



AGENDA ITEM: 8

**LICENSING & GAMBLING
COMMITTEE: 2 FEBRUARY 2016**

Report of: Interim Director Community Services

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SUBJECT: LICENSING ACT 2003 – NIGHT TIME LICENSING OPTIONS

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

- 1.1 To provide Members with an update on the options resulting from the action plan devised to address concerns regarding night time antisocial behaviour in the Borough, including Ormskirk town centre.

2.0 RECOMMENDATIONS

- 2.1 That the content of the report be noted.
- 2.2 That a Cumulative Impact Policy and/or Late Night Levy are not adopted within the Borough at this time.

3.0 BACKGROUND

- 3.1 Members will recall previous reports to this Committee relating to the action plan originally devised in 2014 following a proposed Early Morning Restriction Order (EMRO) for Ormskirk town centre. This report will therefore provide an update on the original action plan and additional information on the outstanding options.

4.0 OPTIONS UPDATE

- 4.1 *Review of the Council's Licensing Policy*
Members will recall the reports to this Committee regarding the review of the Council's Licensing Policy. The Policy was approved by this Committee and full Council on the 2 and 17 December 2014 respectively and came into force on 7

February 2015. The revised Policy contains several new 'Licensing Principles' which clearly set out how the Council expects applicants to demonstrate how the risks to the licensing objectives will be controlled. Similarly, the licensing principles can be used in any hearing to promote consistency of approach.

4.2 *Review of the Council's Licensing Service web pages*

With the onset of the new content management system, the Licensing Service webpages were reviewed during 2014 and 2015 to provide improved information on the 2003 Act.

4.3 *Review of licensing fees*

Following a period of consultation, the Government has chosen not to adopt a scheme of locally set licensing fees under the Act at this time. Fees are therefore set by statute and cannot be amended locally as a means to providing additional resource to offer control of the licensing regime under the Act.

4.4 *Development of initiatives with Edge Hill University (EHU)*

Members will recall that £5k match funding was offered to EHU to improve/provide community liaison initiatives to help address concerns of potential noise and disturbance from student activity. Given that this approach was beyond the licensing remit of this Committee, the match funding was to be administered through the Community Safety Partnership. In the meeting of this Committee on 2 June 2015, Members specifically requested an update from the Interim Director Community Services and / or the Environmental Protection and Community Safety Manager. Accordingly, the latter has provided information that a discussion has taken place with EHU, but no agreement has yet been made as to the allocation of this resource.

4.5 *Improved taxi facilities at EHU*

Discussions had taken place with EHU and the Student Union to review taxi provision at the campus and to examine the feasibility of providing a low cost taxi scheme between EHU and Ormskirk town centre. However, after consideration of the matter, EHU were not able to support such provision.

4.6 *Improved liaison between the licensed trade and the community*

It was proposed that a representative of the licensed trade in Ormskirk attend the routine Ormskirk Town Centre Task and Time Group meetings. Lancashire Constabulary was supportive of this and attempted to facilitate a suitable representative to attend the meetings. However, a Task and Time Group no longer routinely meets regarding Ormskirk town centre and so this can no longer be facilitated in this manner.

4.7 *Night time economy (NTE) study*

An independent study was commissioned using the allocated £5k funding and was presented to this Committee on 2 June 2015.

4.8 *Cumulative Impact Policy / Late Night Levy*

These two options are the final aspects of the action plan and are addressed in the remainder of this report.

