol to 18p/unit. This increase can be accredited to a number of factors relating to licensing controls including;

- the introduction of the cumulative impact policy in 2016 for off licensed premises,
- working alongside retailers to promote responsible retailing
- imposing or agreeing conditions that help to limit the sales of cheap, strong alcohol products especially in areas that suffer from high levels of alcohol related crime and disorder, anti-social behaviour and health harms.

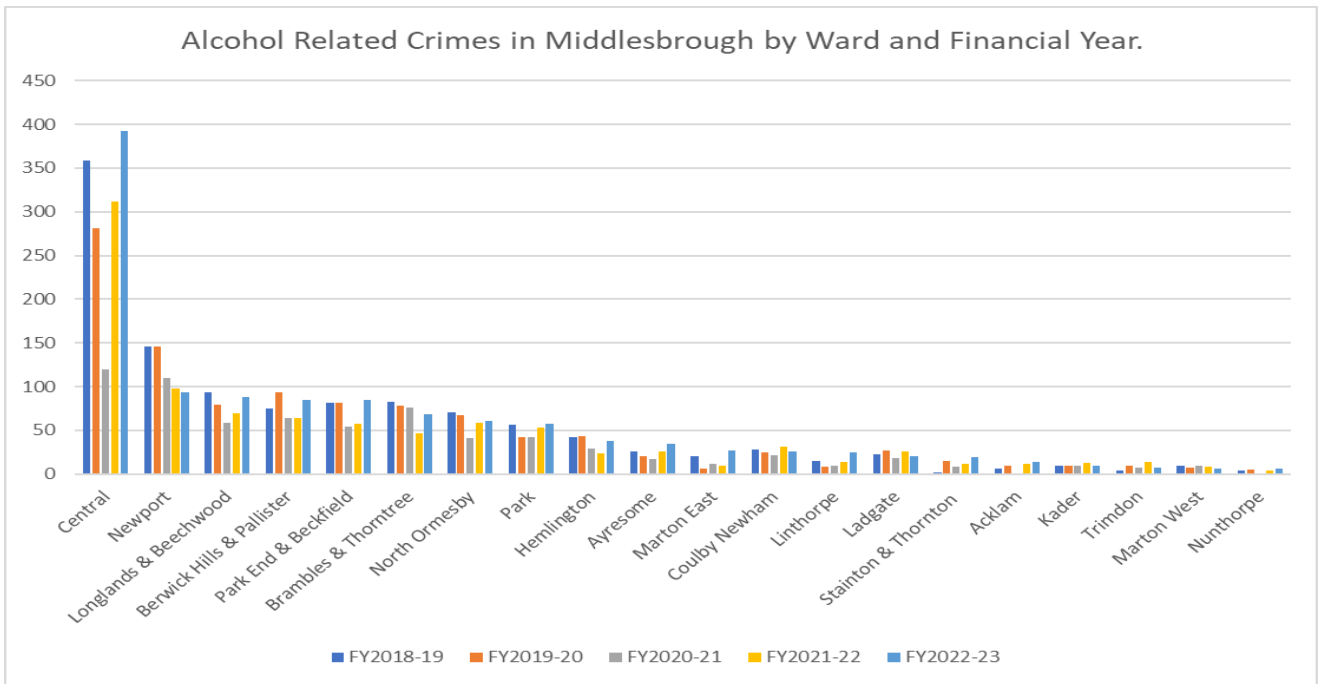
8.6. Graph 5 shows all recorded crimes over the five-year period broken down by ward. The eight wards designated for the CIP Area 2 have the highest number of recorded crimes in Middlesbrough. (Hemlington is not included in the Area 2 CIP as it does not have a high density of licensed premises)

Graph 5.



