

## About you

We will use the information you provide here only for the purpose of this activity. We will store the information securely in line with data protection laws and will not share or publish any personal details.

1. What is your name?

Name

2. What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

3. What is your role?

*Please select all that apply*

- Resident  Business  Councillor  Responsible Authority  Town/Parish Council  Representative of Residents  Business Representative  Other (Please specify)

Please specify

## Cumulative Impact

“Cumulative Impact” is about the concentration of licensed premises in a particular area and the impacts of this. In some areas licensed premises that sell alcohol and late night food and drink in a particular area can cause nuisance and/or disorder problems. These problems can happen when a large number of drinkers gather in one area when leaving a premises at closing time or queuing for food or public transport. Sometimes lots of licensed premises in an area can have a negative impact on the licensing objectives, such as public nuisance or crime and disorder. Where there is evidence of this the council can introduce a ‘cumulative impact’ policy which means that a licence application that would have a negative impact will probably be refused. These policies must be supported by evidence and an assessment must be published every 3 years.

Currently only Aylesbury town centre has a cumulative impact policy which states that high risk late night premises such as late night bars and nightclubs that sell alcohol or takeaway food will be refused licences to trade after 00.30. All other premises are not permitted to open after 02.30. An assessment of the Aylesbury town centre cumulative impact policy is due now.

Town centres and licensed premises have been significantly affected by the Covid-19 pandemic and this means that there is limited recent evidence to support a meaningful assessment of the Aylesbury town centre policy.

The council is considering removing the cumulative impact policy for Aylesbury town centre but keeping the area under review. This means that there would no longer be a presumption to refuse late night licence applications. Applications would still go through consultation and residents and responsible authorities would have the chance to have their say. Applicants would still have to demonstrate how they intend to meet the four licensing objectives.

4. Do you agree with this approach?

Yes  No

Please provide comments/evidence to support your view

5. Are there any other areas of Buckinghamshire which you think are impacted by a concentration of licensed premises and should also be considered?

Yes  No

Please describe the area and explain why you believe this is the case. It would be helpful if you can reference one or more of the four licensing objectives in your answer: 1. preventing crime and disorder; 2. public safety; 3. preventing public nuisance; and 4. protecting children from harm.

## Special Hours Policies

Under the Licensing Act 2003 applicants can apply for any hours they wish. Each application must be considered on its own merits and the council cannot impose fixed closing times. However the council can choose to apply special hours policies to licence applications in a particular area (or zone) or of a particular type, e.g. pubs, nightclubs, hot food take-aways. Special hours policies often set a preferred closing time(s) by premises type, area or both. Where a special hours policy is in place and applicants apply to operate beyond the preferred closing time(s), then the application will be subject to additional scrutiny and it is expected that they will have robust additional measures in place to ensure they meet the licensing objectives. A special hours policy which sets a preferred closing time must be supported by evidence that one or more of the licensing objectives are being impacted.

Currently only Buckingham town centre has a special hours policy which was put in place following late night noise disturbance from late opening alcohol led premises and the student population. The policy states that applications to open beyond 00.00 will normally be refused unless applicants can satisfy the council that they can operate without harm to the licensing objectives. All applications after 01:30 will generally be refused.

A decision to introduce a special hours policy needs to be supported by evidence. Since the policy was introduced the nature of Buckingham has reportedly changed. Licensed premises are now more food led and less likely to open late and students from Buckingham University are more likely to remain on campus. Complaints about licensed premises in Buckingham are lower. The council is considering whether the special hours policy for Buckingham is still necessary. If the policy is removed applications would still go through consultation and residents and responsible authorities would have the chance to have their say. Applicants would still have to demonstrate how they intend to meet the four licensing objectives.

6. Should the special hours policy for Buckingham be removed?

Yes  No

Please provide comments or evidence to support your view:

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7. Are there other Buckinghamshire Council areas where you think a special hours policy should be introduced?

Yes  No

Please describe the area and provide details such as the time(s) you think premises should close, the type of premises and any evidence or comments to support your views:

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8. Should Buckinghamshire Council have special hours policies?