5.0 CUMULATIVE IMPACT POLICY (CIP) OR OTHER RESTRICTIVE POLICIES

- 5.1 “Cumulative impact” is not mentioned specifically in the Act; however the statutory guidance issued under Section 182 of the Act (the Guidance) refers to “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”.
- 5.2 A CIP can be put in place where the number, type and density of licensed premises is high or exceptional and serious unacceptable levels of crime, disorder or public nuisance have been identified. Such a policy specifies that applications for the grant or variation of certain types of licensed premises will normally be refused if representations are received, unless the applicant demonstrates in their operating schedule (or subsequent hearing) that there will be no adverse impact on one or more of the licensing objectives. Therefore, a CIP does not guarantee that no additional licensed premises will be provided, or existing licences extended, in a given area.
- 5.3 More recent versions of the Guidance have moved away from preventing licensing authorities from establishing zones. Therefore, instead of completely preventing licensed premises in a given area under a CIP, a zonal policy could be established that broadly encourages licensed premises in one area and not in another. This approach obviously favours larger town centres where there is clear distinction between residential and leisure areas, so that commercial demand for later hours can be channelled to the right locations.
- 5.4 The Guidance allows licensing authorities the freedom to establish a restrictive policy to set a terminal hour for all or particular types of premises or locations where it considers appropriate to promote the licensing objectives. However, in establishing a CIP or other restrictive policy, the Guidance is clear in stating that there should be an evidential basis for the decision and that this evidence demonstrates that there would be a resultant harm to one of the licensing objectives. The Community Safety Partnership and responsible authorities, including the Police and Environmental Protection are specifically stated as potentially holding relevant information which would establish the evidence base for introducing such a policy. The Guidance also sets out the following examples of evidence:
- 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;
 - environmental health complaints, particularly in relation to litter and noise;
 - complaints recorded by the local authority, which may include complaints raised by local residents or residents’ associations;
 - residents’ questionnaires;
 - evidence from local councillors;
 - evidence obtained through local consultation;
 - trends in licence applications, particularly trends in applications by types of premises and terminal hours;
 - changes in terminal hours of premises;
 - premises’ capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

- 5.5 As a means to put the above information into context, the outline views of Lancashire Constabulary, Lancashire County Council Public Health and the Council's Environmental Protection and Community Safety Manager have been sought. These responses are attached at Appendices 2, 3 and 4 respectively and relate to a potential CIP as well as the late night levy outlined later in this report. None of these responses provide opinion in support of a CIP or other similar restrictive policy.
- 5.6 Members will also note that the evidence base outlined above is similar to that required for an Early Morning Restriction Order and that Counsel advice stated that such an evidence base did not exist within the Borough when the matter was debated by this Committee in 2013 and 2014. However, the Guidance also states that where existing information is insufficient or not readily available, but the licensing authority believes there are problems in its area resulting from the cumulative impact of licensed premises, it can consider conducting or commissioning a specific study to assess the position. The previously mentioned NTE study was partly commissioned for this purpose, but [notwithstanding the limitations of the report] did not identify a suitable evidence base to support a CIP or other restrictive policy.
- 5.7 The desire to have a good night's sleep and the desire for a good night out cannot be easily balanced. But equally, the Guidance is clear that the decision to adopt a restrictive policy cannot be a political one alone. Such a policy could deter investment, frustrate legitimate business aspirations and reduce economic potential, so the extent to which licensing powers are exercised to restrict commercial freedom needs to be objectively considered.
- 5.8 Based on the current outline information, there is a lack of suitable evidence that would support the adoption of a CIP or other restrictive policy and therefore this approach not supported by Officers at this time. However, if Members wish to pursue a CIP or other restrictive policy, there would be financial and staff resource implications for the Council to consider and adopt such a policy. Counsel Advice is essential prior to any preparatory work, particularly given the level of scrutiny required to implement such a policy. Counsel Advice would be approx. £2k, however, there is no current budget allocated for this purpose and it is likely that this advice will support the current Officer view.

6.0 LATE NIGHT LEVY

- 6.1 The Late Night Levy (the levy) is a power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 (the 2011 Act). This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy.
- 6.2 Like many local authorities, the issues relating to late night crime and disorder are not prevalent right across the Borough; they are associated with smaller more localised areas. However, the relevant statutory provisions do not allow the Council to levy only those premises trading in such areas. The levy must apply to the whole of the Borough or not at all. Therefore, the Council could not apply the

levy to Ormskirk town centre without implementing the levy in all other parts of the Borough.