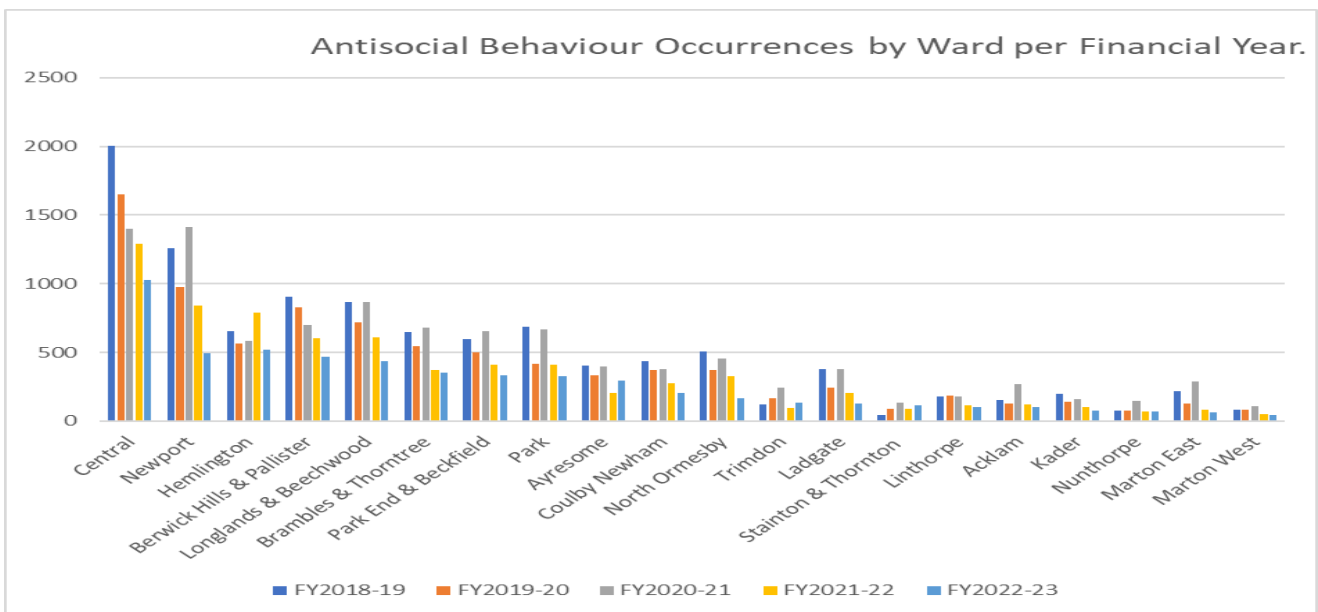
8.7. Graph 6 shows the number of alcohol related crimes recorded over the five-year period broken down by ward. Each of the eight wards in the designated CIP Area 2 have the highest number of alcohol related crimes in Middlesbrough.

Graph 6.



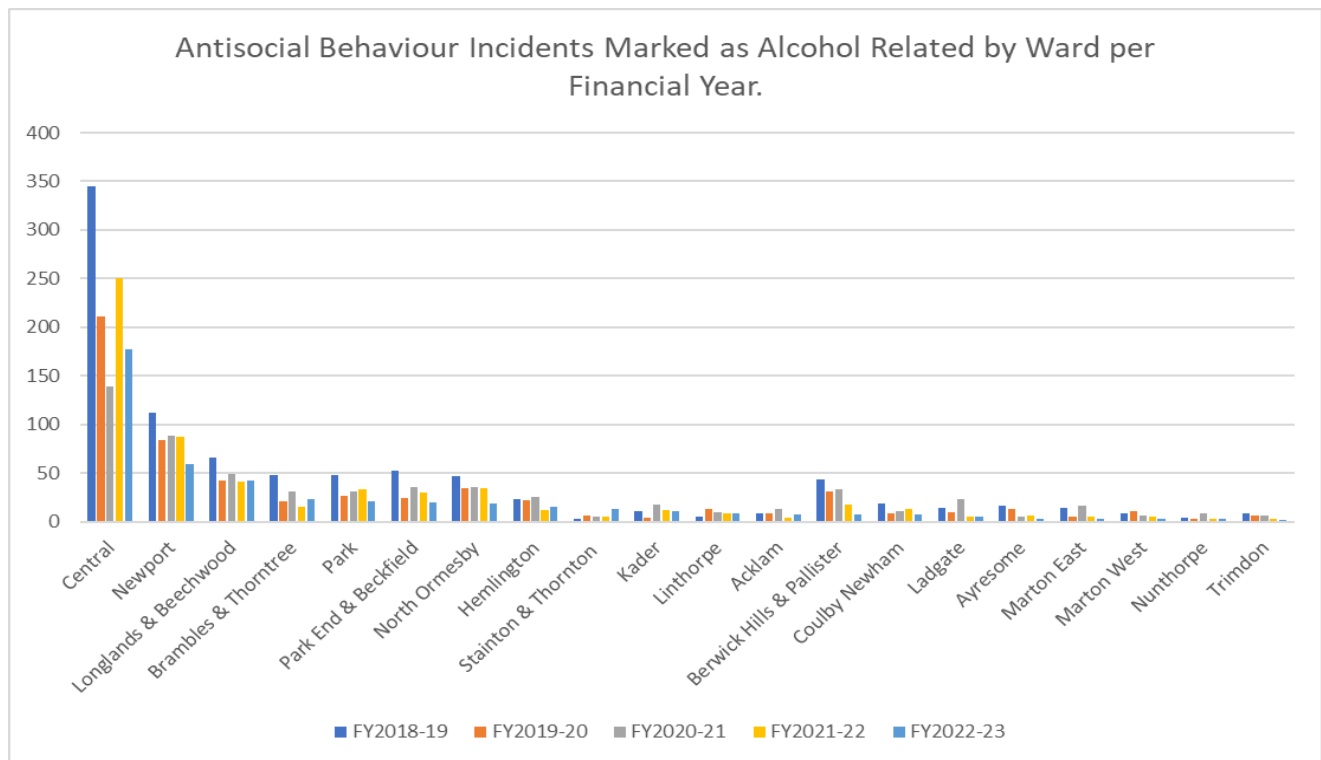
8.8. Graph 7 shows that the eight wards included in the Area 2 CIP have the highest number of reported incidents of antisocial behaviour in Middlesbrough.

Graph7.



