

REPORT TO: LICENSING COMMITTEE

DATE: 5 JULY 2022

TITLE: STREET DRINKING AND LICENSING CONTROLS UPDATE TWO

LEAD OFFICERS: MICHAEL PITT, ASSISTANT DIRECTOR ENVIRONMENT (01279) 446114

ADAM SHERWOOD, PRINCIPAL LICENSING OFFICER (01279) 446561

CONTRIBUTING OFFICERS: CHRISTINE CHEUNG, SENIOR LICENSING OFFICER (01279) 446129

RACHEL CROUCH, SENIOR LICENSING OFFICER (01279) 446015

RECOMMENDED that:

- A** The Licensing Committee note the content of the report.
- B** A further report to be presented to the Licensing Committee to update on the Street Drinking Reduction scheme 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 in its guidance makes clear that schemes that are likely to be successful when 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

5. 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.

ISSUES/PROPOSALS

6. From the list of licensed premises in the Town Centre. Six premises have been identified as key premises to encourage being involved with the project.
7. On 25 May 2022, the Licensing Team, with colleagues from the Community Safety Team and Essex Police, visited the identified premises to discuss:
 - a) Basic licensing principles such as displaying their premises licence summary, being aware of licence conditions, their Challenge policy and confirming the DPS for the premises.
 - b) Issues of street drinking, how it can be a detriment to those visiting the town as well as long term implications for businesses that operate in the town centre.
 - c) Current levels of anti-social behaviour in the town centre and whether they are witness to it, reminded to report it to the police.
 - d) The Public Space Protection Order (PSPO) in place to prevent alcohol consumption in the town centre.
 - e) An introduction to a scheme that aims to reduce street drinking. The two main proposals discussed were around:
 - i) Ceasing “single cans” sales
 - ii) Marking containers to show where they were bought
8. Two teams of officers set out to visit the premises with a questionnaire to complete. Four questionnaires were completed as one owner has two identical premises while another was left the questionnaire.
9. Two of the questionnaires were not fully completed by officers regarding the scheme proposals but at an on-site meeting following the visits it was discussed that these two (three) premises (International Food Store and two x Mini Delikatesy) were not particularly keen on engaging with the scheme proposals. Additionally, the visit to Town Centre Market the DPS was not present, but turned up with a delivery later while officers remained on the visit, in an informal chat outside the DPS expressed mixed feelings about the scheme. The questionnaires completed by officers are set out in Appendix A to the report.
10. As an overall assessment of engagement from businesses, the newsagent located in Market Square, Choc N News has a prime location to make sales of alcohol that may then be consumed in Market Square, this business proprietor expressed that he would be willing to take part in a scheme to label cans if other businesses were on board too.

11. The two Mini Delikatesy shops, International Food Store, Station Food Ltd and Town Centre Market are going to require more encouragement if they are to get on board. A second visit is planned on 22 June 2022 to all premises to re-run over the benefits of the scheme to tackle anti-social behaviour and compliance with the PSPO. Officers shall hand over the sticky dots to encourage implementation of marking the underside of single cans by businesses.
12. The PSPO/Street Drinking Working Group will meet again after the second round of premises visits.

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 in the report.

Author: Andrew Murray, Director of Housing

Communities and Environment

As contained within the report.

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, the potential renewal is currently out for consultation. 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. The scheme seeks to lessen the likelihood of transgressing the order.

Author: Simon Hill, Director of Governance and Corporate Services

Appendices

Appendix A - Completed Questionnaires on 25 May 2022

Glossary of terms/abbreviations used

LGA – Local Government Association

PSPO – Public Space Protection Order