6.3 To address the potential concerns of licensed business operators that trade outside of perceived problem locations (as they may consider the levy as an unfair tax on their activity) there are several permitted exemptions:

- Premises with overnight accommodation
- Theatres
- Cinemas
- Bingo halls
- Community amateur sports clubs
- Community premises
- Country village pubs
- Business Improvement Districts
- New Year's Eve

6.4 The levy would be payable by the holders of any premises licence or club premises certificate in relation to premises in the authority's area, which authorise the sale or supply of alcohol on any days during a period (the "late night supply period") beginning at or after midnight and ending at or before 6am. Any relevant licence holder would be liable to pay the levy, regardless of whether the holder's premises are actually operating during the period. For example, a holder in relation to a supermarket with a 24 hour licence will be required to pay the levy regardless of its actual opening hours.

6.5 The amount of the levy is set by statute and depends upon the rateable value of the premises, as follows:

Rateable value (£)	Band	Levy amount (£)
0 – 4,300	A	299
4,301 – 33,000	B	768
33,001 – 87,000	C	1,259
87,001 – 125,000	D	1,365
87,001 – 125,000 (exclusively or primarily alcohol)	D	2,730
125,001 +	E	1,493
125,001 + (exclusively or primarily alcohol)	E	4,440
Exemption premises	X	0

6.6 As the levy is a discretionary power, Members may consider that it is not appropriate to exercise it. It is therefore appropriate to decide whether or not the Council has a viable proposal to introduce the levy before incurring the costs of the formal consultation process - which is the purpose of this report. It may be that there are an insufficient number of premises licensed to sell alcohol during the late night supply period (or that may choose the option of a free variation application to reduce the opening hours for their premises) or that the issues throughout the Borough are not sufficiently serious to warrant the use of the levy.

- 6.7 The test as to whether a levy should be introduced is in relation to the matters described in Section 125(3) of the 2011 Act. Accordingly, Members must consider the costs of policing and other arrangements for the reduction or prevention of crime and disorder, in connection with the supply of alcohol between midnight and 6am, and having regard to these costs, the desirability of raising the revenue to be applied (noting that at least 70% of the net levy must be given to the Police and is not ring-fenced to be spent within the Borough).
- 6.8 Accordingly, the Council would be expected to consider the need for a levy with the Chief Officer of Police and Police and Crime Commissioner as well as conduct a public consultation to receive representations regarding the potential implementation of the levy in their area. It is therefore significant that Lancashire Constabulary has not approached the Council in this regard and that the information attached at Appendix 2 to this report does not support the adoption of the levy.
- 6.9 However, an estimate of the amount of levy that could be expected to be attracted is provided below:

Band	Levy amount (£)	Total properties selling alcohol between 00:00 & 06:00	Approx. levy (£)
A	299	4	1,196
B	768	73	56,064
C	1,259	25	31,475
D	1,365	2	2,730
D	2,730	0	0
E	1,493	3	4,479
E	4,440	0	0
X	0	N/A	N/A

- 6.10 The total number of licensed premises within the Borough is currently 341. The estimated number of premises that would be addressed by the levy is 107, leading to an estimated net levy of £95,944 pa, if the levy were set to address premises selling alcohol between 00:00 and 06:00. Members' attention is drawn to the fact that a significant number of the 107 premises currently sell alcohol until 00:30 or 01:00 and those operators may simply choose to reduce these hours to avoid the levy. It should also be noted that if the levy were set at a later hour, the income would be similarly significantly reduced. At least 70% of the levy (£67,160 approx.) must be provided to the Police, leaving £28,784 approx. to the Council. As with a CIP, Members should note that any financial risk (for example lower than expected revenue) rests at a local level and should be fully considered prior to implementation.
- 6.11 As the levy is applicable across the Borough, the following provides an estimate of the distribution of potentially effected licensed premises:

Area	No. of premises
Ormskirk	31
Burscough	11
Newburgh, Parbold, Wrightington	11
Skelmersdale, Up Holland, Bickerstaffe	32

Aughton, Downholland, Halsall, Scarisbrick	13
Rufford, Tarleton, Hesk. with Becc., North Meols	9
Total	107

- 6.12 Similar to a CIP, the process to implement the levy is complex and requires additional work to examine the rationale for the levy in detail. There is a lack of suitable evidence that would support the adoption of the levy and the outline information from the most relevant partner agencies does not support the adoption of the levy at this time, a view which is supported by Officers. Furthermore, the estimated net levy is limited, particularly when considered that this resource must be applied across the Borough.
- 6.13 If Members wish to pursue this course of action, there would be financial and staff resource implications for the Council to consider and adopt the levy. Given the potential implications of the levy on the local economy, it is also recommended that the decision to introduce the levy is a matter for full Council. Accordingly, Counsel Advice is essential prior to any preparatory work, particularly given level of scrutiny required to implement the levy. Counsel Advice would be approx. £2k, however, there is no current budget allocated for this purpose and it is likely that this advice will support the current Officer view.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 The 2003 Act has the potential to impact upon the Community Strategy. The contents of this report have the following links with the Community Strategy: Community Safety (issues A and E); Economy and Employment (issue D).