Yes  No

9. Do you have any other comments about licensing hours in Buckinghamshire?

Please enter any comments below:

## Street Drinking

Street drinking has been a problem in some areas and can be associated with disorder and anti-social behaviour.

The council has introduced PSPOs (Public Space Protection Orders) in some parks and town centres which prohibit drinking alcohol or possessing alcohol in open containers in the street. The council is considering introducing a policy which places some restrictions on off-licences in areas which have PSPOs for street drinking.

Restrictions include not selling high strength beer and cider, not selling cans and bottles in single cans and discouraging the sale of alcohol to known street drinkers.

10. Do you agree with this policy?

Yes  No

Please enter any comments to support your view

## Outside Drinking

During the Covid-19 pandemic the government introduced pavement licences which make it easier for businesses to use outside spaces to sell food and drink. The council supports the pavement licence scheme but also wants to limit impacts on nearby residents.

The new policy will set out measures for outside areas that all new applicants will be expected to follow. These include a recommendation that outside areas are not used later than 11pm on Fridays and Saturdays, 10pm on other days, and separate areas for smokers and non-smokers.

11. Do you agree with this approach?

Yes  No

12. Do you have any comments to make on use of outside areas by licensed premises?

Please enter any comments below:

## Application Consultation

All applicants for licences are generally required by law to advertise their application by displaying a public notice on the premises and in a local newspaper and by serving a copy on statutory authorities such as the police and fire authority. In addition the council publishes details of all applications on its online public register on the council's website.

The Council is proposing that as well as this notifications of new and variation applications are sent to local ward councillors and the local parish or town council.

13. Do you agree with this approach?

Yes  No

Please enter any further comments below:

## Pubwatch and other similar schemes

Voluntary schemes such as Pubwatch and Shopwatch help promote safer environments for the sale and consumption of alcohol. These schemes provide a local network for licenced businesses to work together to tackle crime and disorder, share best practice and develop closer working relationships with the police, council and other agencies.

The new policy will encourage all licence holders to take part in local schemes where they exist; licensees will also be encouraged to introduce a scheme where one does not already exist.

## Safeguarding Children

Protecting children from harm is one of the core licensing objectives and protecting the vulnerable is a key priority of Buckinghamshire Council. Licensed premises can be a high-risk environment for children and young people. Risks can include underage consumption of alcohol, access and exposure to tobacco products and illegal drugs, exposure to violence and disorder and exposure to inappropriate entertainment. Although not common there is also the potential for exposure to sexual exploitation, modern slavery, human trafficking and illegal employment.

The new policy will encourage operators of licensed premises to put in place a safeguarding policy. The council will expect operators of high-risk premises to have a written safeguarding policy and procedures including records of staff training.

## Public Health

A key priority for Buckinghamshire Council is to strengthen local communities and support people to live healthy lifestyles. Licensed premises can help support this by providing opportunities for people to come together and socialise. However, there are health risks associated with the consumption of alcohol.

The new policy will require applicants for licences for the sale or supply of alcohol to consider the health impacts of this and adopt measures to mitigate risks to health. This could include staff training on the responsible sale of alcohol, avoiding promotions which encourage people to drink more and thinking about the type and alcohol content of drinks they sell.

## Promoting Environmental Best Practice

A key priority for Buckinghamshire Council is to improve the local environment. Licensed premises can contribute by helping to create a greener and cleaner environment.

The new policy will encourage operators of licensed premises to adopt best practice measures such as minimising waste, improving energy efficiency and reducing traffic on the road.

## Licensing Objectives

Thinking about the four licensing objectives:

1. preventing crime and disorder;
2. public safety;
3. preventing public nuisance; and
4. protecting children from harm.

18. Do you have any specific comments or areas you would like to see in the new Buckinghamshire Licensing Act policy?

*You may wish to look at the existing policies for Aylesbury Vale, Chiltern, South Bucks and Wycombe to inform your answers*