

Licensing Committee

Public Health Data Tool in Licensing Decisions

Report of Executive Member for Neighbourhoods & Culture

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Executive Summary

This report requests that Members endorse the use of public health data to assist in decision making in relation to alcohol premises applications under the Licensing Act 2003.

Recommendations

That Members:

- 1) Note the report; and
- 2) Endorse the use of this data to assist in decision making.

Public Health Data in Licensing Decisions

1. Purpose of the report

- 1.1 This report requests that Members approve the use of public health data to assist in decision making in relation to alcohol premises applications under the Licensing Act 2003.

2. Introduction

- 2.1 The Licensing Act 2003 is the primary piece of legislation that regulates the alcohol, entertainment and late-night refreshment industry. It is underpinned by four licensing objectives for which consideration must be given by operators and regulators alike. They are:

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

- 2.2 When premises applications are submitted there is a statutory twenty-eight-day consultation period where representations can be made to the licensing authority. Such representations must be linked to the licensing objectives. These can be submitted by residents, other businesses or organisations and responsible authorities which are defined in law which include:

- Police
- Fire Service
- Environmental Health
- Director of Public Health
- Safeguarding Children Board
- Planning Authority

- 2.3 Since 2013, directors of public health (DsPH) in England have been included in the Licensing Act as responsible authorities. As a responsible authority, the DPH may: ¹

- engage with applicants to negotiate conditions or terms
- make relevant representations on the likely effects of granting a new premises licence or club premises certificate (or a variation of an existing one), on one or more of the licensing objectives

¹ [Alcohol licensing: a guide for public health teams.](#)

- contribute data to support other responsible authority representations on the likely effects of granting a premises licence or club premises certificate (or a variation of an existing one), on one or more of the licensing objectives

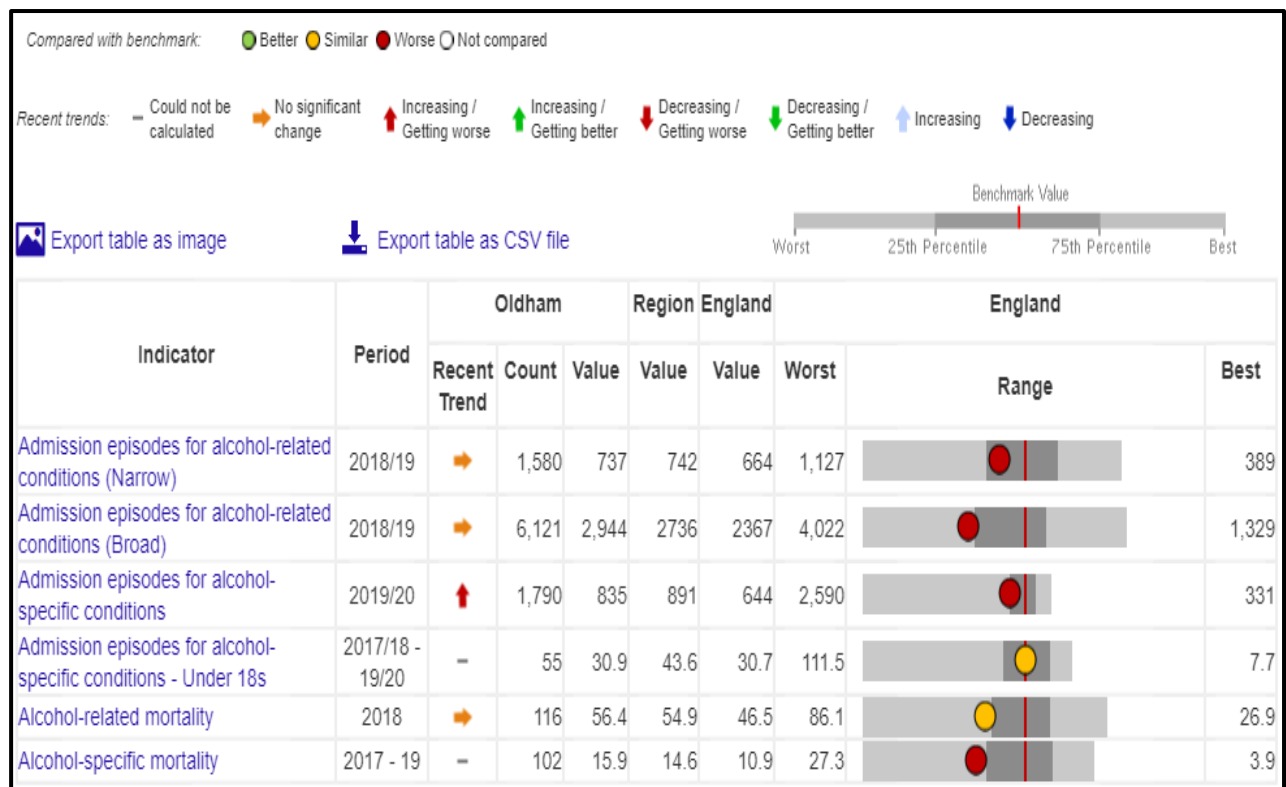
2.4 This data tool is intended to support the DPH for the council in making appropriate input to the licensing process to improve the health of the population.