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 The initial financial implications are detailed in this report.

9.0 RISK ASSESSMENT

- 9.1 The Council is not under a statutory obligation to address the options contained in this report. Concerns regarding antisocial behaviour are not solely linked to issues that can be addressed by licensing controls. Members must therefore be mindful of the remit of this Committee under the Licensing Act 2003.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

- 1 Equality Impact Assessment.
- 2 Response from Lancashire Constabulary Licensing Unit
- 3 Response from Lancashire County Council Public Health
- 4 Response from Council's Environmental Protection and Community Safety Manager

Appendix 1

Equality Impact Assessment Form



Directorate: People and Places		Service: Community Services	
Completed by: Paul Charlson		Date: 20/01/16	
Subject Title: LICENSING ACT 2003 – NIGHT TIME LICENSING OPTIONS			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	No		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No		
Details of the matter under consideration:			
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	<i>*delete as appropriate</i>		
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>			
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
3. EVIDENCE COLLECTION			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	All licensed operations under LA03.		
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	All sections of the public use licensed businesses.		
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>		

Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	All licensed operations under LA03 and the public.
What will the impact of the work being carried out be on usage/the stakeholders?	Potential implementation of new restrictive policies or licence fee structures.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Any options considered will be subject to consultation.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Any options considered will be subject to consultation.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	Assessment will be reviewed if options are approved for further consideration.

Appendix 2 Lancashire Constabulary Licensing Unit response

West Lancashire Borough Council Licensing and Gambling Committee – Consideration on Cumulative Impact Policy/Late Night Levy for Ormskirk Town Centre.

Introduction

Lancashire Constabulary has been approached by West Lancashire Borough Council asking for its view on the imposition of either a Cumulative Impact Policy or Late Night Levy within Ormskirk Town Centre. It is understood that the information contained within this document is to form part of the report to be presented to the Licensing and Gambling Committee for their consideration.

The legal basis for the imposition of either of the above sanctions arise from the Licensing Act 2003, and were included by the Government as tools to assist in deal with policing crime and disorder linked to the night time economy especially related to licensed premises. These sanctions are available to local authorities who can choose to implement them within their areas of control. This cannot be done arbitrarily and there is clear guidance which stipulates that there should be a consultation process and that the imposition of either of the sanctions should be supported by evidence.

Invariably the local authority would look to the police as its main source of statistical information as to whether there is sufficient evidence to justify the imposition of the sanctions. The police are aware that in the early part of 2013 the local authority had considered the imposition of an Early Morning Restriction Order (EMRO) for Ormskirk Town Centre. After an analysis of the crime and disorder figures relating to Ormskirk Town Centre it was felt there was insufficient evidence to justify the imposition of the EMRO.

In response to this latest request I have made a check of Sleuth which is the system on which the police hold their data relating to incidents and crimes reported to them. The checks for incident numbers was carried out between the date parameters 01/01/15 to 31/12/15, and under 3 incident locations that relate to Ormskirk Town Centre these being SB32, SB33 and SB34.

I have outlined below the results of these checks. I would emphasise that the check carried out was only a basic interrogation of the system and is not a detailed statistical analysis of the data. Therefore the results should be taken as an indication of the levels of crime and disorder within Ormskirk Town Centre rather than strong statistical evidence.

Should it be required, after considering the information, that a more detailed breakdown of the information is required then this would require the need for further analysis by trained personnel.