8.9. Graph 8 shows the eight wards designated for the Area 2 CIP exhibit some of the highest number of reported incidents of alcohol related antisocial behaviour in Middlesbrough.

Graph 8



8.10. Table 6 shows number of off licence premises in each Middlesbrough ward and their rank according to the Indices of Multiple Deprivation (2019). Seven of the eight wards designated for the Area 2 CIP are in the 3% most deprived wards nationally.

Table 6.

Ward	IMD Rank 2019*	No. of Off Licensed Premises 2023
North Ormesby	3	8
Brambles and Thorntree	5	7
Berwick Hills and Pallister	20	8
Newport	36	19
Park End and Beckfield	69	10
Longlands and Beechwood	70	9
Central	89	29
Hemlington	156	3
Ayresome	722	4
Park	990	12
Ladgate	1,012	4
Coulby Newham	1,290	6
Stainton and Thornton	1,790	1
Linthorpe	2,578	7
Kader	4,703	5
Trimdon	4,790	3
Marton East	4,976	2
Acklam	5,320	4
Marton West	6,075	1
Nunthorpe	6,761	2

Top 1% most deprived nationally

Top 3% most deprived nationally

* out of total 7,180 wards in England

8.11. Table 6 shows the breakdown of alcohol attributable admissions to James Cook University Hospital in 2011 by MSOA area (Middle Layer Super Output area.) The eight wards covered by the Area 2 CIP (closely matched to the MSOA highlighted in green) have some of the highest rates of hospital admissions in Middlesbrough and significantly exceed the England rate.

Table 7.

MSOA Name	Hospital stays for alcohol related harm (Broad definition)	Hospital stays for alcohol related harm (Narrow definition)
Middlesbrough Central	232.1	201.5
North Ormesby & Brambles	239.6	220.8
Ayresome	230.5	222.6
Berwick Hills	185.7	177.5

Linthorpe East & Albert Park	175.6	162.1
Park Vale	199.6	174.2
Thorntree	199.3	187.9
Newport & Maze Park	153.3	135.4
Linthorpe West	106.4	84.2
Park End	176.7	186.2
Beechwood & James Cook	213.8	238.1
Acklam	101	97.8
Kader	90.7	75.8
Easterside	133.4	140.8
Trimdon	100.9	80.4
Maraton West	99.8	87.2
Stainton & Hemlington	146.5	127.2
Coulby Newham	135	133.1
Nunthorpe & Maraton East	100.1	83.6

Source: Local Health - Public Health England

Standardised Admission Ratio (SMR) MSOA. England = 100

9.0. Complaints about underage and proxy Sales

9.1. Middlesbrough Trading Standards Service do not receive a large number of complaints about underage and proxy sales. Those that were received over the five year time period 2018 – 2023(to date) relate to off licence premises in a total of twelve wards which include Newport, North Ormesby, Central, Longlands and Beechwood, Berwick Hills and Pallister and Park wards.

10.0. Summary and conclusion.

10.1. This assessment shows that the wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Brambles and Thorntree and Berwick Hills and Pallister have:

- high levels of crime and antisocial behaviour,
- a high number of off licence premises,

- a high rate of alcohol attributable hospital admissions, which are some of the highest 46 in Middlesbrough and exceed the England average.
- They are also some of the most deprived wards in Middlesbrough and nationally.

10.2. These eight wards account for:

- 76.6% of all Crime and disorder
- 79.9% of all alcohol related crime and disorder
- 66.2% of all antisocial behaviour
- 81.6% of all alcohol related antisocial behaviour across Middlesbrough.
- 71% of off licence premises.

10.3. The Licensing Authority considers that the density of off licence premises in these eight wards is having a negative impact on crime and disorder. Whilst maintaining public health is not a licensing objective, many of the hospital admissions arise from alcohol related crime and disorder.

10.4. The Licensing Authority consider that a Cumulative Impact Policy in relation to off licence premises should be applied to the eight wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Brambles and Thorntree and Berwick Hills and Pallister.

The Licensing Authority considers that the number of off licences in the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives.

The Cumulative Impact Policy has been applied to these designated wards due to the number, type and density of the premises selling alcohol for consumption off the premises.

10.5. The Licensing Authority is satisfied that there is good evidence that crime and disorder or nuisance occurring in this location is being caused by the customers of off licence premises, and that the cumulative impact of off licensed premises in these locations is evident.

10.6. It should be noted that there is overlap between the area covered by Cumulative Impact Policy Area 1 in relation to on licence premises and late-night refreshment and Cumulative Impact Policy 2 in relation to off licence premises.

Number of all Licensed premises on a ward basis

Ward	Number of Licensed Premises
Acklam	16
Ayresome	13
Berwick Hills & Pallister Park	18
Brambles Farm & Thorntree	16
Central	212
Coulby Newham	16
Hemlington	7
Kader	7
adgate	11
Linthorpe	20
Longlands & Beechwood	18
Marion East	9
Marion West	3
Newport	44
North Ormesby	24
Nunthorpe	6
Park	44
Park End & Beckfields	22
Stainton & Thornton	5
Trimdon	5

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