3. Harmful effects of alcohol in Oldham

3.1 Alcohol misuse has deleterious health and social impact on individuals and the local communities. The volume of pure alcohol sold through the off-trade in Oldham in 2014 was 8.3 litres per adult, the 3rd highest in the North West after Blackpool and Tameside, and significantly above national average of 5.5 litres per adult.²

3.2 Figure 1 shows the public health impact attributable to alcohol misuse. Admissions due to alcohol-related conditions are significantly higher than national average (737 per 100,000 in Oldham compared with 664 per 100,000 in England). Consequently, alcohol-specific deaths are also significantly higher in Oldham (15.9 per 100,000 compared with 10.9 per 100,000 in England).

Figure 1: Health impact of alcohol misuse in Oldham (source PHE, Local Alcohol Profiles - 2021)



3.3 The health of our population and the customers of licensed premises is very important. Careful consideration should be given to where licensed premises are situated and the impact one could have to the residents of that community if additional alcohol sales are made available to it.

² Public Health England (2021). [Local Alcohol Profiles for England](#)

4. The data tool and its intended use

4.1 The following data sources have been used to develop the tool:

- Density of Licensed Premises (per 1000 population)
- Alcohol Specific Hospital Admissions (DSR per 100,000 Population)
- Weekend A&E attendances (12:00 – 05:00 AM)
- Alcohol Related Crimes
- Alcohol and Domestic Violence Associated Crimes
- Alcohol Related Anti-Social Behaviour Incidents

4.2 The tool provides a RAG-rated scoring system which highlights areas with potential alcohol-related public health issues for the Director of Public Health to consider and advise on appropriate measures to reduce the impact of licensing on alcohol-related harm

4.3 The measures may include outright objection to the application, requesting amendment to the operating schedule to adjust opening hours, conditions to limit the hours of the sale of alcohol (i.e. late night), not sell high strength alcohol or have stronger conditions.

4.4 The tool will be used by the Licensing department to screen all applications. Where areas are highlighted as potential problem spots, they will be passed onto the Director of Public Health for review and recommendations on appropriate measures to mitigate the potential negative impact on public health.

4.5 An increasing number of local authorities are now using an alcohol toolkit in order to grade and assess applications as they are submitted. By using our local population data on alcohol harm, it provides a standardised objective process for assessing applications.

4.6 The data used will be refreshed annually or more frequently depending on when new datasets relating to the alcohol harm are published. Our overall approach will be reviewed as part of the regular review of local licensing policies every 5 years, or more often if required.

4 Legal Services Comments

4.1 The Council's Director of Public Health can make representations to the licensing authority about applications relating to new or existing premises licences. (A Evans)

5 Co-operative Agenda

5.1 The licensing process is in place not only to protect the public but also to support and where necessary regulate businesses within the Borough.

6 Environmental and Health & Safety Implications

6.1 None

7 Equality, community cohesion and crime implications

7.1 None

8 Equality Impact Assessment Completed?

8.1 No

- 9 **Key Decision**
- 9.1 No
- 10 **Key Decision Reference**
- 10.1 N/A
- 11 **Background Papers**
- 11.1 None
- 12.0 **Appendices**
- 12.1 None