Incidents – Ormskirk Town Centre

A check of the Sleuth system for all incidents recorded by the police during 2015 relating to the town centre showed there had been a total of 861. These can be broken down into the three incident locations as follows;

SB 33 – 536 (This location covers the centre of Ormskirk, which contains the vast majority of the licensed premises)

SB 34 – 127

A check of all incidents recorded under each location was carried out looking for those incidents which named specific licensed premises or premises that impact on the night time economy, this showed;

SB 32 – Two licensed premises which accounted for 13 of the incidents reported

SB 33 – Two licensed premises, a restaurant and two taxi offices which accounted for 140 of the incidents reported

SB 34 – One licensed premises which accounted for 1 of the incidents reported.

A further check under the three incident locations was conducted in relation to specific incident categories these being Assault and Public Order, these being be one of the main indicators for concern from the police relating to Crime and Disorder. This showed the following;

Public Order

SB 32 – 1 incident, location indicated as licensed premises

SB 33 – 6 incidents, 2 of which indicated licensed premises as the location and 1 a taxi office

SB 34 – 0 incidents

Assault

SB 32 – 2 incidents, 1 of which indicated licensed premises

SB 33 – 30 incidents, 14 of which indicated licensed premises as the location and a further 3 indicated taxi offices as the location.

SB 34 – 6 incidents, none of which indicate the location as being licensed premises.

(The incidents outlined relating to licensed premises have not been scrutinised individually so does not indicate whether the incidents can be attributable to the operation of the premises or its customers or whether the premises has been used as a point of reference only)

Conclusion

In concluding this report I would make comment, based on the information above, with regards both sanctions separately.

Late Night Levy

This is a policy which was introduced to make certain licensed premises within the local authority area pay a yearly levy to the council should they wish to operate after a specified time. Once the levy is collected a percentage of this should be provided to the police to assist in managing the night time economy.

Since the introduction of the Licensing Act in November 2005 I am unaware of many, if any areas in the country that operate a Late Night Levy. The difficulties I see in this sanction for Ormskirk Town Centre is that the levy has to be imposed across the whole of the licensing authority area, it cannot specify a particular area as can be done with the cumulative impact policy. This in effect would mean that licensed premises throughout the borough would be required to pay the levy should they also open past the specified time.

If we take the figures above in relation to incidents at licensed premises on face value I can say that they relate to only 5 particular licensed premises out of the 14 currently operating. You could well understand the potential consultation response from those premises who feel they may be paying for the sins of others.

A further consideration would also be the specified time from which the levy applied, I think the general hours considered would be 1 or 2 am as any earlier would penalise licensed premises across the borough. If the number of licensed premises within the borough that operate over these times is taken into consideration the amount of money generated may not provide any significant assistance in policing.

I do not feel that the Late Night Levy is a realistic consideration with regards Ormskirk Town Centre and the fact that this has not been imposed, as far as I am aware, by any other authority should be an indication as to the credibility of this particular sanction.

Cumulative Impact Policy

This is a policy which when introduced by a Local Authority, seeks to control the number of licensed premises within a specified area. Note the use of the word control as opposed to prevent. This policy does not prevent the opening of new licensed premises nor the extending of hours for those already operating, it merely creates a rebuttable presumption that any application to open or extend the hours of premises would normally be refused by the local authority. If however the applicant can demonstrate that their particular application will not contribute to an "already existing" problem then the council can depart from the policy and grant the application.

Further the policy will only be invoked should a representation be received in relation to the application, so if no representation is made, the council are under a duty to grant the application as governed by the Licensing Act.

As opposed to the Late Night levy there are a number of authorities that have deemed it necessary to impose a special policy area within their town centres, which shows it is a more credible sanction than the levy. However these have been imposed purely on the basis of police evidence where it was shown that there was already significant problems posed by the existing licensed premises and any more would contribute to these problems

There are currently in the region of 14 licensed premises within Ormskirk Town centre that cater for the night time economy and taking into account the figures above relating to licensed premises I do not believe the police would be able to provide sufficient evidence to support the imposition of a special policy area at this time.

PS Bushell

Appendix 3

Lancashire County Council Public Health response

From a public health perspective there are a number of data sources available that can help us better understand levels of alcohol related harm in an area. The ones most relevant to the discussion of late night levies and cumulative impact policies are data regarding alcohol related hospital admissions and data regarding individuals attending accident and emergency departments following assaults. Neither of these data sources alone would allow us to comment on the appropriateness of a cumulative impact policy or late night levy for the area of Ormskirk town centre. However, alongside other data sources and evidence they will support the Licensing and Gambling Committee in their discussions and decision making.

