

REPORT TO: LICENSING COMMITTEE

DATE: 18 JANUARY 2022

TITLE: STREET DRINKING AND LICENSING CONTROLS UPDATE

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RECOMMENDED that:

- A** The Licensing Committee note the content of the report.
- B** A further report be presented to the Licensing Committee to update on progress towards reducing Street Drinking in the Town Centre.

BACKGROUND

1. Street drinking may cause an adverse effect on the sense of security and wellbeing of users of public spaces which may in turn impact the viability of business seeking to trade in such spaces.
2. Harlow Council is a licensing authority for the purposes of the Licensing Act 2003 (the Act) which regulates the supply of alcoholic beverages, and in this capacity may have an influence on the availability of alcohol to people engaging in street drinking.
3. The Local Government Association (LGA) have provided support to licensing authorities in the form of their “Reduce the Strength” guidance, aimed at ensuring that certain types of low cost high alcohol content beverages associated with alcohol misuse are not available in areas where issues have been identified.
4. The LGA however in its guidance makes clear that schemes that are likely to be successful are developed:
 - a) After fact finding
 - b) In collaboration with agencies having a range of insights
 - c) With the cooperation of the majority of businesses affected

ISSUES/PROPOSALS

5. Following a report to Licensing Committee on 7 September 2021 this update aims to guide members with regards to progress on controls to reduce street drinking within the Town Centre.
6. The LGA Guidance and case studies suggest that for the successful implementation of a “Reduce the Strength” scheme to tackle Street Drinking, that the police and local authority enforcement teams are involved in the process. The Licensing Team has contacted Essex Police (Harlow) and the Community Safety Team and both have expressed a commitment to support any scheme of this nature.
7. There are 51 licensed premises in the Town Centre. The Community Safety Team and Essex Police have agreed to assess Town Centre premises and feedback to the Licensing Team to help identify any premises connected with perceived street drinking issues. Such premises are most likely to require additional interventions, however will be those where most impact can be made.
8. Initially, visits will be made to identified licensed premises in the town centre by officers in January and February 2022 to
 - a) Raise the issues
 - b) Reiterate that it is an offence to sell to people who are drunk
 - c) Reiterate and check on minimum pricing requirements
 - d) Propose voluntary measures including:
 - i) ceasing “single can” sales
 - ii) marking containers to show where they were bought
9. It is proposed as part of the first visit, a short inspection will take place to check for compliance issues such as displaying their Premises Licence Summary and a check of any records as part of any Age Verification Policy. Officers will introduce the issues that street drinking may cause and how this contributes to other social problems, information will be provided about how the Council intends to reduce the prevalence of Street Drinking and seek the views of the businesses as well. Visits shall provide an opportunity for premise owners to meet officers and ask any questions they may have.
10. The Licensing Team will attend the next Safer Harlow Partnership (SHP) meeting on 13 January 2022 to raise the issues around Street Drinking and the concept of establishing a Working Group and to identify partners, organisations or Responsible Authorities that are best placed to maximise the

Working Group's success. An earlier meeting scheduled for October was unfortunately cancelled.

11. It is recognised that mechanisms to reduce Street Drinking in the Town Centre may deliver directly into the Safer Harlow Partnership Workplan.
12. As the Council's Public Space Protection Order (PSPO) for the Town Centre is due for renewal August 2022 it will soon engage in consultation on any replacement Order; consideration will be given to how any PSPO can support the aims of reducing street drinking in the Town Centre.

CONCLUSION

13. Through careful and collaborative working, the team aim to bring forward a scheme reflecting the relevant parts of the LGAs "Reducing the Strength" guidance that will contribute to the enrichment of Harlow's public spaces in the town centre as well as having a positive influence on people's health.
14. The structure of the scheme is not fixed at this particular moment in time as to be successful it should be open to ideas and suggestions of any partnering organisations that may form part of the proposed Working Group.

IMPLICATIONS

Strategic Growth and Regeneration

As set out in the report.

Author: Andrew Bramidge, Director of Strategic Growth and Regeneration

Finance

None specific.

Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance

Housing

As outlined the report.

Author: Andrew Murray, Director of Housing

Communities and Environment

Action with partners that can reduce crime and perception of crime is expected to support community cohesion and wellbeing.

Author: Jane Greer, Director of Communities and Environment

Governance and Corporate Services

A Public Spaces Protection Order made by the Council under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 came into effect on 5 August 2019. Restrictions apply, at any time, on the consumption of alcohol or having an

alcohol container, in the restricted town centre area unless subject to exemptions to premises or the curtilage of premises. Any person who, without reasonable excuse, continues drinking intoxicating liquor in the restricted area or fails to surrender any intoxicating liquor in their possession when asked to stop by an authorised officer, commits an offence. Measures suggested seek to lessen the likelihood of transgressing the order.

Author: Simon Hill, Director of Governance and Corporate Services

Appendices

None

Background Papers

Reducing the strength: Guidance for councils considering setting up a scheme [LGA]

<https://www.local.gov.uk/case-studies/reducing-strength-guidance-councils-considering-setting-scheme>

Glossary of terms/abbreviations used

LGA - Local Government Association

PSPO – Public Space Protection Order

SHP – Safer Harlow Partnership