The majority of adults who are assaulted in Ormskirk Town Centre and require hospital treatment will attend Southport Accident and Emergency Department (AED). Lancashire County Council receives data regarding the number of individuals attending AED's across Lancashire due to assaults. Currently the data available to us from Southport AED is not of a high enough quality to allow us to make comment on AED attendances due to assaults in Ormskirk Town Centre. We are working with NHS West Lancashire CCG and Southport AED to improve data collection in relation to us.

Alcohol related hospital admission data relates to admissions to hospital by individuals who have a condition that is related to alcohol. In August 2015, Public Health at Lancashire County Council completed a profile of alcohol related hospital admissions in West Lancashire (attached). The profile identified that for the 3 year period 2011 to 2013 Scott Ward, which incorporates an area of Ormskirk, had the 3rd highest rate of female alcohol related hospital admissions in West Lancashire and the 7th highest rate of male alcohol related hospital admissions in West Lancashire. It is important to note that alcohol related hospital admission data does not relate to accident and emergency department attendances. It relates to individuals who are admitted to hospital. These admissions are therefore not necessarily associated with the night time economy.

National Institute for Health and Care Excellence (NICE) is a Non Departmental Public Body that provides national guidance and advice to improve health and social care. NICE has published a number of documents that relate directly to alcohol. One of these documents is 'Alcohol-use disorders: preventing harmful drinking – Guidelines (PH 24)' which states that 'International evidence suggests that making it less easy to buy alcohol, by reducing the number of outlets selling it in a given area and the days and hours when it can be sold, is another effective way of reducing alcohol-related harm'. When considering the appropriateness of this recommendation, particularly in relation to a late night levy or cumulative impact policy for Ormskirk Town Centre, consideration would need to be given to evidence of alcohol related harm from other agencies, particularly that which relates to crime and disorder, as well how levels of alcohol related harm in Ormskirk Town Centre compare to other areas of West Lancashire and Lancashire.

Late Night Levy

The above mentioned study highlighted that only four local authorities had adopted a Late Night Levy and thus mentioned the need for proportionality, if considering this approach. Additional Policing, funded by the levy, could have some impact on some of the issues in Ormskirk. However, so many of the issues are such a low level that they are not a crime and as such there would be a limit to what the Police could actually do. However, I acknowledge that additional Police presence may impact on behaviour in general.

Given that the levy is applied over the whole Borough, I am not sure how fair that is when 91% of the 742 calls to an Ormskirk Councillor hotline came from just 6 streets (Lancaster University study).

General

The busiest time of the year for Ormskirk is during the autumn term (Sept to Christmas). In particular, the "Freshers" period has the highest potential for ASB and disturbance. As a result of previous concerns the Community Safety Partnership co-ordinate three weeks' worth of activities to provide useful safety and neighbourly advice to try to minimise any disturbance during this time. The press release for 2015 work can be found here <http://www.westlancs.gov.uk/news/september-news-2015/west-lancashire-community-safety-partnership-plans-for-freshers-week-2015.aspx>. In 2015 the Council recorded just 10 noise complaints relating to noise from student houses and none of them were repeat complaints. Additional Police resources were funded to allow enhanced patrols and the Police have been extremely pleased with how well the weeks went. One of the aims of the work is to try to provide the advice in the first few weeks, to influence the behaviour throughout the year. Without this work, I am certain that there would be more ASB and disturbance for residents, particularly at this time, but also throughout the year.

Further to this work, representatives of the CSP, EHU, Lancashire Constabulary and EHSU meet on a regular basis to discuss complaints and partnership working.

At the weekend, the Street Pastors operate in Ormskirk Town Centre and provide useful assistance to revellers in relation to getting them home safely.

Whilst incidents do arise, sometimes serious ones, there are numerous initiatives and control mechanisms in place which work well for the vast majority of the time and as such it is difficult to provide sufficient evidence that either of the proposals are necessary.